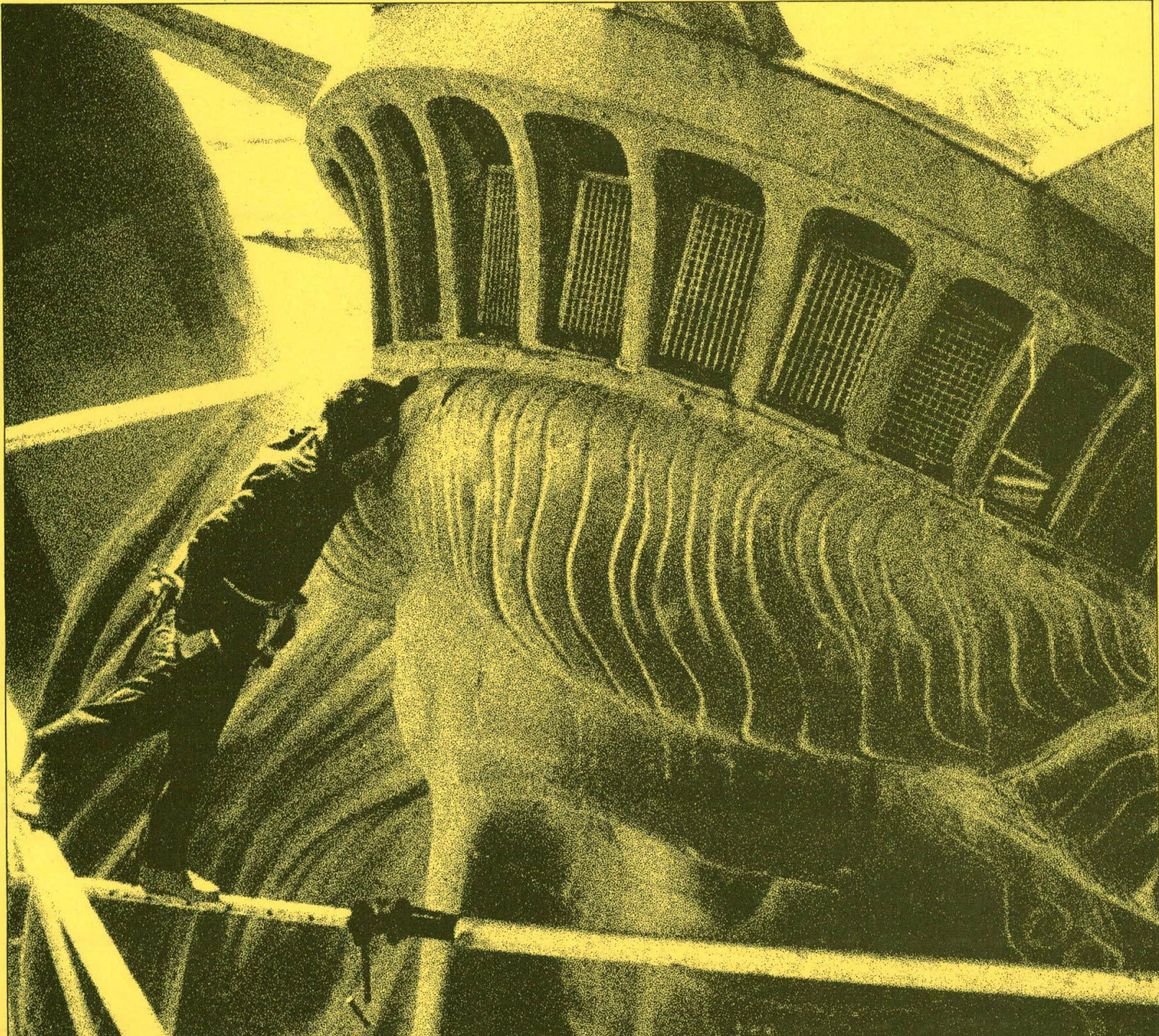


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Immigration and Naturalization Service Annual Report



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DEDICATION

For governments, institutions, or individuals, the accomplishment of a major goal is exhilarating. It is also humbling. Passage of the Immigration Reform and Control Act of 1986 was a triumph for the democratic process resulting from the Herculean efforts of more individuals than it is possible to name.

It has long been a characteristic of the American people that on issues of critical importance, the national interest prevails. Public figures lead and private citizens support their efforts until the goal is accomplished. Such was the case relative to immigration reform.

Without the bipartisan dedication of Congressional leaders and their singular commitment to the legislation, passage of the bill would never have been realized. Behind those efforts, however, were public servants and private citizens who quietly contributed enormous amounts of unrecognized time and energy with equal steadfastness.

Among those individuals are the men and women of the Immigration and Naturalization Service. Some of their contributions were visible to public view; others were not. It is to those who gave private support as well as public leadership to this historic effort that our Report is dedicated.

INS Annual Report

United States Department of Justice
Edwin Meese III, *Attorney General*

Immigration and Naturalization Service
Alan C. Nelson, *Commissioner*
Mark W. Everson, *Deputy Commissioner*

Office of Congressional & Public Affairs

Greg Leo, *Director*
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MESSAGE FROM THE COMMISSIONER

Rarely if ever does an agency of the federal government report on two events of substantial historical significance in one annual report. 1986 was such a year for the Immigration and Naturalization Service. In July, the nation honored the symbol of legal immigration with the 100th anniversary celebration and rededication of the Statue of Liberty. Events in New York and across the country from July 3-6 constituted the largest patriotic celebration in American history. In October, the Congress of the United States passed the Immigration Reform and Control Act. President's Reagan's signature on November 6 closed one chapter on the passage of remarkably skillful legislation and opened another—yet to be written—on the unparalleled endeavor of implementing the most comprehensive revision of immigration law in 35 years.

Accomplishing passage of the legislation—though clearly needed and supported by a dramatic increase in public opinion—was not an easy task. Senator Alan K. Simpson, whose steadfastness and good humor sustained us on countless occasions, likened the process to “giving dry birth to a porcupine.” On at least three occasions the bill appeared defeated, but each time it reemerged like the Phoenix rising from the ashes. As debate went on, the urgent need for action was underscored by an accelerating beat of hard reality. Apprehensions of illegal aliens climbed by a third in 1986 to a record of 1,767,400 and drug seizures to an alarming 3,094. The need to reclaim our sovereign right as a nation to regulate immigration was clear but the path to achieving it was difficult. In the end, it was the bill that would not die because it was an idea whose time had come.

The Immigration Reform and Control Act will address the problems associated with illegal immigration by:

- increasing enforcement resources to further limit illegal entry;
- establishing civil and criminal penalties for persons who knowingly hire illegal aliens;
- offering legal status to illegal aliens who have resided continuously in the United States since January 1, 1982 and to certain seasonal agricultural workers; and
- requiring states to check the status of all applicants for welfare and other benefit programs through the INS SAVE Program (Systematic Alien Verification for Entitlements).

The broad strokes of the new law will be outlined later in this document as well as in a variety of forms to the general public during the coming year. Planning and implementation efforts between November 1986 and June 1987 will also be described.

Pursuit of this legislation required considerable input from INS personnel, but the work of the Service continued. More than 310,000 people were naturalized in 1986—almost 30,000 during the Statue of Liberty celebration in July. An Inspections User Fee was instituted authorizing the Service to levy a modest charge for arriving overseas passengers to assure efficient inspection for immigration purposes. Legislation was also signed to increase penalties for and otherwise discourage a major concern of the Service—marriage fraud. In Oakdale, Louisiana, a thousand bed detention facility was opened, designed to the specifications of the Federal Bureau of Prisons and operated jointly with them. This facility provides much needed space to hold longer-term detainees. A new preclearance facility was also successfully tested in Shannon, Ireland. This was a significant step in the deterrence of fraudulent entrants from overseas.

“The act I am signing today is the product of one of the longest and most difficult legislative undertakings of recent memory.”

**—President
Ronald Reagan**

Implementation of the Immigration Reform and Control Act will constitute the major challenge facing INS over the next two fiscal years and beyond. During this period, the management of the agency will have three major objectives:

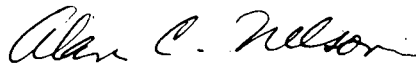
- to successfully implement the new law;
- to execute ongoing responsibilities without reducing current service; and
- to use the implementation process to further modernize and bring more effective management techniques to INS.

As President Reagan prepared to sign the bill into law, he made the following observation:

The act I am signing today is the product of one of the longest and most difficult legislative undertakings of recent memory. It has truly been a bipartisan effort, with this administration and the allies of immigration reform in the Congress, of both parties, working together to accomplish these critically important reforms.

Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.

Now it is the turn of the Service to carry out this Congressional mandate.



Alan C. Nelson, Commissioner

ENFORCEMENT

A massive marriage fraud scheme perpetrated by Indian guru Bhagwan Shree Rajneesh and his subordinates was thwarted with his plea of guilty to conspiracy and false statements and writings.

INVESTIGATIONS

The Investigations Division is the interior enforcement arm of the Immigration and Naturalization Service. In 1986*, this Division continued its intensified enforcement of the Immigration and Nationality Act and other related criminal statutes. This was accomplished through continuation of a comprehensive interior enforcement strategy. Substantial efforts were expended conducting investigations aimed at:

- 1) criminal aliens and emerging criminal organizations with substantial alien membership or participation;
- 2) conspiracies and large-scale immigration fraud and fraudulent document schemes;
- 3) fraud perpetrated by ineligible aliens in various government-subsidized entitlement benefit programs; and
- 4) notorious employers of illegal aliens, with the goal of deterring such employment, thereby decreasing the magnet for illegal entrants and opening up jobs for lawful resident aliens and U.S. citizens.

1986 was the third full year of operation under the Investigations Case Management System. Designed to target cases likely to have the greatest adverse impact on illegal immigration and with the highest potential for success, it has been highly effective.

Numerous major cases completed during the year were covered by national and local media. A massive marriage fraud scheme perpetuated by Indian guru Bhagwan Shree Rajneesh and his subordinates was thwarted with his plea of guilty to conspiracy and false statements and writings. In return for a sus-

pending sentence and a \$400,000 fine, the Bhagwan was allowed to leave the United States with many of his followers. The four-year investigation identified eight individuals—including the Bhagwan—who conspired to arrange in excess of 400 sham marriages between U.S. citizens and alien followers of Rajneesh. Six were convicted of thirty-five counts of immigration fraud. Other state and federal agencies relied on INS witnesses in grand jury proceedings involving charges from attempted murder to illegal wiretapping to the suspected intentional poisoning of an entire Oregon community.

In another investigation, a million-dollar marriage fraud and alien smuggling ring based in Seattle, Washington was dismantled with the arrest and conviction of 22 defendants. The investigation disclosed over 100 sham marriages involving Sikhs smuggled from New Delhi, India and also uncovered evidence of gun running, narcotics trafficking, and terrorism. As a result of evidence uncovered during the Seattle investigation, 10.17 pounds of 80% pure Southeast Asian heroin were seized by the Royal Canadian Mounted Police in British Columbia's largest narcotics seizure to date. Additionally, several narcotics laboratories in Thailand were destroyed.

Special Agents successfully mounted two "sting" operations in West Texas resulting in the apprehension of over 150 fugitives wanted for having absconded from deportation. This innovative technique proved to be a highly efficient way to arrest fugitives who typically remain at large for many years and are otherwise difficult to find once entrenched in society.

INS Special Agents both led and participated in an increasing number of multi-agency task forces focusing on aliens engaged in narcotics and immigration-related offenses in New Jersey, Michigan,

*The period covered in this Report—though stated simply "1986"—refers not to the calendar year but to fiscal year 1986.

Apprehensions of illegal aliens climbed by a third in 1986 to a record 1,767,400 and drug seizures to an alarming 3,094.

Maryland, Connecticut, Ohio, Maine, New York, Louisiana, and California. They also shut down 593 major fraud conspiracies involving facilitators of fraudulent immigration schemes and vendors of counterfeit documents. An additional 7,929 investigations of individual perpetrators of fraudulent marriages or labor certifications were completed.

There were 12,543 investigations of criminal aliens completed by Special Agents through arrest and initiation of criminal proceedings. These were aliens who had committed crimes such as murder, robbery, rape, theft, assault, or any kind of narcotics offense. Another 44 complex investigations of alien organized crime groups were completed, many of which involved newly emerging organized crime groups such as Colombian drug cartels, Korean and Chinese prostitution rings, and Japanese "Yakuza" organizations with interests in pornography, firearms, and drug smuggling.

Special Agents also completed 968 investigations of notorious employers (i.e., those who flagrantly employ illegal aliens to the detriment of U.S. citizens and lawful alien residents). There were 15,593 illegal aliens arrested during the course of these investigations which resulted in the voluntary cessation of hiring illegal aliens by those employers.

The Systematic Alien Verification for Entitlements Program (SAVE) identified 49,817 unentitled aliens resulting in a savings of \$101 million to the administering agencies. SAVE is an intergovernmental, federal-state information sharing initiative developed by INS to prevent payment of benefits to illegal aliens or aliens otherwise unentitled to benefits because of their immigration status. SAVE is recognized as a cost effective means of preserving the integrity of entitlement programs including unemployment insurance,

food stamps, student grants and loans, low income housing, and other subsidies.

California, Illinois, Colorado, Florida, Guam, Idaho, Indiana, Montana, Puerto Rico, and the U.S. Virgin Islands are currently signatories of SAVE agreements. Full implementation of the Immigration Reform and Control Act mandate will expand SAVE to the remaining states and territories by October 1, 1988, encompassing five benefit programs of the Department of Health and Human Services, Labor, Education, Agriculture, and Housing and Urban Development.

BORDER PATROL

The mission of the Border Patrol as the mobile, uniformed, enforcement arm of the Immigration and Naturalization Service is to ensure that the entry of persons into the United States between ports of entry is controlled in a manner consistent with the national interest as established and provided for by Congress by preventing entry without inspection as well as detecting and apprehending illegal aliens within the United States. Border Patrol agents perform their duties along and in the vicinity of 6,000 miles of international boundary and the Gulf Coast.

In 1986, the Border Patrol continued the expansion of border enforcement which began with implementation of the border enhancement initiative a year earlier. With a total workforce now exceeding 3,200 agents, the Patrol's 1,692,544 nationwide apprehensions of illegal aliens set another record. This is the fourth consecutive year in which over one million illegal aliens were apprehended along the southern border of the United States. Apprehensions of non-Mexican nationals also increased to over 56,800—almost double the number just three years

The use of aliens to bring narcotics into the United States—combined with the presence of Border Patrol agents in areas used as narcotics and alien smuggling routes—puts officers in a critical position to impede a major artery of drugs entering the country.

ago. This trend, as in years past, reflects the current economic and political instability of a number of Central and South American countries.

Linewatch, traffic check, and transportation check operations are the major activities conducted by the officers. Linewatch operations constitute the first line of defense against aliens attempting to enter the United States illegally. The purpose of this activity is the prevention of entry or prompt apprehension of entrants after they have crossed the border. Officers engaged in linewatch are supported by extensive computerized systems of electronic ground sensors that alert them to illegal entries. Further support is provided by a fleet of observation aircraft, low light level television systems, and infrared night viewing devices. Border Patrol officers use a wide assortment of vehicles adapted to local terrain and operational requirements and employ motorcycles, all terrain cycles, boats, and even horses where appropriate.

Recently, the Patrol placed into operation a specially designed image enhancement vehicle which contains an extendable, mounted, infrared camera and a monitor system for viewing by the officer from the vehicle. The camera can be extended on a mast up to 30 feet for optimum night viewing on hilly terrains. When retracted, the scope is totally concealed within the vehicle compartment. This design provides for rapid mobility and improved concealability of the infrared scope when conducting night operations. Within a year, the Border Patrol will have ten of these vehicles patrolling the border providing enhanced night surveillance capability.

Another vital element in the total border enforcement effort is the Air Operations program. Both fixed-wing aircraft and helicopters serve as aerial vantage points from which detection of surreptitious entry of aliens is

made. They also provide the ability to track aliens continuously until an apprehension can be made by a ground unit. The helicopters are equipped with powerful spotlights for effective night air operations to deter entries, locate aliens, and add to the safety of the officers.

The Border Patrol Crime Prevention Unit in San Diego, California as well as the El Paso and Laredo, Texas Foot Patrol Units have continued to be successful, cooperative law enforcement activities that are conducted by Border Patrol agents and local police officers. These activities have been valuable in reducing the number of crimes committed against both U.S. citizens and illegal aliens through their apprehension of increasing numbers of criminal aliens in border cities and surrounding border areas.

Involvement of the Patrol in drug interdiction along land borders is steadily increasing. The use of aliens to bring narcotics into the United States—combined with the presence of Border Patrol agents in areas used as narcotics and alien smuggling routes—puts officers in a critical position to impede a major artery of drugs entering the country.

On October 1, 1986, drug interdiction efforts were tightened by placing special emphasis along the southwest land border. The new role undertaken by the Patrol is part of the Administration's Southwest Border Drug Task Force (Operation Alliance) which was initiated by the National Drug Policy Board. This task force, coordinated by the National Narcotic Border Interdiction System (NNBIS), is made up of federal, state, and local agencies and aimed at cracking down on drugs coming across the southwest border.

The Patrol was also assigned the primary role for drug interdiction between ports of entry. Currently, 2,800 Border Patrol agents

across the Southwest land border have recently received expanded drug interdiction authority from both the Drug Enforcement Administration (Title 21) and the U.S. Customs Service (Title 19). In 1985, agents made 885 narcotic seizures. In 1986, seizures totalled 1,300—a 47 percent increase over 1985. The 1986 seizures netted 133,832 pounds of marijuana and 2,496 pounds of cocaine—double the amounts seized by the Patrol in 1985. These figures will certainly be surpassed next year as the Border Patrol further expands its narcotics interdiction operations along the southern border.

Major Cocaine Seizures

- Border Patrol Agents working a traffic checkpoint near San Clemente, California, seized 478 pounds of cocaine that was concealed in the back of a pickup truck as it attempted to pass through the checkpoint.
- Six weeks later, Border Patrol Agents—responding to two vehicle intrusion sensor alerts at the border near Campo, California—made two related vehicle stops resulting in the seizure of 1,285 pounds of cocaine from one of the vehicles. *This is the largest single cocaine seizure ever made by the Border Patrol along the California/Mexico border.* The Agents had just received DEA's drug training program a week prior to the seizure—training they credit for the success of their encounter.

ANTI-SMUGGLING

Anti-Smuggling Activities is a specialized enforcement unit. This Program plays a significant role in the arrest and successful prosecution of persons engaged in smuggling and transporting illegal aliens into the United States. It was formed in 1978 because of the rapid influx of illegal aliens and the increasing sophistication of smugglers.

Anti-Smuggling focuses on the identification, infiltration, and destruction of organized smuggling conspiracies. A classification system has been developed to categorize smugglers as major violators, lower-level violators, or nonprofessional smugglers of household employees and relatives. Using sophisticated investigative techniques, this Program has successfully terminated criminal operations engaged not only in smuggling but extortion, murder, kidnapping, peonage, terrorism, drugs, and international document fraud. Nearly 300 criminal investigators and support staff are deployed at border and interior locations along known smuggling routes nationwide.

To accomplish its mission, the Program works closely with the Departments of State and Labor, the U.S. Customs Service, the Internal Revenue Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco and Firearms, U.S. Attorneys Offices, and state and local law enforcement agencies. Several Special Assistant U.S. Attorney positions have been created throughout the United States to assist in the prosecution of smugglers.

Techniques used to smuggle aliens are quite varied and increasingly sophisticated. Reflecting the high profitability of this criminal enterprise, smuggling fees range up to \$25,000 from Eastern Hemisphere countries, \$10,000 from South American countries, \$2,000 from Central American countries, and \$800 or more from Mexico. These sums are usually paid by the alien or family members already living in the United States. Servicewide in 1986, INS officers apprehended 22,241 alien smugglers resulting in prosecutions of 7,999 major violators. Convictions were obtained on 1,379 felony charges. A total of 13,965 conveyance (cars, trucks, vessels, and airplanes) were

The 1986 seizures netted 133,832 pounds of marijuana and 2,496 pounds of cocaine—double the amounts seized by the Patrol in 1985.

In a joint effort between Anti-Smuggling Special Agents and Mexican authorities, 18 suspected terrorists were located and arrested by Mexican authorities as they attempted to make arrangements to be smuggled into the United States near Del Rio, Texas.

seized with an estimated value of more than \$31 million.

Major investigations involving interagency and interregional task forces in 1986 resulted in a number of successful prosecutions of large-scale alien smugglers and other well organized conspiracies. These included the following:

Alien Smuggling

A case of substantial importance was the lengthy undercover investigation of the Sanctuary Movement. This work resulted in a six-month trial and conviction of eight members of the Movement for conspiracy, smuggling, transporting, and harboring illegal aliens.

In June 1986, the U.S. Attorney for the Northern District of Texas announced the indictment of 13 principals, 10 of whom had just been arrested, for smuggling aliens into the United States. The arrests and indictments resulted from an interregional task force investigation involving the Southern and Eastern regions. Evidence indicated that since 1975, the ring had smuggled more than 10,000 aliens into the country, grossing more than \$15 million. Mail trucks contracted to the U.S. Postal Service had been used to transport the aliens after they were smuggled into the United States.

In October 1986, after a one-month investigation, agents terminated an operation specializing in smuggling Colombian citizens in groups of 15 to 20 through Mexico to Phoenix, Arizona, enroute to Chicago, Illinois, and New York City for \$1500 per alien. The organization was successfully infiltrated by undercover investigative techniques. Agents discovered three drop houses, arrested five principals, and seized four vehicles, cocaine, marijuana, 19 diamonds, 20 emeralds, and four weapons.

On September 18, 1986—after a thirteen-month joint investigation by INS, the Air Force Office of Special Investigations, and the Department of State—the U.S. Attorney for the Western District of Texas announced the indictment and arrest of individuals operating a large-scale organization smuggling aliens from the Dominican Republic. It was based in San Antonio and operated by an Air Force Lieutenant Colonel stationed at Fort Sam Houston, Texas, along with his wife, son, and daughter. The Dominicans traveled to Panama, Costa Rica, Guatemala, and Mexico where the organization arranged to smuggle them across the border near Eagle Pass or Laredo, Texas. Each alien paid between \$4,000 and 6,000. Evidence indicated that the family of smugglers had already received over \$80,000.

Terrorism

After the U.S. bombing raid on Libya in April 1986, law enforcement authorities distributed profiles of potential terrorists and ordered INS officers to be on the alert. In a joint effort between Anti-Smuggling Special Agents and Mexican authorities, 18 suspected terrorists were located and arrested by Mexican authorities as they attempted to make arrangements to be smuggled into the United States near Del Rio, Texas. The group was both male and female and included Lebanese, Syrians and Turks.

Drugs

In October 1982, the Dallas Anti-Smuggling Unit began an international investigation of a Turkish heroin smuggling organization. By June 1986, an Agent had infiltrated the group. Through joint efforts with the Drug Enforcement Administration, the operation resulted in the indictment of 39 defendants and 17 convictions in the Baltimore and New York City areas.

Another joint task force operation resulted in the arrest of two legal permanent resident aliens and one legally admitted visitor from Mexico at Rexbury, Idaho, as they delivered 28 ounces of cocaine and 30 ounces of black tar heroin to an undercover agent. The trade involved exchange of the drugs for sixteen M-16 fully automatic military weapons and \$30,000 in cash. At the time of the arrest, all three violators were armed with semi-automatic pistols. This operation involved efforts by officers from INS, the Federal Bureau of Investigation, the Drug Enforcement Administration, the U.S. Customs Service, the Idaho Department of Law Enforcement, and the Sheriff's Departments of Madison and Bonneville Counties, Idaho.

INTELLIGENCE

The enforcement mission of the Service is supported by strategic and tactical intelligence provided by the Intelligence Division. This includes technical support and training of policy makers and field personnel toward the goal of preventing illegal entry—especially by terrorists, drug traffickers, and other criminals. It also includes active efforts against smuggling, document fraud, and other fraud used to obtain immigration benefits and entitlements for aliens.

The Intelligence Division directs INS personnel assigned to the El Paso Intelligence Center (EPIC) and the International Police Organization (INTERPOL). Service personnel at EPIC maintain several data bases, including a Mexican Border Smuggling Index and a Fraudulent Document Index. They also provide tactical and analytical intelligence support to operational field staffs upon request. Special agents permanently assigned to the INTERPOL National Central Bureau in Washington, D.C. provide Service officers with a point of contact with the international

law enforcement community. In addition, the Intelligence Division serves as the headquarters liaison with the Federal Bureau of Investigation and the Central Intelligence Agency, working closely with a number of other law enforcement and intelligence gathering agencies. Because the Service is one of the primary federal agencies charged with inspecting persons entering the United States, INS Intelligence has become a focal point in efforts to thwart the international movement of terrorists and criminals.

The Forensic Document Laboratory, under the direction of the Intelligence Division, is a fundamental support to these efforts. It is well equipped and staffed by internationally recognized experts in the scientific analysis of documents. The Laboratory does research on document fraud, provides technical assistance to field personnel, assists in developing counterfeit-resistant identification documents, and often provides court exhibits and testimony on documents in immigration and criminal cases.

Major Intelligence initiatives in 1986 included:

- Document Fraud Detection Training for Bahamian, Haitian, and Honduran Immigration Officers at the request of those governments;
- Production and distribution with the government of Canada of a *Fraud Document Detection Program* for air carriers;
- Establishment of a centralized INS Intelligence Report for distribution to all Service officers, several federal agencies, and selected foreign government officials;
- Initiation of efforts to create an interagency database on alien terrorists and potential terrorists;
- Coordination of the implementation of OASIS, a nationwide database on smug-

Because the Service is one of the primary federal agencies charged with inspecting persons entering the United States, the Intelligence Office has become a focal point in efforts to thwart the international movement of terrorists and criminals.

glers, perpetrators of fraud, and other immigration violators;

- Production of a monthly report on Mexico's economy, political situation, and illegal migration as well as special assessments on such subjects as Asian organized crime and population trends, and
- Coordination of Service involvement in the National Narcotic Border Interdiction System (NNBIS) and other national anti-drug efforts.

DETENTION AND DEPORTATION

The Detention and Deportation Program is responsible for the detention and expulsion of aliens who are in the United States in violation of the law. In support of that objective, it currently operates seven Service Processing Centers with a rated capacity of 2,239 beds. Contract detention facilities used by INS to augment its own SPCs add another 686 detention spaces. In addition to these Service-owned or contracted facilities, INS uses state, county, and local jails in excess of 500,000 man-days per year on a reimbursable basis.

In order to provide adequate detention space and services consistent with apprehension needs, the first facility to be jointly operated by INS and the Bureau of Prisons—the Oakdale Federal Alien Detention Center—was officially opened in March of 1986. That facility is now fully operational with a rated capacity of 1000 beds.

Despite the increase in detention space, INS is detaining fewer aliens than it did just a decade ago. In 1986, a total of 137,332 aliens were detained using 1,437,266 man-days of detention for an average stay of 10.5 days. Nationalities other than Mexican (OTM)

accounted for 46 percent of the detention population—up from less than eight percent ten years ago. Although the average stay in detention for a Mexican alien was only 3.3 days, OTM's averaged 19 days in Service custody. In 1975, one of every 3.5 aliens apprehended was detained. However, by 1986, that ratio had changed to one detention for every 12.8 apprehensions or only 7.8 percent of the aliens apprehended.

Although the reasons for fewer detainees and longer stays in detention are many, the primary reason for the continued shortage of bedspace is the detention of Mariel Cuban criminals. Because of the suspension of the repatriation agreement between the United States and the government of Cuba in 1985, INS has had an increasing number of criminal Mariel Cubans in custody. As of December 1986, the Service alone or in conjunction with the Bureau of Prisons has detained over 3,200 Mariels. Of this number, approximately 2,000 were in the Atlanta Penitentiary and the Oakdale, Louisiana, facilities under the control of the Bureau of Prisons while over one thousand were detained in Service and non-Service detention facilities.

To support the movement of aliens to and from these facilities—especially the movement of Mariel Cubans to Oakdale, Louisiana—a Convair 580 aircraft was acquired from the United States Army Corps of Engineers. Since the plane became operational, it has provided transportation for moving more than 2,200 aliens in a variety of special operations, saving the costs associated with using a charter security air transport.

In 1986, a total of 1,615,368 illegal aliens from over 100 countries were successfully removed from the United States. This figure includes a total of 23,681 formal deportations.

In 1975, one of every 3.5 aliens apprehended was detained. However, by 1986, that ratio had changed to one detention for every 12.8 apprehensions or only 7.8 percent of the aliens apprehended.

EXAMINATIONS

The Examinations Division is responsible for providing services to the general public. These include the inspection of citizens and aliens entering the country, processing or adjudicating applications and petitions for a variety of immigration and naturalization benefits, and outreach to ethnic and community organizations that provide assistance to immigrants.

ADJUDICATIONS AND NATURALIZATION

The responsibility of the Adjudications and Naturalization branch is to process and adjudicate applications and petitions filed by aliens and citizens for benefits under the Immigration and Nationality Act.

1986 was a banner year in naturalization activity. Clearly the highlight centered around naturalization ceremonies conducted July 3 on Ellis Island with remote national television hookup to ceremonies in St. Louis, San Francisco, and Miami by then Chief Justice Warren Burger. The Attorney General of the United States, Edwin Meese III, presented the motion to the court for naturalization of those assembled on Ellis Island as part of the 100th anniversary celebration and rededication of the Statue of Liberty. Special legislation was passed by Congress allowing each state governor or territorial leader to select two participants for the Ellis Island ceremony. Naturalization candidates represented 33 states, the District of Columbia, Puerto Rico, and the Virgin Islands. Almost 30,000 people became citizens during these extraordinary naturalization festivities.

In other naturalization events, the July 3 hearing in Miami was the largest in Service history, with nearly 15,000 persons achieving citizenship. In all, more than 310,000 individuals became United States citizens in 1986.

The Adjudications branch also conducted a major project in 1986 to create an effective profile of fraudulent marriage cases, i.e., cases in which an alien will contract a sham marriage to a citizen of the United States solely to obtain permanent residence in this country. This was done in accordance with a Service-wide priority to combat fraud and enhance the integrity of the visa petition process. Confirming earlier estimates, the study found that approximately 30 percent of all marriages between aliens and citizens or lawful permanent residents were fraudulent. Data from the study is being analyzed to provide the Service with a new method of directing available resources toward this type of fraud. The Service proposed and supported legislation to deter and penalize marriage fraud, which was enacted by Congress in October 1986.

Significant adjudications rulemakings in 1986 were:

- New rules for documentary support of relative visa petitions;
- A change in admission criteria for temporary business visitors; and,
- Rules for adjudicating applications to preserve residence for naturalization purposes.

In recognition of the phenomenon that examiners and clerks are significantly more productive (up to 25%) in an environment insulated from public contact, the Service established four regional adjudications centers (RAC's) in the early 1980's. These centers conducted no interviews and only handled applications transferred from district offices. By 1986, the Service had evolved a new generation concept which included planning for phased-in direct mail of most applications from the public to the regional centers. The ultimate goal of this plan is to have receipt verification

More than 310,000 people were naturalized in 1986—almost 30,000 during the Statute of Liberty celebration in July.

and automated data entry functions performed at the centers—now renamed regional service centers or “RSCs”—and for applications then to be routed to appropriate locations for adjudication. For these cases, efficiencies will be derived from the large-scale data entry functions of the RSCs—most likely performed by contractors.

The first phase of this plan, which provides for direct mailing of five types of applications, was completed at three of the four RSCs in 1986. Although further progress may be delayed by implementation of the Immigration Reform and Control Act of 1986, this direct mail program is expected to provide a substantial savings in time and resources over the prior method of filing applications at district offices for relay to RSCs.

The Office of Management and Budget (OMB) formally advised the Adjudications Branch in 1986 that it would, under its Productivity Improvement Plan, track three measures of productivity: efficiency, timeliness and quality. The administrative changes discussed above respond in great measure to concerns about efficiency and timeliness, but do not address quality.

In response to concerns about the quality of adjudications output, a uniform system of supervisory review of officer decisions and clerical processing was implemented at all four regional service centers on April 1, 1986. The system, which provides for review of a statistically valid number of randomly selected cases, now gives RSC managers the capability to detect and modify error patterns. Further, it offers the Service a means to correct systemic problems such as inadequate forms, workflow, or procedures. Similar systems will be established in the future at district offices.

Legislation was signed to discourage and increase penalties relative to a major concern of the Service—marriage fraud.

INSPECTIONS

The Inspections Program is responsible for inspecting over 300 million citizens and aliens entering the country annually, including 180 million through ports of entry along our southern border. Illegal entry into the United States is frequently attempted through the use of fraudulent documents, oral and documented false claims to U.S. citizenship, and other types of fraud. It is the mission of the Inspections Program to facilitate the entry of legitimate travelers and deter those attempting to enter illegally.

As a result of work with Congress in 1986, legislation was enacted creating Inspections User Fees as a way to cut costs and improve inspectional services at U.S. ports of entry. Authorized in October of 1986 as part of the Department of Justice budget authorization for 1987, the new law provides for a \$5.00 fee to be paid, as part of ticket prices, by each arriving passenger on commercial air and sea carriers. It also:

- mandates that INS provide “adequate service” at all U.S. air and sea ports of entry;
- funds existing INS staffing at all air and sea ports of entry;
- provides a funding base for additional personnel required to provide “adequate service”;
- shifts the burden of alien detention from carriers to the government;
- allows for expansion of information systems such as the Nonimmigrant Information System and the National Automated Immigration Lookout System;
- funds inspectional overtime previously paid by airlines; and
- provides funding for improved fraudulent document detection.

The estimate of potential receipts from the Inspections User Fees is \$75 million per year.

To strengthen control at ports of entry, the Inspections Program also formed Terrorism, Drugs, and Fraud (TDF) Detection Teams. This concept evolved from previous special operations and is essentially a three-phased effort, the first of which was completed in 1986. Three training sessions were conducted by specialists from the U.S. Army, the FBI, the Drug Enforcement Administration, and the INS Forensic Document Laboratory. A "training for trainers" approach was used to increase the awareness of inspectors at ports of entry regarding international terrorism, hostage situations and explosives recognition. It also refined the ability of immigration inspectors to detect drugs, drug smugglers, and fraudulent documents. The second phase of this training is to establish regional TDF Teams to assist high risk, high volume ports of entry in forming local teams. The final phase will establish a single, mobile TDF Team capable of deployment in the event tactical or strategic intelligence indicates the need.

A new preclearance inspection operation in Shannon, Ireland was successfully tested in 1986. Because preclearance is a significant deterrent to illegal entry, a permanent inspection site in Shannon is under consideration. With the assistance of the Department of State, similar operations at other overseas locations are being discussed with several foreign countries.

REFUGEE, ASYLUM & PAROLE

The Office of Refugee, Asylum and Parole directs the refugee admissions program overseas, asylum processing in the United States, and the use of the parole authority of the Attorney General to admit persons to

the United States without visas. Service participation in the Haitian Migrant Interdiction Operation (HMIO) is the responsibility of this office as is budget oversight of the thirteen overseas offices.

In 1986, asylum applications increased by approximately seven percent but prompt adjudication of asylum claims was maintained in all but one of the major INS offices. Continuing attention to the backlog of claims in that one office has reduced the interview backlog to less than one month, while elsewhere asylum applicants are either interviewed on the day of filing or scheduled for an interview within fifteen days. District directors granted asylum to 4,284 individuals while denying 7,882 asylum requests.

Processing asylum cases requires considerable knowledge and skill. For the second year, a special group of asylum examiners was designated for specialized training in this area. Through greater program direction, provision of country condition and case law information, and training of personnel, the quality of these complex adjudications has been raised.

The improper return of a Soviet crewman to his vessel resulted in a thorough review of Service policies, procedures, and training relative to the handling of such situations and the immediate action procedures established to deal with possible asylum applicants under similar circumstances. These procedures were reviewed with all Service personnel dealing with the public. Some Service operating instructions and training curricula were rewritten to clarify how such cases should be handled.

Overseas refugee processing in 1986 resulted in 52,500 approvals for resettlement in the United States. Refugees entering from Southeast Asia go through six months of

An Inspections User Fee was instituted authorizing the Service to levy a modest charge for arriving overseas passengers to assure efficient inspection for immigration purposes.

In May 1986, the Service issued special guidance to persons who, for emergent and humanitarian reasons, might seek admission to the United States under the Attorney General's parole authority for members of the so-called "Border Khmer" population (displaced Cambodian nationals) residing within Thailand.

language and cultural training after being approved for resettlement in the United States. Admissions were diminished by the suspension of refugee processing in Sudan by the Sudanese government for most of the year. Although many refugees came directly from Vietnam under the Orderly Departure Program, the Vietnamese have stopped any new interviewing under this program. It is hoped that negotiations will lead to the resumption of interviews in the near future to facilitate the entry of both refugees from Vietnam and immigrants who have been petitioned for by their relatives. Total refugee admissions to the United States in 1986 were 56,500.

For the third year, an overseas conference was held for district directors and officers-in-charge of the thirteen overseas offices. It focused on the Commissioner's priority to deter the illegal entry of aliens from their point of origin abroad. Conferees also dealt with the processing of refugee, immigrant, and non-immigrant cases by overseas personnel.

The Attorney General has broad authority to parole otherwise inadmissible aliens into the United States for emergent reasons or reasons that are in the public interest. In exercise of that authority, this office approved 962 such requests in 1986 and denied 742. In May 1986, the Service issued special guidance to persons who, for emergent and humanitarian reasons, might seek admission to the United States under the Attorney General's parole authority for members of the so-called "Border Khmer" population (displaced Cambodian nationals) residing within Thailand.

As in previous years, a high level of interdictions took place in 1986 under the HMIO program, despite the shift in the government of Haiti. Approximately 9,522 migrants or

"boat people" have been stopped since the inception of the program in October of 1981. Nearly 3,461 of those were intercepted this year and safely returned to Haiti after being interviewed by INS officers aboard U.S. Coast Guard cutters assigned to the program. The first two interdictees claiming fear of persecution as their motivation for leaving Haiti were brought to the United States. One already had the protection of another nation and the claim of the other lapsed with the fall of the Duvalier government. In addition to the prevention of illegal entry by Haitians into the United States, the HMIO program has saved countless Haitian lives. Many of the 211 vessels interdicted were primitive and unseaworthy. They were usually criminally overloaded by alien smugglers trying to make the maximum illicit profit. Many were derelict and floundering when apprehended by the Coast Guard.

Administrative Appeals

In 1986, the Administrative Appeals Unit (AAU) completed approximately 4,800 appeals—800 more than in 1985. The AAU, now in its third year of operation, implemented several management improvements designed to improve the quality and consistency of decisions. These decisions are widely disseminated by several private publications as well as within the Service as guidelines for interpreting policy. Appellate decisions continue to be rendered quickly with most cases completed within 60 days.

Outreach

The Outreach Program provides information and training to voluntary agencies (VOLAGS), community organizations, and other groups that assist aliens in obtaining immigration benefits. Successful completion of the Mariel Cuban Adjustment Program and the One-Time School Recertification Project were major achievements in 1986.

As a result of Outreach training provided to VOLAGS across the country, approximately 75,000 Mariel Cubans who had registered earlier were able to file for adjustment of their status to lawful permanent residence in this first year of the program. To facilitate VOLAG participation, the Outreach program distributed a "how-to" manual explaining specifically who is eligible for the program and providing detailed information on completing the adjustment forms. Outreach cooperated closely with the Community Relations Service (CRS) of the Department of Justice in organizing and supporting nationwide VOLAG involvement in the Mariel Cuban program. It was instrumental in the transfer of \$100,000 of CRS funds to the Service to complete the program in the Miami District where almost two-thirds of registered Mariel Cubans reside.

Outreach also concluded the One-Time School Recertification Program to establish the qualifications of educational institutions in the United States to continue enrolling foreign students. After reviewing approximately 20,000 existing school files, the

Recertification Task Force recommended that 9,334 academic and technical institutions be authorized to enroll foreign students and 10,118 schools be withdrawn from the system for failing to respond to repeated requests to renew their applications.

In other activities in 1986, the Outreach Program:

- Conducted 38 regular training workshops for 1,283 participants from VOLAGS, community organizations, Congressional staffs, and state and local governments. The workshops are designed to provide instruction in preparing and submitting petitions and applications to the Service, thus reducing INS screening and adjudication times.
- Helped the Washington District Office and a local VOLAG to establish an information desk where agency volunteers have provided the public with general information, forms, and fingerprinting and photographic services. The information desk has assisted an average of 318 persons daily since July 1986.

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MANAGEMENT AND SUPPORT SERVICES

OFFICE OF THE DEPUTY COMMISSIONER

This office assists the Commissioner in all aspects of administering the Service. The Deputy Commissioner exercises authority delegated by the Commissioner over those who manage day-to-day operations. This authority extends to Associate Commissioners in the Central Office and Regional Commissioners in the field. In the absence of the Commissioner, the Deputy assumes the chief executive's operational and ceremonial responsibilities, directing Service programs and meeting with domestic and foreign government officials, civic leaders, business representatives, and members of the public in formal or informal settings.

In 1986, a proposal to shift responsibility for overseas programs from the Office of the Executive Associate Commissioner to a new organization under the Deputy Commissioner was made to the Attorney General. Pending a final decision, the Deputy Commissioner assumed direction of the overseas program, providing the Executive Associate Commissioner with more flexibility to pursue Reform Act implementation initiatives.

INS foreign offices continued their twofold mission of processing refugees and other applicants for U.S. immigration benefits and deterring illegal entry of ineligible aliens into the United States—focusing particularly on criminals and potential terrorists. In 1986, INS personnel outside the U.S. adjudicated over 65,000 refugee applications for admission to the country; in addition, 48,000 applications for benefits were processed.

In efforts to prevent entries of illegal aliens onto U.S. soil, INS foreign office personnel continued collaborative efforts with host governments, airline officials, and other agencies abroad—sharing law enforcement

information, providing reciprocal training, and generally cooperating in the interception of third country nationals seeking illegal entry. Tens of thousands of such interceptions have been claimed by host governments, a reflection of the intent of many governments to participate vigorously in the control of illegal immigration.

Preinspection of intending international travelers to the U.S. as a means of deterring illegal entry also saw substantial gains in 1986. A preinspection test program in Shannon, Ireland beginning in June dramatically demonstrated the potential of this program to turn back ineligibles, reduce waiting lines at international airports in the United States, and promote goodwill between the U.S. government and foreign governments and organizations. In addition, successful screening of passengers acts as a major disincentive to others seeking the same route of illegal entry and saves the U.S. the substantial costs of apprehending, detaining, providing hearings, and removing those ineligible for entry.

INS operations on foreign soil have paid high dividends to the United States, whether measured in humanitarian terms for the thousands of refugee admissions or in economic terms for costs avoided through the interception and deterrence of ineligible aliens abroad.

Among other accomplishments in 1986, the Office of the Deputy Commissioner:

- Played a leadership role in support of Operation Alliance, the administration's war against drug trafficking and terrorism on the border;
- Established and presided over the Hiring Waiver Panel and the Conference Control Program to control spending;

- Exercised oversight of the Office of Management and Budget Circular A-76 Initiative and Productivity Improvement Program; and
- Led the operation of the Priorities Management System, a results-oriented program designed to address the Attorney General's and the Commissioner's policy goals.

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel provides legal counsel to the Commissioner and program managers on matters of law arising from the administration and enforcement of immigration and nationality statutes. In its monthly publication, the *General Counsel's Law Bulletin*, summaries are provided of pending litigation, changes in statutes and regulations, and important decisions of federal courts and the Board of Immigration Appeals.

In 1986, the General Counsel's Office was involved in the litigation of more than 1,700 cases in U.S. district courts and courts of appeals where the Service's position was upheld in over 80 percent of the cases.

Significant litigation in 1986 includes:

Cardoza-Fonseca v. INS, in which the Supreme Court granted certiorari to resolve the question of whether the "well-founded fear" of persecution standard for asylum is more generous than the "clear probability" standard for withholding of deportation;

United States v. Mendoza-Lopez, in which the Supreme Court granted certiorari to determine whether a deported alien being prosecuted for unlawful reentry may collaterally attack his previous deportation order;

Hector v. INS in which the Solicitor General filed a petition for certiorari to resolve the issue of whether a niece is a "child" for purposes of obtaining suspension of deportation;

Garcia-Mir v. Smith, in which the Eleventh Circuit Court of Appeals upheld the authority of the Executive Branch to detain and deny parole to excludable Mariel Cuban criminals; and

United States v. Merkt, in which the Fifth Circuit Court of Appeals decided that the convictions of sanctuary workers for transporting illegal aliens were not barred by the First Amendment.

Other support achievements in 1986 included:

- Expanded the Special Assistant United States Attorney's program which places INS attorneys in the Office of the United States Attorneys, not only to engage in the defense of civil litigation but also in the prosecution of criminal cases such as Cuban criminals, alien smugglers, and drug traffickers. This year, Special Assistants were placed in El Paso and San Antonio;
- Collected over \$2,400,000 in outstanding debts owed to the Immigration and Naturalization Service; and
- Participated in legislative programs by preparing testimony, counseling witnesses, analyzing and commenting on legislative proposals, and drafting the administration's position of proposed major reform legislation.

OFFICE OF CONGRESSIONAL AND PUBLIC AFFAIRS

The Office of Congressional and Public Affairs is responsible for communication, interaction and liaison between Congress, other

federal agencies, state and local governments, the news media, and the public. As part of this mission, the office advises the Commissioner and program managers on matters concerning legislation, publicity, and public opinion and supervises the design and production of printed photographic and audiovisual communication materials for the agency.

Congressional Affairs coordinated agency efforts to secure passage of general immigration reform legislation during the 99th Congress. The Senate had passed the Immigration Reform and Control Act on September 19, 1985. It had been introduced and shepherded through hearings and floor debate by Senator Alan Simpson, who championed the reform legislation since 1982.

Congressman Peter Rodino sponsored companion legislation, the Immigration Reform and Legalization Amendments Act, which was favorably reported out of the Judiciary Committee on July 16, 1986, but was subjected to further amendment and controversy during sequential referral to six other committees but principally Agriculture, Education and Labor, and Ways and Means. Consideration by the House Rules Committee was stalled as House Members against and for the legislation sought to add crippling amendments or design compromises in accordance with various committee, regional or special interest group goals.

Of particular concern was the area of temporary foreign labor for seasonal agriculture. When the Rules Committee finally granted a rule, it reported a bill and allowed only 39 amendments to be considered during the debate. In a surprise to the House leadership, which had established what they felt was a satisfactory compromise, the full House rejected the rule.

Most observers thought this effectively ended any prospect of immigration reform legislation for the session. However, adherents of immigration reform in both the House and Senate succeeded in negotiating a new compromise on seasonal agricultural workers and the Rules Committee reported a new rule which incorporated the compromise. The rule was accepted by the full House, which on October 9, 1986, passed the bill by a vote of 230-166. Following five days of House-Senate Conference Committee deliberations, a conference report emerged which passed the House by 238-173 on October 14, 1986. After cutting off a filibuster attempt, the Senate passed the Conference Report voting 63-24 on October 17, 1986.

Throughout the six year effort to achieve immigration reform, the Service supported the passage of comprehensive, balanced, and effective legislation. Commissioner Alan Nelson and other senior managers testified numerous times and met with both proponents and opponents of the legislation to explain the need for the reform measures and the implications of various provisions and amendments. Descriptive material was also prepared for use by the committees considering the legislation and by Service personnel who attempted to explain it to interest groups and the public across the country. This office coordinated policy concerning the immigration reform bill with the Office of Management and Budget and other federal departments and agencies. Passage of the Immigration Reform and Control Act of 1986 was a triumph for the persistence of Commissioner Nelson and all Service personnel as well as for many Congressional leaders—Senator Simpson and Congressman Rodino in particular as well as Congressmen Romano Mazzoli, Hamilton Fish, Daniel Lungren, Charles Schumer, and many others.

Passage of the Immigration Reform and Control Act of 1986 was a triumph for the persistence of Commissioner Nelson and all Service personnel as well as for many Congressional leaders.

While the reform legislation was the primary focus of this office's legislative efforts, the Service testified on other occasions and helped to secure additional legislation, most notably the Marriage Fraud Amendments Act of 1986, the Consular Efficiency Act, and the Inspections User Fee.

The office conducted liaison with other government agencies and aided in briefing dignitaries and officials from fourteen countries. It held two seminars for congressional staff workers in Washington, D.C. and assisted INS field offices in planning and conducting seminars for congressional district staff workers in twelve cities.

Approximately 30,000 telephone inquiries were received from Congress and other sources. The office prepared more than 4,800 written responses to Congressional inquiries and received and relayed reports of agency checks to field offices in more than 1,000 specially expedited orphan petition cases. Numerous reports were prepared for Congress on private bills to secure immigration benefits as well as responses to a wide variety of requests from the White House and the Department of Justice.

Press Information Office

The Press Information Office is responsible for responding to inquiries from the news media, coordinating public appearances by INS officials, and disseminating information about INS activities to interested publics. It carries out a proactive communication program in liaison with public affairs officers in the Department of Justice and INS Regional and District Offices. It also prepared 29 news releases and arranged three news conferences. Resulting media coverage was generally well-balanced, factual, and editorially favorable. Besides such immigration problems as the rise in border violence

and drug traffic, the record number of illegal alien apprehensions, and the need for legislative reform, the most newsworthy issue of 1986 was the celebration of America's heritage of immigration symbolized by the Statue of Liberty in its centennial year and marked by 48 naturalization ceremonies across the nation during Liberty Weekend, July 3-6, 1986.

Commissioner Nelson actively sought opportunities to explain the challenges and responsibilities of the Service to audiences in many areas of the country. He made 19 public appearances in major cities to address various interest groups on important immigration topics. In addition, he appeared as a guest or panelist on seven television news programs broadcast by national networks.

The Press Office also published nine issues of the *Commissioner's Communique*, an internal newsletter reporting on Service personnel and programs as well as two issues of the *INS Reporter*, a magazine for both government and private immigration interests.

OFFICE OF PROFESSIONAL RESPONSIBILITY

This office investigates allegations of duty-related criminal activity or other serious misconduct by INS employees. It publishes Management Integrity Reports and holds seminars to alert managers and supervisors to potential weaknesses in control systems designed to prevent criminal activity.

In 1986, the Office of Professional Responsibility received 605 allegations of unlawful activity. It opened official investigations in 324 cases and referred the rest to regional offices for local investigation. The office succeeded in closing 306 cases during the year, including some cases carried over

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from previous years. In these 306 closed cases, only 74 allegations were substantiated. Major categories of misconduct included sale of immigration benefits, smuggling of aliens, fraud, bribery, civil rights violations, and the misuse of supervisory or managerial authority.

OFFICE OF PROGRAM INSPECTION

The Office of Program Inspection was formed by combining the Evaluation and Management Assistance Division from the Office of the Associate Commissioner, Management, with the Office of Field Inspections and Audit in order to bring both functions together in the Office of the Commissioner.

The Field Inspection and Program Audit Branch performs program reviews, inspects field offices, and provides the Commissioner with independent appraisals of the efficiency, economy, and effectiveness of INS programs and operations. During 1986, this Branch inspected district offices in Helena, Montana; Phoenix, Arizona; San Diego, California; and San Antonio and El Paso, Texas. These inspections resulted in various recommendations for improving administrative and operational procedures to reduce costs, increase productivity, and strengthen security.

The Branch also audited the Service's debt collections to identify weaknesses in accounting practices and policies concerning accounts receivable and recommend appropriate improvements.

The Evaluation and Productivity Improvement Branch conducted studies to improve mail, file, and data transcription activities, mostly in field offices, and to evaluate communications center operations in the Central

Office. Other activities carried out in 1986 by this Branch included:

- The Commissioner's Executive Videotape Program to report on various programs to managers in the field; and
- The Decision Memo Process, which brought 23 memoranda recommending specific program improvements to the attention of senior Service managers. The Department of Justice is examining this process for possible use in other Divisions and Bureaus.

OFFICE OF THE EXECUTIVE ASSOCIATE COMMISSIONER

The Executive Associate Commissioner, under the general direction and supervision of the Commissioner and Deputy Commissioner, assists those officers in all aspects of the administration of the Immigration and Naturalization Service through the development and overall coordination of Service-wide policies and programs. As the number three position in the agency, the Executive Associate Commissioner has primary responsibility for oversight and coordination of policies and programs relating to agency management systems, strategic planning, information resource management, new Service-wide initiatives, and special projects. Functions include:

- Assisting the Commissioner and Deputy Commissioner in formulating and monitoring Service-wide goals, objectives and priorities, and
- Representing the Commissioner and Deputy Commissioner in discussions with other agencies, special interest groups, and the general public.

The responsibilities of the Office of the Executive Associate Commissioner shifted in

1986. Dropping oversight of the Examinations Division and overseas operations, the Executive Associate Commissioner assumed responsibility for supervising and coordinating the activities of:

- Associate Commissioner, Management
- Associate Commissioner, Information Systems
- Director, Plans and Analysis

The changes in responsibilities will result in closer coordination of the essential support functions of budget, automated data processing, personnel and training, planning and analysis, and other administration.

Office of Plans and Analysis

The Office of Plans and Analysis serves as the principal staff advisor to senior managers for developing and implementing Servicewide policies, strategic plans, and programs.

In carrying out its role, Plans and Analysis was involved in a wide range of activities in 1986, including:

- Development of a Legally Authorized Worker (LAW) Program—an INS initiative to ensure that jobs vacated by apprehended illegal aliens are filled by legal U.S. workers;
- Publication of two new series of statistics—*Quarterly Nonimmigrant Statistics* and *Immigration Statistics Fiscal Year 1985*;
- Administration of an INS-sponsored survey of apprehended illegal aliens;
- Structuring of a major survey of new Korean and Filipino immigrants to be conducted in 1987 by the East-West Population Institute of the East-West Center, an international research organization;
- Initiation of a number of cooperative efforts with the Defense Advanced Research

Projects Agency, members of the academic community and the U.S. Army both to provide improved and less costly night vision capabilities and advance the safety and effectiveness of mobile surveillance systems along the border; and

- Development of numerous efforts designed to promote professionalism and access to INS services, including new training, performance standards, recruitment and motivational programs to foster employee professionalism; and new and revised publications, forms, and telephone service to inform the inquiring public more effectively.

INFORMATION SYSTEMS

The Office of Information Systems is responsible for managing the information resources of the Service, both automated and manual. The responsibilities encompass such areas as management of records and files, acquisition and support of automated data processing (ADP) hardware and software, acquisition and support of radio communications and surveillance equipment, and operation of public information programs.

Project Control and Integration

This Division supports systems development with ADP planning, data base management, and software engineering. The Division also advises program officers on project management and administers the ADP Intern training program.

Among major accomplishments in 1986, the Division:

- Updated the Long Range ADP Plan of the Service to reflect major changes in priorities and architectural alternatives;

- Initiated an analysis and evaluation of the overall ADP architecture;
- Participated in interagency planning with the Department of State to determine areas with potential for data exchange; and
- Continued implementation of Project INFORM, a long-term project to improve control and handling of the Service's 22 million A-Files, the basic repository of information on individual aliens. The automated A-File tracking system, called AFACS, was implemented in five more of the Service's largest district offices.

Data Systems

The Data Systems Division directs the development of application systems for automated data processing, office automation, telecommunications, radio and sensor devices, and other functions. This operation supported the following critical applications during 1986:

- The nationwide telecommunications network, called INSINC, was expanded to provide on-line terminal support for approximately 140 INS locations.
- Low Light Level Television Systems were installed to enhance surveillance in the Tucson and Yuma Border Patrol Sectors.
- Automated systems were installed in several new locations to replace manual record-keeping and tracking. Among these were the Naturalization Casework System (NACS), which was installed in an additional 15 district offices; the Legal Case Tracking System (LCTS) in an additional 3 offices; and the Deportable Alien Control System (DACS) in an additional 13 district offices during the year.
- The Central Index System (CIS), the master file of alien records, was placed into full operation in September 1985 and has been in the enhancement and maintenance mode throughout 1986.
- The National Automated Immigration Lookout System (NAILS), an automated "Lookout Book" for identifying undesirable aliens as they attempt to enter the country, was expanded to additional ports of entry. Inspections sites at Baltimore, Newark, Toronto, Montréal, New York, Miami, San Juan, Chicago, Honolulu, Buffalo, Los Angeles, San Francisco, San Ysidro, Detroit, Vancouver, and nine other locations were on-line and operational at year's end.
- Several automated data bases dealing with enforcement activities were consolidated into the Operational Activities Special Information System (OASIS). The entire OASIS now includes information on fraud perpetrators, fraudulent documents, smuggling activities and vehicles seized by the Service.
- IBM System/36 equipment supporting the Service's office automation requirements was installed in 8 offices. The Division worked jointly with the Project Control and Integration Division to produce a library of videos to provide continuous, on-site, low cost training support for new users of office automation. In addition, new office automation equipment was installed at seven overseas offices in cooperation with the Department of State.
- The Fees and Applications Receipt Entry System (FARES) was installed and became operational at Regional Service Centers in St. Albans, Vermont, and Lincoln, Nebraska, to provide automated support for producing receipts for fees paid, fee receipting, and for keeping track of applications and petitions.
- The Immigration Card Facility (ICF) in Grand Prairie, Texas, issued approximately one million alien cards to various classes of

aliens. It also completed a survey of current and long-range requirements for ID cards and analyzed various card technologies which may satisfy those requirements.

Records Systems

This division provides policy guidance and technical support on records management programs that support operational needs such as the maintenance and use of centralized alien records. It also enforces procedures for dealing with requests for information under the Freedom of Information and Privacy Act and responds to inquiries from the public and other agencies on immigration laws, regulations, and procedures.

In 1986, the Records System Division:

- Developed a User Satisfaction Survey Program to evaluate feedback from system users and developers to improve training, systems operations, and management. On-site surveys have been made and completed of the Deportable Alien Control System (DACS) in Chicago and New York and Alien File Accountability and Control System (AFACS) in New York;
- Developed a Data Integrity Program and implemented it at the Chicago District office to validate the local DACS data base;
- Reduced backlogs of Freedom of Information Act and Privacy Act requests by 33 percent Service-wide;
- Responded to more than 3.8 million telephone inquiries, including 1.1 million at our "ASK IMMIGRATION" System sites and 1.4 million at the Eastern and Western Telephone Service Centers;
- Purchased seven automated 24-hour-a-day (tape) "ASK IMMIGRATION" telephone answering systems to enable

smaller INS offices to offer more efficient and timely assistance and information to the public;

- Expanded training for contact representatives who provide the initial personal assistance to the 4.7 million people who visit INS offices throughout the country each year. The new training focused on skills and abilities required to respond to public inquiries more efficiently, courteously, and professionally;
- Revised the INS Correspondence Manual and distributed it throughout the Service to improve the quality and efficiency of correspondence;
- Saved \$789,752 as a result of mail management techniques, bringing total savings to \$1,222,764 since the Mail and Correspondence Section was established in 1984.

Policy Directives and Instructions

This office manages the Service's internal directives and operating instructions and designs and controls INS forms. In 1986, this office:

- trained 250 INS employees for use of the on-line Directives and Instructions Access System (DIAS), which provides automated access to the INS Law Books;
- Redesigned four INS application forms to reduce confusion for applicants and to promote greater economy and efficiency in the collection of information.

MANAGEMENT

This office provides policy and support services in management, budget, and administration. Major initiatives in 1986 centered on the delivery of high quality services and operational support under conditions of

extreme fiscal restraint. Efforts to reduce overhead costs were emphasized as part of multi-year projects designed to achieve maximum savings and efficiency. Productivity projects such as Office of Management and Budget Circulars A-123 and A-76 and the Federal Managers Financial Integrity Act provided much of the impetus for these activities.

Administration

This office is responsible for contracting and procurement, property and vehicle fleet management, general services, security, health and safety, facilities and engineering, and printing.

Major accomplishments in fiscal 1986 included initiation of a nationwide vehicle maintenance program which has reduced repair expenses and improved cost control over a fleet of 4,000 vehicles. An automated Weapons Inventory Control System was developed and activated with approximately three million pieces of information in the data base. Prior to 1986, this was a manual system at the Regional level.

The Facilities and Engineering branch has developed and received approval from the General Services Administration (GSA) for its "Supplemental Space Standards." With these approved Supplemental Space Standards, INS will be able to justify its additional space requests as well as achieve its mandated overall space utilization rate of 135 square feet per person by 1990. Use of these standards will expedite real property changes and save many man-hours in the regions and districts.

INS ranked second in dollars and percentage within the Department of Justice for contracting with socially and economically disadvantaged businesses during 1986. Such contracts accounted for nearly \$10

million, or 13 percent of the \$75.5 million in procurement dollars awarded by INS.

Comptroller

This office develops budgets, monitors resource utilization, develops financial policy, designs financial systems, manages accounting operations, and generally serves as the agency's financial manager.

During 1986, efforts were concentrated on cash management improvements and revision of fees for INS services to reflect the actual cost of performing those services. Major accomplishments included:

- Completion of a Servicewide cash management review in collaboration with the Department of Treasury to improve the flow of government cash.
- Automation of travel advance management and collection, resulting in a 27 percent reduction in outstanding balances;
- Expansion of the Diners Club charge card program and initiation of a pilot program to evaluate the use of travelers checks in lieu of cash or Treasury checks to provide travel funds for employees; and
- Completion of a comprehensive fee review and cost analysis resulting in overall fee adjustments of more than 14 percent. Revised fees will add \$7-8 million annually to government revenue.

Personnel and Training

This office is responsible for the development, implementation, administration, and evaluation of personnel management programs and programs for technical training and employee development.

During 1986, major efforts continued to focus on hiring and training Border Patrol Agents. In addition to hiring approximately

INS ranked second in dollars and percentage within the Department of Justice for contracting with socially and economically disadvantaged businesses during 1986.

600 trainees, the selection process itself was improved by: 1) updating the interview screening format and 2) implementing "state of the art" drug testing procedures as part of the medical standards. Following the completion of training at the Border Patrol Academy, trainees are assigned to various duty locations along the southern border as part of the Commissioner's Priority Management System.

The Service continued with its proposal that a portion of historic Ellis Island be developed as a conference/training/cultural/educational center. While maintaining the immigration heritage of the island, the Center would provide meeting and informational services to the public, interest groups, and all levels of government and international organizations.

Such a facility would be used by both the Service and other government agencies for short and long term training activities. Cultural events—particularly those featuring the diverse foreign heritage of Americans—could be held on Ellis Island. Beyond being of interest to tourists, it could draw students and researchers to an immigration archives and genealogy center. This proposal, among others, is under study by the Department of Interior, National Park Service, and the Statue of Liberty-Ellis Island Commission.

The Service continued with its proposal that a portion of historic Ellis Island be developed as a conference/training/cultural/educational center.

Equal Employment Opportunity (EEO)

This office is responsible for Servicewide EEO and Affirmative Action programs pursuant to Title VII of the Civil Rights Act of 1964, as amended, and other related laws governing employment rights and preferences for minorities, women, veterans, and handicapped individuals.

Significant EEO gains for 1986 included:

- An increase of 1.1 percent in Hispanic representation to 23.5 percent of the INS workforce;
- Increased minority representation in all five affirmative action target occupations (Border Patrol agent, special agent/criminal investigator, immigration inspector/examiner, the various analyst occupations, and attorneys) with the most significant being a 3.2 percent increase of blacks in the various analyst occupations to 20.2 percent representation; and
- An increase of 1.2 percent in female representation to 13.3 percent of grades 13 through 15 in the General Schedule and General Manager categories.

Also in 1986, this office's evaluation of EEO activities in two major district offices resulted in simplified complaint processing and more effective affirmative actions plans.

What follows are the broad strokes of the new law, with primary emphasis on **legalization** and **employer sanctions**. The legalization or amnesty provisions will, as President Reagan noted when signing the bill, "go far to improve the lives of a class of individuals who now must hide in the shadows, without access to many of the benefits of a free and open society. Very soon, many of these men and women will be able to step into the sunlight and, ultimately, if they choose, they may become Americans."



Major Provisions of the Immigration Reform and Control Act



It is important to note here that the legalization program will not be used as an enforcement tool or to locate illegal aliens. Its sole purpose is to approve those who are legally qualified to remain in the United States. However, anyone who knowingly and willfully makes false or fraudulent statements in applying for legalization will be prosecuted to the fullest extent of the law.

The primary enforcement feature of the new Act is employer sanctions. This will be a vital tool in keeping illegal aliens off employment rolls. After November 6, 1986, employers will have to verify the status of new employees to determine if they are citizens or aliens authorized to work, requiring identification documents such as a passport or a birth certificate and driver's license. Penalties for violating these laws are described in the text that follows.

Here, then, are some major provisions of the law:

LEGALIZATION

- Provides temporary resident status for aliens who have resided continuously and unlawfully in the United States since prior to January 1, 1982.
- Allows these temporary residents to become permanent residents after 18 months if they can show a minimal understanding of English and knowledge of history and government of the United States or are pursuing a course of instruction to gain such knowledge.
- Bars newly legalized aliens from most forms of public assistance for five years. Exceptions would be made for emergency medical care, aid to the aged, blind or disabled, for serious injury, or assistance that would be in the interest of public health.
- Provides permanent resident status for specified Cubans and Haitians who entered the United States prior to January 1, 1982.
- Ensures the confidentiality of records by barring use of information in an application for any purpose other than determining the merits of the application or to determine whether fraud was involved.

- Allows the Attorney General to grant legal status to aliens who can show they have been in the United States prior to January 1972 and have lived in the country continuously since then.
- Appropriates \$1 billion in each of the four fiscal years after enactment to reimburse states for the public assistance, health and education costs resulting from legalizing aliens.

SPECIAL AGRICULTURAL WORKERS (SAW)

- Provides temporary resident status for an alien who has performed field labor in perishable agricultural commodities in the United States for at least 90 man-days during the 12-month period ending on May 1, 1986 and is admissible as an immigrant (certain grounds of exclusion having been waived).
- Allows 350,000 of such aliens who performed the requisite agricultural field labor for 90 days in each of the three years prior to May 1, 1986, who have also resided in the United States for six months in each year to be granted temporary residence in the Group 1 category. All others will be granted temporary residence in the Group 2 category.

Group 1 temporary resident SAWs shall be adjusted to permanent resident status on December 1, 1989,

or one year from the date of adjustment to temporary resident status, whichever is later.

Group 2 temporary resident SAWs shall be adjusted to permanent resident status on December 1, 1990, or two years from the date of adjustment to temporary resident status, whichever is later.

EMPLOYER SANCTIONS

- Makes it unlawful for any person knowingly to hire, recruit or refer for a fee any alien not authorized to work in the United States.
- Requires employers to verify all new hires by examining specified documents showing authority to work and identity.
- Establishes civil and criminal penalties for hiring illegal aliens. From June 1, 1987, to May 31, 1988, a violator will be given a warning citation for the first offense.
- Establishes the following fines for violations after the citation period:

First offense—a civil fine of not less than \$250 nor more than \$2,000 per each illegal alien found to be hired.

Second offense—a civil fine of not less than \$2,000 nor more than \$5,000 per illegal alien.

Third offense—a civil fine of not less than \$3,000 nor more than \$10,000 per illegal alien.

- Authorizes criminal penalties of up to six months' imprisonment and/or a \$3,000 fine for a "pattern or practice" of knowingly hiring an illegal alien.
- Requires employers, recruiters and those who refer for employment to keep records. The bill establishes a civil fine of not less than \$100 nor more than \$1,000 for failure to keep records.

H-2 WORKERS

- Revises and expands an existing temporary foreign worker program known as H-2. This program predominantly applies to farm workers.
- Requires an employer to apply to the Secretary of Labor no more than 60 days in advance of needing foreign workers, and then requires the employer to try to recruit domestic workers for the jobs that need to be filled. Current law requires an 80-day advance request.
- Permits applications for temporary residence to be made within the United States or outside the United States at offices designated by the Department of State between June 1, 1986 and November 30, 1988.

- Bars SAWs from receiving AFDC benefits for five years.
- Allows SAWs to travel and commute from a residence abroad.
- Ensures, as in the legalization program, the confidentiality of records.
- Provides during the Fiscal Year 1990-1993, that additional special agricultural workers can be admitted or adjusted to temporary resident status if there is a shortage of seasonal agricultural workers as determined by the Secretaries of Labor and Agriculture. These replenishment workers would be required to perform field work in perishable commodities for 90 days in each of their first three years and may then be adjusted to permanent resident status. They may travel and commute from a residence abroad. They are disqualified from public assistance and must have performed seasonal agricultural services for 90 days during five separate years to be eligible for naturalization.
- Guarantees agricultural H-2 workers certain benefits such as housing and worker compensation (if not available under a state program), travel and subsistence costs.

ANTI-DISCRIMINATION MEASURES

- Creates an Office of Special Counsel in the Justice Department to investigate and prosecute any charges of discrimination stemming from unlawful immigration-related employment practices.
- Bars employers from discriminating against legal residents simply because they are not full-fledged citizens. However, this provision covers only those permanent or temporary residents who have shown an intention to become citizens.

INCREASED ENFORCEMENT

- Increases criminal penalties for smuggling aliens into the United States. Violators can be imprisoned for up to five years per smuggled alien and fined in accordance with fines specified in the federal criminal code.
- Requires states to verify the status of non-citizens applying for public aid, such as food stamps, welfare programs, public housing and unemployment compensation. Under the bill, states will be reimbursed 100 percent for the implementation costs of this provision.

Implementation of the Immigration Reform and Control Act of 1986

A Review: November 1986 through June 1987

The Immigration and Naturalization Service has had four major objectives relative to implementing the Immigration Reform and Control Act of 1986:

- Successfully implementing the legislation;
- Executing ongoing responsibilities without reducing existing levels of service;
- Using Reform Act implementation as an integral step in modernizing the Service; and
- Strengthening overall control of the border.

In preparing for implementing the new law, plans were divided into four phases to ensure that the provisions of this major legislation were implemented fairly and fully. These phases included:

- **INPUT PHASE: November - December 1986**

Contact with involved employer, voluntary agency, union, legal, and special interest groups — meetings, briefings, and surveys.

- **DETAILED PLANNING STAGE: January - February 1987**

Drafting of regulations, detailed implementation planning, contracting and procurement initiation.

- **PRELIMINARY IMPLEMENTATION PHASE: March - April 1987**

Staffing, training of INS and voluntary agency personnel, equipping of offices, extensive public education campaign.

- **FULL IMPLEMENTATION: May - June 1987**

To implement the responsibilities mandated by the Immigration Reform and Control Act of 1986, the Immigration and Naturalization Service initiated actions in multiple directions on multiple levels. The following review categorizes these initiatives under seven major headings and details the progress made regarding each between November 1986 and June 1987.

I. OVERALL PROGRAM COORDINATION

The Service implemented the legislation through its existing field structure and chain of command with minor modifications to enhance policy development and coordination. New offices to oversee implementation of the legalization and employer and labor relations (employer sanctions) sections of the law were established in the Central Office.

Interagency Coordinating Group

An Interagency Coordinating Group, chaired by INS Commissioner Alan C. Nelson and comprised of high level representatives from the Departments of State, Agriculture, Labor, and Health and Human Services, was formed in mid-December. This working group has met regularly to discuss the issues of the Immigration Reform and Control Act which affect these agencies, including the publication

of regulations, the definition of perishable commodities, the establishment of a Systematic Alien Verification for Entitlements (SAVE) subgroup, coordination of congressional relations, and the dissemination of information to the public regarding the new law.

Reports

The Act requires the submission of a number of reports on the implementation and impact of the new law. Although not all of these reports are the responsibility of INS, a majority require at least the Service's participation in a support role. To meet its obligations, INS has established working groups that involve the Department of Labor, HHS, State, and the Bureau of the Census.

Immediate goals for INS in this area have included the preparation of the mandated report to Congress within 90 days of enactment on facility and personnel resources required to implement the Act, establishment of contract research to design and conduct a survey to obtain information for the required reports on the legalization population, and determination and initiation of preliminary planning meetings with Census, Labor and HHS for the mandated triennial reports on immigration.

Congressional Liaison

Continued contact with Congress on the implementation of the provisions of the Reform Act has been a major activity since its passage. On December 17, 1986, Commis-

sioner Nelson and other high-ranking officials from the Departments of Justice, State, Health and Human Services, Labor and Agriculture testified before the House Subcommittee on Immigration, Refugees and International Law concerning Reform Act implementation. Commissioner Nelson's December testimony is an example of the continuing interest expressed by both members of the Congress and Senate and House committee staffs on the new law.

On April 9, 1987, Commissioner Nelson testified on the current status of Reform Act implementation before Chairman Roman Mazzoli and the House Judiciary Subcommittee on Immigration, Refugees and International Law. Another hearing held on April 10, 1987 by Senator Edward Kennedy and the Subcommittee on Immigration and Refugee Affairs also highlighted INS' progress and commitment to making the implementation process work. Hearings on the FY 1988 appropriation were held on April 30, 1987, by Senator Ernest Hollings and the Senate Appropriations Committee. These hearings continued on May 7, 1987.

II. ENFORCEMENT ENHANCEMENT

The Reform Act calls for the balanced administration of new and existing immigration laws to prevent and deter illegal entry and violation of status while still providing prompt and efficient decisions on petitions and applications for benefits. To assist in improving enforcement and services, the Reform Act authorizes funding increases and amends several statutes to provide the teeth needed to facilitate enforcement of our immigration laws.

INS is taking a three-pronged approach to improve control of U.S. borders including a significant increase in Border Patrol staffing over the next two years, greater use of technology in the detection process, and the appropriate use of physical structures to discourage illegal entry.

A key initiative to improve control over U.S. borders continues to be the hiring and training of approximately 1,100 new Border Patrol agents. By June, the Service had hired, trained, or was in the process of training 242 Border Patrol agent trainees.

The Immigration Reform and Control Act also authorized expansion of Investigations program resources to enhance interior enforcement efforts, particularly in the areas of employer sanctions, criminal aliens, and immigration-related fraud schemes. These new resources will approximately dou-

ble the size of the Investigations program over the course of the next two fiscal years.

In response to these increases, INS has initiated a hiring and training program that will increase investigations personnel with approximately 300 new special agents and support personnel by early FY 1988. The hiring and training of these agents is now underway.

As part of its general training effort, INS also developed an operations manual for use by its agents in implementing the employer sanctions provisions of the Reform Act. National training conferences specific to the new law were held for all INS enforcement managers and attorneys during May and early June.

III. EMPLOYER SANCTIONS

The keystone of the Reform Act is the phased-in sanctions placed on employers who knowingly hire illegal aliens. In implementing these provisions, INS is both emphasizing traditional enforcement and encouraging voluntary compliance through employer and labor cooperation and information programs.

In developing the employer sanctions programs, efforts have focused on providing employers with clear and complete information on the operations and requirements of the program. The education of employers and the general public regarding the requirements imposed by employer sanctions provisions is the first step toward ensuring the program's success. It is the goal of INS to give employers every reasonable opportunity to understand the new law before initiating full enforcement activities.

Regulations, Employer Verification Form and Information Handbook

A major part of implementing the employer sanctions provisions was the development of regulations, forms, and educational materials to ensure that employers understand both the purpose of the verification program and the process for completing and maintaining the form. After consideration of more than 4,000 comments, INS published a final rule on employer sanctions implementation in the *Federal Register* on May 1, 1987.

Significant changes were made in response to these comments, including allowing recruiters and referrers for a fee to designate agents to perform the verification for them; exempting recruiters and referrers from retroactively verifying the status of individuals recruited or referred prior to June 1, 1987; giving employers until September 1, 1987 to complete retroactive verification; providing up to 21 days to employees to present original documentation if a receipt is presented within 3 days; providing employers with 3 days advance notification of INS inspection of I-9s; and more closely defining such terms as independent contractors and pre-enactment ("grandfathered") employees. Employer Verification Forms and Employer Handbooks were completed and mailed to employers throughout the United States by mid-July.

Enforcement

The Investigations program has outlined a four-point, phase-in strategy for sanctions enforcement. That strategy includes public education (the focus of initial site visits during the early months of the program), investigations (intended to reach serious, repeat violators), compliance inspections (designed to ensure that a statistically neutral sample of employers receive site inspection), and a job back-filling program (to be designed by the Office of Employer and Labor Relations to ensure that lawfully authorized workers who are receiving welfare

and unemployment assistance are referred for jobs vacated by unauthorized workers). An operations manual, outlining how this strategy is to be implemented by INS enforcement officers and attorneys, has been drafted.

Sanctions Education

Responsibility for a major public education effort on employer sanctions was assigned to the newly-created Office of Employer and Labor Relations, for which 71 new positions nationwide are being hired and trained.

Employer and Labor Relations is also mounting a broad media campaign to apprise the public of the requirements of the sanctions provisions of the Reform Act. A professionally-prepared videotape, "Complying with the New Immigration Law," was produced in May. A variety of information tapes covering employer responsibilities, the employment eligibility verification process, special rule aliens, and SAVE became available on INS' "800" telephone number during May.

As part of efforts to encourage employer cooperation in implementing the employment eligibility verification requirements of the Reform Act, Commission Nelson also sent letters to all Federal agencies requesting cooperation and support and offering the assistance of INS officials nationwide to help them in meeting the new verification requirements and provided a briefing on their roles and responsibilities under the new law.

IV. LEGALIZATION AND SPECIAL AGRICULTURE WORKER PROGRAMS

The legalization and special agricultural worker provisions represent two of the new law's three major sections. Both programs call for the legalization of persons who have resided illegally in the United States during specified periods of time.

Within a compressed time frame and, to a large extent, in a setting open to public scrutiny, the preparation for legalization was among the greatest efforts undertaken by the federal government in recent years. INS initiated its efforts with full awareness of the complexity and magnitude of the program. Of particular concern was the acquisition of appropriate legalization sites, the hiring and training of large numbers of personnel to carry out the program, and the role of voluntary agencies in the process. Although the Service had developed estimates of the size and location of the legalization population, the actual size as well as the rate and timing of participation were unknown.

A new Legalization Office was created in the Central Office to coordinate and plan all efforts associated with this task. Preparation for the implementation of the year-long Legalization Program on May 5 and the 18-month Special Agriculture Worker Program on June 1 was the major activity dur-

ing the first six months after passage. During this period, the Service developed and finalized detailed regulations, fees and forms, located, staffed, equipped and opened 107 legalization offices, printed and distributed millions of forms, designated groups to assist applicants, developed automated systems, and undertook a myriad of other activities.

INS began receiving applications for temporary residence under the Legalization Program on May 5 and the Special Agricultural Worker Program on June 1. Following an initial start up of both the legalization and Special Agricultural Worker Programs, receipts of applications have remained steady.

As of June 30, less than 2 months after start-up, there were a total of 204,313 applicants for benefits under the Reform Act. This included 188,964 persons who applied under the legalization provisions and 15,349 persons applying under the Special Agricultural Worker (SAW) Program. Of this number, 156,249 or 82 percent were interviewed to determine initial eligibility for temporary resident status. Receipts for both programs totalled over \$32 million.

Qualified Designated Entities

Section 201 of the Reform Act mandates the involvement of qualified voluntary organizations and qualified state, local and community organizations in the legalization program. INS reviewed applications for this status and approved

13 "national coordinator" organizations and 802 locally-based sites as "qualified designated entities" (QDEs), including 157 agricultural QDEs. These groups and individuals are available to assist legalization applicants with general information and the filing of forms required by the legalization program throughout the United States, although applicants may apply on their own.

Organizations that have been designated as national coordinators include the U.S. Catholic Conference, Lutheran Immigration and Refugee Services, the American Council for Nationalities Services, World Relief, the Presiding Bishops' Fund, SER-Jobs for Progress, the American Farmworker Opportunity Fund, International Ladies' Garment Workers Union, Martin Luther King, Jr. Farm Workers' Fund, the Congress of Racial Equality, Metropolitan Analysis and Retrieval Systems, Inc., Indochinese Resource Action Center and Alien Legalization for Agriculture. The local independent entities that have been approved consist mainly of community-based organizations concentrated in areas with the greatest number of potential applicants: New York, Chicago, Dallas-Fort Worth, and Los Angeles.

INS has conducted training for QDEs to train their staffs for in-depth casework processing, including determining eligibility for legalization benefits, completion of legalization forms and INS processing.

ADP Support

Extensive ADP support has been made available to the legalization program, both in the 107 local offices and in the four regional processing facilities. To provide this support, the Legalization Office Support System was developed to provide for fee receipting, interview scheduling, and production of work authorization documents and notices to applicants at the local legalization offices. A centralized software system—Legalization Application Processing System (LAPS)—is also operational to provide support to regional adjudication activities and report production.

V. PUBLIC INFORMATION

The new law carries with it extensive public information responsibilities. INS was required to undertake an extensive public information campaign on the provisions of the legalization program. A short-term public awareness campaign was planned to precede the major public information program that would span the duration of the legalization and special agricultural worker programs.

The major public information campaign is being conducted by the private sector. On April 6, 1987, INS awarded the contract to the Justice Group, a consortium of three joint-venture organizations, to implement the information and awareness campaign for both the legalization and employer sanctions programs.

In conjunction with the Justice Group, INS launched an Employer Sanctions advertising campaign in June of 1987 with a half-page newspaper ad in eight major newspapers throughout the country. The ad featured a full-sized front page of the I-9 Employment Verification Form and accompanying descriptive text. Newspapers included the *New York Times*, *USA Today*, the *Wall Street Journal*, the *Washington Post*, the *Miami Herald*, the *Houston Chronicle*, the *San Francisco Examiner*, and the *Los Angeles Times*.

By the end of June, the following initiatives had been either begun or completed:

- Implementation of a nationwide information and education program through its regional offices that has resulted in over 1,000 public meetings and press conferences, leading to newspaper and magazine stories and appearances of INS officials on radio and television talk shows.
- Development and distribution of an Employer Information brochure.
- Development of an "800" number telephone information system that became operational May 1, 1987.
- Production and duplication of public service announcements dealing with employer sanctions and legalization by members of the U.S. Congressional Hispanic Caucus.
- Continued market testing of all Reform Act materials scheduled for distribution to the public.
- Distribution of over 800 copies of professionally prepared video tapes on employer sanctions to INS offices and major employer and labor groups.
- An employer sanctions advertising campaign for radio, pay and public service television, newspapers and trade magazines. The campaign focuses on network television and Asian and other ethnic television spots, network radio stations, and English language consumer and

trade magazines. The newspapers and trade magazines targeted have a combined circulation of 77.1 million.

- A legalization campaign for radio, pay and public service television, newspapers and magazines. The campaign will utilize the Hispanic network and English, Hispanic, Asian and other radio spots as well as Hispanic, Asian and other ethnic newspapers and magazines. Combined circulation for the newspapers targeted is 11.1 million.
- Distribution of the *Handbook for Employers*. By mid-July, the Handbooks will be distributed to over 6.7 million employers through a reimbursable contract with the Internal Revenue Service.

INS has already made the *Handbook* available to the following organizations and individuals: the U.S. Congress, the district offices of Congressional members, 274 state legislators, 100 county commissioners, Cabinet officers, heads of independent Federal agencies, the Office of Personnel Management, the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Federation of Independent Businesses, and the AFL-CIO.

- Three million I-9 Employment Eligibility Forms were distributed to INS offices and another three million are available through GPO bookstores.

VI. SAVE PROGRAM

A major component of the new law is the requirement that certain entitlement agencies verify the documentation and status of alien applicants for public benefits such as welfare, food stamps, educational assistance, housing, and unemployment compensation. Such benefits act as an inducement to some aliens to enter and remain illegally in the United States.

All designated federal entitlement agencies must participate in an alien status verification system by October 1, 1988. Over the past several years, using long- and short-term pilot projects, INS has developed an automated on-line system known as Systematic Alien Verification for Entitlements (SAVE). In the past several years, INS has developed SAVE programs with 16 states and additional states are currently considering or negotiating programs. Standardized field procedures and organizational responsibilities for SAVE were implemented throughout the INS on December 1, 1986. This highly adaptable system will be ready for nationwide implementation by October 1, 1987.

INS has conducted SAVE briefings with the Secretaries and other representatives from the Departments of Health and Human Services, Labor, Agriculture, Housing and Urban Development, and Education, as well as state and county officials. These briefings will continue in order to educate entitlement agency officials and facilitate the full implementation of the program.

To ensure that the SAVE system meets the time frames specified by the Reform Act and is efficient and cost effective, a decision was made to create a separate data base of records from the existing automated Central Index System and competitively procure storage and network access capability from a commercial vendor. Interested corporations will be evaluated by the five Departments of the SAVE Users Group and INS, with a contract awarded by late summer. A 64-hour training course and hiring plan for status verification assistants to perform secondary verifications for SAVE and the pilot employer verification program have been established.

The five Departments affected by the Reform Act are writing regulations with emphasis on requiring each alien to submit immigration documents when applying for aid to families with dependent children, food stamps, educational assistance, housing and unemployment compensation.

VII. OTHER PROVISIONS

H-2 Temporary Agricultural Worker Program

To streamline the manner by which agricultural employers can secure temporary foreign agricultural workers, the Reform Act amended the H-2 nonimmigrant classification by moving agricultural labor into a new H-2A classification so that different eligibility standards and processing can be applied. Interim rules for the H-2A process were published by the Department of Labor and INS on June 1, 1987 for public comment.

Immigration Benefits

On March 3, 1987, regulations were published in the *Federal Register* implementing certain sections of the Reform Act, including updating of the registry date, the restrictions on adjustment of status, and the adjustment of status of certain Cuban and Haitian nationals. As of June 15, 1987, 1,700 registry cases had been processed to completion. Approximately 90 Cuban/Haitian adjustments had been completed with 14,000 applications in process.

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