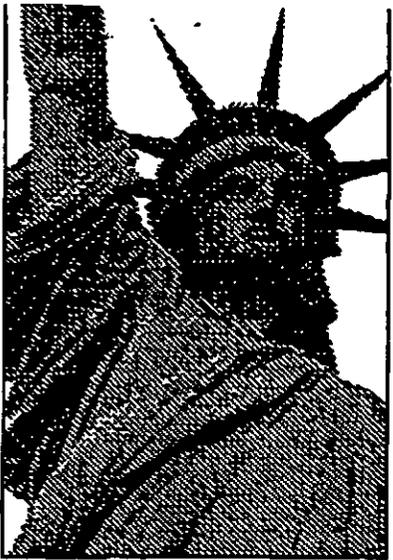


**NLWJC - Kagan**

**DPC - Box 034 - Folder 011**

**Immigration - Structural  
Reforms [6]**



# HERE'S AN INTERESTING FAX...

*immigration - structural reform*

... From the Office of Public Affairs  
U.S. IMMIGRATION & NATURALIZATION SERVICE

425 I Street, NW, Washington, DC 20536



(202) 514-2648



(202) 514-1776

Date: 1/17/98

Fax to: ELENA KAGIN

Fax Number: 456-2878

From: Eric C. Andrus 202/514-8080/2648 FAX: 202/514-9833

Pages (Including Cover): 2

Comments: F.Y.I., PER DORIS MEISSNER.

**Q+A - Administration Position on Splitting INS**

1/21/98

Contact: Eric Andrus, INS 202/514-8080

**Q:** Has the Administration decided to reject the Commission on Immigration Reform's call for reallocating INS' functions to other federal agencies?

**A:** This Administration has made significant progress over the last five years toward improving America's immigration system. We have curtailed illegal immigration through tougher border control, strengthened worksite enforcement, and the removal of record numbers of criminal and other illegal aliens. We have also worked to improve and tighten the naturalization process, and have made needed reforms to our asylum system for refugees fleeing persecution.

In September, the President asked the Domestic Policy Council (DPC) to evaluate carefully the Commission on Immigration Reform's proposal and other reform options designed to further improve the executive branch's administration of the nation's immigration laws. This evaluation has been completed and a recommendation has been made to the President calling for INS to retain the interrelated functions of immigration enforcement and benefits/services. [A decision on this recommendation is expected prior to the submission of the President's Budget for FY 1999.] At the same time, the DPC is working with INS to develop a plan to enhance immigration law enforcement while continuing to improve service delivery and efficiency through a clearer separation of the agency's enforcement and service functions. The re-structuring plan is being developed with assistance from the management consulting firm of Booz-Allen & Hamilton and will be presented to Congress by April 1.

Immigrant -  
structural reform

- looking at what we've decided - budget - org.
- ~~replicate as possible~~
- details
- box us in

Do we have to do  
this in front  
of Booz Allen?

I think we need  
a discussion of  
this - without  
them

Attempts keeping both in single org  
split all way up  
split part way, etc.

structural  
options

Not diving into detail

E.G. - looking into how budget + org are related

Met w/ Ann'ner

focus group of field reps.

|| other orgs + ags - state + labor  
|| briefings on Hill

assessment of diff structural options -  
- where should they be  
sep + how should they  
interconnect  
geog. || what level -

*immigration - work  
structural  
return*

**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET**

**Route Slip**

<b>FAX TO: ELANA KAGAN</b>	Take necessary action	<input type="checkbox"/>
<b>MICHAEL DEICH</b>	Approval or signature	<input type="checkbox"/>
	Comment	<input type="checkbox"/>
	Prepare reply	<input type="checkbox"/>
	Discuss with me	<input type="checkbox"/>
	For your information	<input type="checkbox"/>
	See remarks below	<input type="checkbox"/>

**From: Steve Mertens**

**Date: January 20, 1998**

**Remarks:**

FYI; Attached is a "clean" copy of the immigration restructuring language in the budget narrative page proofs.

Attachment

c: Julie Fernandez

Revised Narrative  
January 20, 1998

***Organization and Structure:*** The final report issued by the Commission on Immigration Reform called for major changes in how the Federal Government sets and implements immigration policy. In particular, it urged a separation of the enforcement and benefit functions that INS now performs.

The Administration has studied these and other reform proposals and is developing a plan to enhance immigration law enforcement while improving the delivery of immigration services and benefits. It recognizes that enforcement and benefits are interrelated and, thus, neither should be addressed without the other in mind. The plan, however, will make Federal immigration activities more efficient and effective by separating enforcement and benefit/service operations -- both in headquarters and in the field -- thereby strengthening accountability and lines of authority. In addition, the plan will enhance coordination among Federal agencies involved in immigration and established greater accountability within each agency. Together, these reforms within individual agencies and across the Government will support and sustain the Administration's progress over the last five years in enforcing our immigration laws and fulfilling the Nation's commitment to its immigration heritage.

~~##~~ *immigrants - structural reform*

# TRANSMISSION RECORD

**IMMIGRATION AND NATURALIZATION SERVICE  
HEADQUARTERS  
425 I STREET, N.W.  
WASHINGTON, D.C. 20536**

<b>TO:</b> Elena Kagan	<b>FROM:</b> Doris Meissner
<b>ORGANIZATION:</b> The White House	<b>ORGANIZATION:</b> INS
<b>TELEPHONE:</b>	<b>TELEPHONE:</b> 202-514-1900
<b>FAX TELEPHONE:</b> <i>456-5542</i>	<b>DATE:</b> 1/20/98

<b>NUMBER OF PAGES (including cover sheet):</b> 4
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<b>COMMENT/MESSAGE:</b> Here's the draft letter. Sorry so late. We can handle production, distribution, hand-delivering, etc., if you can clear or edit content. Content is largely lifted from the President's statement on OMB Passback. I've asked Eric Schmitt to hold for a day on this. He says unlikely, so it will probably run tomorrow. I'm available or call Eric Andrus at: 514-8080.
cc: John Morton/DOJ

The Honorable Harold Rogers  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Rogers:

This letter is to advise you of the status of the Administration's review of the recommendations made by the Commission on Immigration Reform (CIR) in its September 1, 1997, report regarding the restructuring of the immigration system. The President directed the Domestic Policy Council (DPC) to coordinate with the affected federal agencies to evaluate carefully the Commission's proposal and other reform options designed to improve the executive branch's administration of the nation's immigration laws.

The DPC review has now been completed and the Administration has concluded that the enforcement and benefit-granting responsibilities of the immigration system are most effectively and professionally carried out within the INS structure. At the same time, INS and Administration officials are working together to develop ways to separate and delineate within the same agency its enforcement and service responsibilities. The Administration's decision on the CIR report will be transmitted to Congress as part of the President's FY 99 budget proposal. This will be followed by a more detailed proposal for a new INS structure by the April 1 date set forth in the FY 98 appropriation bill.

In reaching its conclusion, the DPC met with officials of all the Executive Branch agencies that handle immigration functions, relevant Congressional staff, and representatives of a wide-range of non-governmental and private sector organizations familiar with or affected by the workings of

The Honorable Harold Rogers

Page 2

the immigration system. It further reviewed fiscal and organizational analyses provided by the Office of Management and Budget and other agencies and experts within and outside the government.

The Commission stated that its recommendations were based on two "systemic flaws" which it defined as mission overload and diffusion of responsibilities among agencies. The DPC examined these issues carefully and concluded that, until 1993, INS operated with insufficient resources, weak or non-existent management systems and processes and lackluster internal management. Since then the Administration and Congress have worked together to provide adequate funding for the immigration system which has allowed INS to make significant progress implementing major changes to enforcement and benefit systems, improving management practices and upgrading staff capabilities at a time when public demands and its responsibilities under new laws have grown significantly. Specifically, the Administration has curtailed illegal immigration through tougher border control, strengthened worksite enforcement, and the removal of record numbers of criminal and other illegal aliens. We have also worked to improve and tighten the naturalization process, and have made needed reforms to our asylum system for refugees fleeing persecution.

The Administration also believes that problems that do exist would not be solved by dismantling the INS. Such extensive changes typically cause significant costs of adjustment, lower morale and reduced productivity and efficiency. Clearly, the Administration and Congress are dedicated to continuing the progress we have made and to realizing the return on the significant investments made over the last few years. Our collective efforts should be made to build on an

The Honorable Harold Rogers  
Page 3

improved INS and the accomplishments of the last four years by more clearly separating the INS enforcement and benefit-granting responsibilities within the INS structure.

In an effort to build on the record that has been established, the Administration will propose a new structure for INS by the April 1 date set forth in the FY 98 Appropriations bill for the Administration response to the CIR report. INS is working with the management consulting firm of Booz-Allen and Hamilton to develop alternatives for Administration consideration. In tapping this outside expertise, INS is seeking to incorporate the most advanced management approaches and accumulated wisdom from both public and private sector experience into our proposal. INS has asked Booz-Allen to consult with Congress in this work so that the final product addresses your views and goals as fully as possible.

We look forward to working with you on this important matter. Thank you.

Sincerely,

Bruce Reed  
Assistant to the President  
for Domestic Policy

*Immigration structural reform*

## STATEMENT OF WORK

Provide Support to the Department of Justice for the Implementation of an Organizational Restructuring of the Immigration and Naturalization Service that Separates Enforcement and Services Functions, Improves Accountability and Clarifies Lines of Authority

### I. Purpose and Objectives

The purpose of the tasks listed in the statement of work is to work and coordinate closely with the Department of Justice (DOJ), the Immigration and Naturalization Service (INS), and the Executive Office of the President (EXOP) to: (1) examine the organizational restructuring of the INS proposed by the Office of Management and Budget (OMB) and outlined in Budget passback; (2) develop an implementation plan for this restructuring proposal that reflects the principle that enforcement and benefit/services operations are separated -- both in headquarters and the field; and (3) recommend focused, specific alternatives to organizational and management recommendations contained in the passback proposal, where necessary and appropriate. The objective of this effort is to maintain INS' enforcement and benefit functions within one agency and building off of the OMB passback proposal, develop an implementation strategy that achieves a separation of enforcement and benefit functions and details improvements in management, organization and structural support functions that will enhance this separation and result in improved agency operations.

### II. Statement of Work

In response to the purposes and objectives outlines above, the contractor shall perform the following services:

The contractor shall develop an organizational implementation plan based on the restructuring proposal detailed in the November 25, 1997, passback to the Department of Justice and outlined in the President's Budget narrative. The project shall include the completion of the following tasks:

#### **Task 1. Interviews and Data Collection.**

Conduct structured interviews with INS, Department and EXOP policy officials.

Convene a series of focus groups in Washington, D.C. for key INS and senior management officials, including field-based officials, such as Regional Directors, District Directors, Chief Border Patrol Agents, Regional and District Counsels, and INS Headquarters officials, including the Commissioner and other senior agency, department and EXOP officials.

## **Task 2. Recommend an Implementation Strategy for INS Restructuring**

Based on the restructuring proposal outlined in passback and the data and information obtained from the interviews and data collection conducted under Task 1, propose an implementation strategy that adheres to the principles contained in Section I of this document.

### **III. Progress Reports and Status Reporting**

The contractor shall provide detailed, written progress reports to, and meet weekly with, a Senior Policy Board and brief this Board on the progress of the project, solicit input and receive guidance. Board membership shall include representative from the INS, DOJ and EXOP.

### **IV. Period of Performance**

The duration of this project will be two months, beginning on December 31, 1997. The contractor will provide a draft report to the Board described in Section III no later than Monday, February 16 with a final report, reflecting guidance provided by the Board, to the Department of Justice by March 1, 1998.

### **V. Government Support**

The contractor will receive the following Government support for the performance of these tasks:

- A. Documentation. Access to reports, studies, data and related materials necessary to perform these tasks.
- B. Technical Assistance. Points of contact will be designated by applicable, DOJ, INS and EXOP offices to ensure consistency in areas related to data exchange and verification and other liaison matters. This assistance normally will be available only during normal business hours.
- C. Senior Policy Board Input. The contractor will meet weekly with a Senior Policy Board of INS, DOJ and EXOP to discuss progress and problems related to the successful completion of these tasks and deliverables in accordance with the approved workplan and schedule. The Policy Board will provide assistance, guidance and direction to the contractor as necessary.

### **VI. Deliverables**

In performance of the above tasks and in accordance with the above purpose and

objectives, the contractor shall submit the following deliverables:

<u>Deliverable</u>	<u>Due Date</u>
Conduct Interviews and Data Collection	January 31, 1998
Present Draft Report to Board	February 16, 1998
Present Final Report to the Department	March 1, 1998

*summary - structural reform*

**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET**

**Route Slip**

<b>FAX TO: ELANA KAGAN</b>	Take necessary action	<input type="checkbox"/>
<b>MICHAEL DEICH</b>	Approval or signature	<input type="checkbox"/>
	Comment	<input type="checkbox"/>
	Prepare reply	<input type="checkbox"/>
	Discuss with me	<input type="checkbox"/>
	For your information	<input type="checkbox"/>
	See remarks below	<input type="checkbox"/>

**From: Steve Mertens**

**Date: January 16, 1998**

**Remarks:**

In preparation for the January 21 meeting with Booze-Allen and INS on restructuring, I have attached the statement of work for the Booze-Allen contract.

One of the concerns expressed at the December DPC meeting was that any contract should be narrowed to support the proposed Budget narrative; geared to a production schedule that will permit a more detailed presentation of the Administration's plan by the budget roll out date of February 2; and focused on implementation rather than organizational study.

As written, the statement of work calls for a far ranging study of all reorganization options currently on the table (including Reyes and CIR which the Administrative, based on the budget narrative, have rejected). Since the statement of work was completed prior to the DPC meeting INS may have verbally narrowed the Booze-Allen work product, however, Justice Management staff believe that this statement continues to be operating procedure for the contract.

The meeting Wednesday will allow a discussion of work products and a report timetable with INS and Booze-Allen.

**Attachment**

c: David Haun  
Julie Fernandez

## STATEMENT OF WORK

Support to the Department of Justice to Provide Organizational Structure Alternatives for the Immigration and Naturalization Service to Rationalize its Continuing Enforcement and Service Functions

### I. Purpose and Objectives

The purpose of the series of tasks listed in the following statement of work is to work and consult closely with Department of Justice and Immigration and Naturalization Service managers and designated staff to: (a) examine all pending INS reorganization proposals advanced by both INS and major external groups; and (b) develop alternative proposal(s). The objective of the proposal(s) should be maintaining, in a single agency, rationalizing and more clearly delineating INS' enforcement and service missions, and the development of management, organizational and structural approaches for ensuring their compatibility, mutual support and productive interaction.

### II. Statement of Work

#### A. Background.

The Immigration and Naturalization Service has one of the most demanding missions in the Department of Justice and within the entire Federal Government. The effective performance of its critical border enforcement and benefit service functions continue to be high Administration, Congressional, and public priorities. As a public organization, INS has been confronted with some of the most extraordinary conditions in which to operate in recent Federal public administration.

Since 1993, INS has experienced a dynamic policy and statutory environment, including extensive increases in its duties authorized under new laws; large staff and budget enhancements; ever-higher public demand for services which is driven by factors beyond the agency's control and which often cannot be anticipated; and the commensurate substantial executive and management responsibilities to accommodate, plan and direct policy and operations according to these conditions. An example of INS' forward-looking executive initiatives in this environment is its undertaking and managing one of the most significant national office automation and interconnected enforcement/services information systems changes in government.

The Department of Justice and Immigration and Naturalization Service leaderships have used many successful approaches to streamline INS' administrative infrastructure; ensure the best, state-of-the-art technological support for its Border Patrol and other law enforcement officers; and to implement a customer-driven approach to its strategic planning and operational decisions. Similarly, it has also significantly reformed and transformed many elements of its organizational structures to deliver better services and improve its enforcement capabilities in response to complex challenges noted above. Implementation of such continued and rapid structural innovations is exceedingly difficult in any public organization, as well as in private firms. Of necessity, however, INS has moved proactively, although not without inevitable criticism and some dislocations attendant upon any such decisive and ambitious structural transformations, to create a national organizational design that employs sophisticated information systems, sound public administration methodologies, and state-of-the-art fiscal and growth management strategies to accomplish its mission.

At present, the Department and the INS wish to examine the cumulative contributions of the recent reorganizations and changes, which include those in progress such as the National Fingerprint Centers, streamlined, effective naturalization procedures, and international border technologies that are successfully preventing illegal immigration. Together with these the Department and INS wish to examine pending reorganization proposals including internal INS proposals, and external proposals, such as the ones set forth by the Commission on Immigration Reform, the Office of Management and Budget, and the Reyes bill (H.R. 2588 Border Security and Enforcement Act of 1997). While these proposals and others share several common reorganizational elements, they run the gamut from internal INS streamlining to the separation and removal of certain INS current functions, such as enforcement and service responsibilities, and placing them in different agencies, such as the Departments of State or Labor or in another DOJ entity.

Given the diversity of such proposals and the request from Congress to the INS to develop a plan to effectively manage immigration control efforts, the Department and the INS wish to examine all reorganization proposals and develop organizational alternative(s) which would uphold the organizational integrity of the INS while accommodating any further proactive structural changes that would sustain and increase the agency's successful performance of its enforcement and service duties.

**B. In response to this Statement of Work, the contractor shall perform the following services.**

The contractor shall propose a scope and methodology for a thorough examination of the existing organizational structure of the INS, for the review of all pending proposals to reorganize INS, and for the development of an alternative reorganization proposal or proposals. The contractor shall develop a project plan, with an accompanying schedule for its completion, that includes a timeline and an estimate of resources required to perform project tasks. The project shall include, but is not limited to, completion of the following tasks:

**Task 1. Review Phase**

Review, synthesize and summarize all pending proposals to reorganize INS, including those INS has developed and considered, as well as those proposed by others, such as the Commission on Immigration Reform (CIR), the Office of Management and Budget (OMB), and the Reyes bill.

**Task 2. Interviews and Data Collection**

Consult with all parties advocating the various pending reorganization proposals.

Conduct structured interviews with INS policy managers, headquarters staff.

Conduct selected field site visits to INS field offices within a 250 mile geographic radius of Washington, D.C. to observe INS field operations and conduct interviews.

Conduct structured interviews with INS clients within the Department of Justice, such as the Office of Immigration Litigation, Civil Division.

Conduct structured interviews with officials from government and non-government outside organizations and interested parties, including the Departments of State and Labor, the Office of Management and Budget (OMB), the CIR, the Domestic Policy Council (DPC), the General Accounting Office (GAO), and the National Academy of Public Administration (NAPA).

Convene a series of focus groups in Washington, D.C. for key INS policy and senior management officials, including field-based officials, such as Regional Directors, District Directors, Chief Border Patrol Agents, Regional and District Counsels, and INS Headquarters officials, including the Commissioner and other senior managers.

**Task 3. Benchmarking**

Consult with other Government agencies which have both enforcement and service functions, such as the Social Security Administration (SSA), the U.S. Customs Service, the Internal Revenue Service (IRS), and the Departments of State and Labor, to gather pertinent information on how these agencies manage these functions, how they are organizationally structured and their applicability to INS.

**Task 4. Development of Alternative Reorganization Proposal(s)**

Develop an alternative reorganization proposal or a range of proposals whereby the current enforcement and service functions of INS continue to be carried out by the INS under the authority of the INS Commissioner. These alternative proposals should build upon the naturalization process redesign work currently being performed for INS by the consulting firm of Coopers and Lybrand, with particular attention paid to effective customer service. In addition, any proposed alternative organizational structure should:

- Identify the interconnecting relationships among and appropriate placement of INS' core enforcement and service functions, such as: (1) border and interior enforcement, and detention; (2) enforcement of immigration-related employment standards; (3) adjudication of immigration and citizenship benefits; (4) administrative review of decisions made by front line agents; (5) new INS initiatives; and (6) any impact on INS based on its projected workload and related factors over the next several years. Each reorganization proposal must clearly recognize how these dual responsibilities interrelate and demonstrate how they are compatible and co-exist appropriately.
- Examine the management and field structures required, including the roles and responsibilities of INS Headquarters, Regional Offices, District Offices, and single mission organizations of the INS such as Asylum Offices, Service Centers, and Border Patrol Sectors, and their interconnectivity.
- Identify and analyze organizational proposal implementation issues, such as how position grade, pay structures, career paths/development, between the enforcement function positions and service function positions would be affected. Seek equitable pay and career opportunities for enforcement and service personnel.

### III. Progress Reports and Status Reporting

The contractor shall provide detailed, written progress reports to, and meet bi-weekly with, a Senior Policy Board of INS officials to brief on project progress, solicit input, and receive guidance.

### IV. Period of Performance

The duration of this project will be two months, beginning on December 31, 1997. The contractor's final report will be due to the Department of Justice by March 1, 1998.

### V. Government Support

The contractor will receive the following Government support for the performance of these tasks:

A. Documentation. Access to reports, studies, data and related materials necessary to perform these tasks.

B. Technical Assistance. Points of contact will be designated from applicable INS and DOJ offices to ensure consistency in areas related to data exchange and verification and other liaison matters. This assistance normally will be available only during normal business hours.

C. INS Senior Policy Board Input. The contractor will meet bi-weekly with a Senior Policy Board of INS officials to discuss progress and problems related to the successful completion of these tasks and deliverables in accordance with the approved workplan and schedule. The INS policy board will provide assistance and guidance to the contractor as necessary. The MPS Contracting Officer's Technical Representative will also attend the Senior Policy Board meetings.

### VI. Government Contacts

#### A. Contracting Officer's Technical Representative

Terry M. Simpson (primary)

Louis C. ~~Robert J. Comiskey~~ (secondary)  
Santone  
Management and Planning Staff  
Justice Management Division

#### B. Point of Contact - Immigration and Naturalization Service

Robert L. Bach  
Executive Associate Commissioner  
for Policy and Planning  
Immigration and Naturalization Service

**VII. Deliverables**

In performance of the above tasks and in accordance with the above purpose and objectives, the contractor shall submit the following deliverables:

<u>Deliverables</u>	<u>Due Date after Award</u>
develop structure for the review	1 week
define data requirements	3 weeks
develop/present draft report	6 weeks
develop/present final report	8 weeks

## STATEMENT OF WORK

Provide Support to the Department of Justice for the Implementation of an Organizational Restructuring of the Immigration and Naturalization Service that Separates Enforcement and Services Functions, Improves Accountability and Clarifies Lines of Authority

### I. Purpose and Objectives

The purpose of the tasks listed in the statement of work is to coordinate closely with the Department of Justice (DOJ), the Immigration and Naturalization Service (INS), and the Executive Office of the President (EXOP) to: (1) examine the organizational restructuring of the INS proposed by the Office of Management and Budget (OMB) and outlined in Budget passback; (2) develop an implementation plan for this restructuring proposal built on the principle that enforcement and benefit/services operations are separated -- both in headquarters and the field; and (3) recommend focused, specific alternatives to organizational and management recommendations contained in the OMB passback proposal, where necessary and appropriate. The objective of this effort is to maintain INS' enforcement and benefit functions within one agency; develop an implementation strategy that achieves a separation of enforcement and benefit functions with clear and distinct lines of reporting and accountability; and, details improvements in management, organization and structural support functions that will enhance this separation and result in improved agency operations.

### II. Statement of Work

In response to the purposes and objectives outlines above, the contractor shall perform the following services:

The contractor shall develop an organizational implementation plan based on the restructuring proposal outlined in the OMB passback and the President's Budget narrative. The project shall include the completion of the following tasks:

#### **Task 1. Interviews and Data Collection.**

Conduct structured interviews with INS, Department and EXOP policy officials.

Convene a series of focus groups in Washington, D.C. for key INS and senior management officials, including field-based officials, such as Regional Directors, District Directors, Chief Border Patrol Agents, Regional and District Counsels, and INS Headquarters officials, including the Commissioner and other senior agency, department and EXOP officials.

#### **Task 2. Recommend an Implementation Strategy for INS Restructuring**

Based on the restructuring proposal outlined by OMB and the data and information obtained from the interviews and data collection conducted under Task 1, propose an implementation strategy that adheres to the principles contained in Section I of this document.

### III. Progress Reports and Status Reporting

The contractor shall provide detailed, written progress reports to, and meet weekly with, a Senior Policy Board and brief this Board on the progress of the project, solicit input and receive guidance. Board membership shall include representative from the INS, DOJ and EXOP.

### IV. Period of Performance

The duration of this project will be two months, beginning on December 31, 1997. The contractor will provide a draft report to the Board described in Section III no later than Monday, February 16, 1998, with a final report, reflecting guidance provided by the Board, to the Department of Justice by March 1, 1998.

### V. Government Support

The contractor will receive the following Government support for the performance of these tasks:

- A. Documentation. Access to reports, studies, data and related materials necessary to perform these tasks.
- B. Technical Assistance. Points of contact will be designated by applicable DOJ, INS and EXOP offices to ensure consistency in areas related to data exchange and verification and other liaison matters. This assistance normally will be available only during normal business hours.
- C. Senior Policy Board Input. The contractor will meet weekly with a Senior Policy Board of INS, DOJ and EXOP to discuss progress and problems related to the successful completion of these tasks and deliverables in accordance with the approved workplan and schedule. The Policy Board will provide assistance, guidance and direction to the contractor as necessary.

### VI. Deliverables

In performance of the above tasks and in accordance with the above purpose and objectives, the contractor shall submit the following deliverables:

<u>Deliverable</u>	<u>Due Date</u>
Conduct Interviews and Data Collection	January 31, 1998
Present Draft Report to Board	February 16, 1998
Present Final Report to the Department	March 1, 1998

Final Narrative  
FY 1999 President's Budget  
Enforcing the Law -- Meeting the Challenges of Immigration  
January 20, 1998

***Organization and Structure:*** The final report issued by the Commission on Immigration Reform called for major changes in how the Federal Government sets and implements immigration policy. In particular, it urged a separation of the enforcement and benefit functions that INS now performs.

The Administration has studied these and other reform proposals and is developing a plan to enhance immigration law enforcement while improving the delivery of immigration services and benefits. It recognizes that enforcement and benefits are interrelated and, thus, neither should be addressed without the other in mind. The plan, however, will make Federal immigration activities more efficient and effective by separating enforcement and benefit/service operations -- both in headquarters and in the field -- thereby strengthening accountability and lines of authority. In addition, the plan will enhance coordination among Federal agencies involved in immigration and establish greater accountability within each agency. Together, these reforms within individual agencies and across the Government will support and sustain the Administration's progress over the last five years in enforcing our immigration laws and fulfilling the Nation's commitment to its immigration heritage.

## **INS Reorganization**

In response to the September 1, 1997, release of the final report of the Commission on Immigration Reform (CIR), the President directed the Domestic Policy Council (DPC) to review the CIR report and recommend ways to improve and streamline Federal immigration policy development and management. The DPC working group will use the President's FY 1999 budget as the vehicle to transmit the President's proposal to the Congress. Towards that end, the following organizational option for the INS has been developed. This reorganization proposal permits INS to meet the fundamental programmatic challenges facing the agency in a way that addresses the concerns identified by the CIR while permitting INS' core functions to remain intact. The Department and INS are requested to address this organizational proposal as part of any appeal.

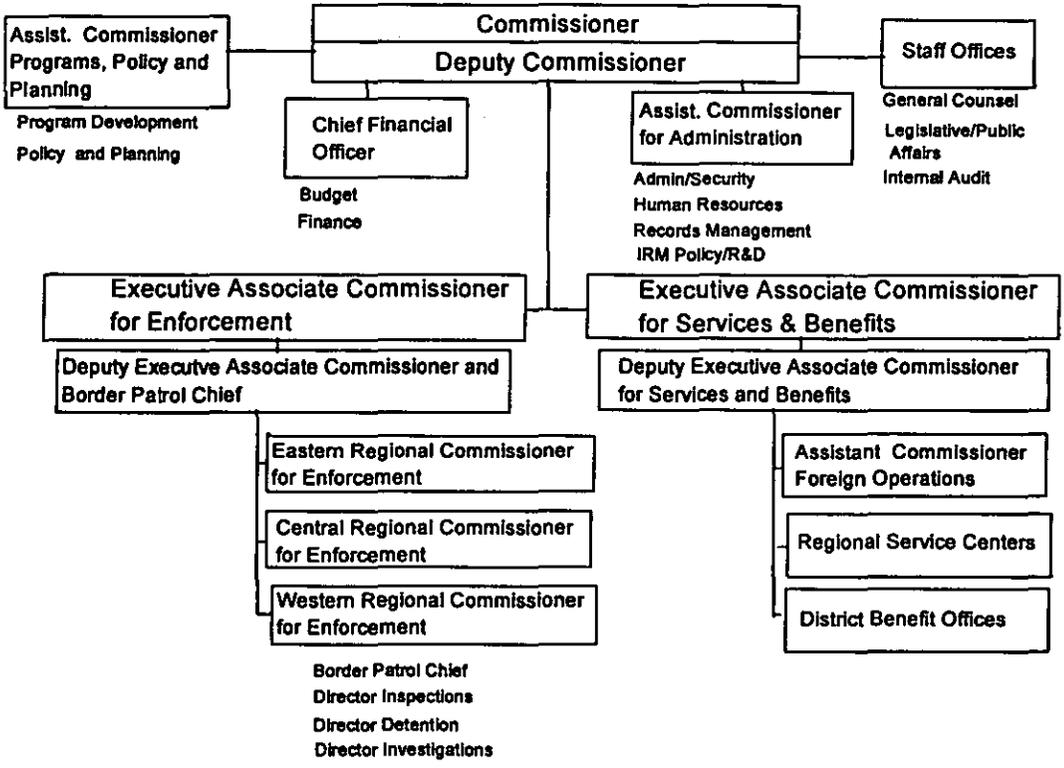
### **Restructure Headquarters:**

Up until 1993, INS operated with insufficient resources, weak or non-existent management systems and processes, and lackluster internal management. Since then INS has made progress implementing major changes to enforcement and benefit systems, improving management practices, and upgrading staff capabilities at a time when resources and responsibilities have grown significantly. Instead of dismantling an improved INS as recommended by the CIR, an effort should be made to build on the accomplishments of the past four years. What INS requires is a streamlined organizational structure based on programmatic priorities and clear lines of authority, responsibility and accountability. Such a structure would focus attention and assign responsibilities to those charged with carrying out INS' dual enforcement and benefit roles. We believe these dual but interrelated responsibilities should remain within one agency and properly within DOJ. A future INS organization should have these features:

**INS Headquarters**, lead by a Commissioner and Deputy Commissioner, would focus on policy, strategic planning and management support (finance, records, Information Resource Management (IRM) policy and R&D); budget formulation; and compliance with policy and procedures. All line management and operational authority for agency-wide support systems like finance, budget, IRM policy, R&D, and records management would be consolidated in Headquarters.

- Reflecting the importance of INS' fee and fine account receipts (\$1.4+ billion) and the deficient condition of INS' financial operations, a separate Chief Financial Officer (CFO) would be established and report directly to the Commissioner. The CFO organization would include agency-wide budget formulation and execution.
- IRM policy and standards and all R&D initiatives would be consolidated within Headquarters. Operational and support IRM functions would report to the respective program offices.

- A small policy and planning office would develop long-range strategic plans, perform GPRA implementation and monitoring, and improve INS' important statistically policy and measurement responsibilities.
- Headquarters Administration should focus on consolidating records management, improving agency facilities, and managing a streamlined administrative service center operation to effectively meet the needs of field operations.



Programmatic Focus:

While the CIR recommends splitting the agency, a programmatic split that maintains the enforcement/benefit link necessary to function effectively accomplishes the same goal. The reorganization would separate **Enforcement** and **Services** under the leadership of two **Executive Associate Commissioners (EAC)**. The creation of these two EACs would ensure that clear lines of authority, responsibility and accountability exist in program operations, help bring a field perspective to Headquarters decision making, and reduce stovepipe operations currently

prevalent in enforcement operations. The CIR recommendation to merge INS' enforcement agents (Border Patrol, inspection and detention) into one uniform service and a white-collar investigative service should be implemented. This reorganization supports this evolutionary initiative by putting the Border Patrol Chief in a direct line of authority for all enforcement activities and operations organized along Border Patrol sector and regional boundaries. The CIR also calls for higher visibility and focused management attention on the provision of services and benefits to immigrants, and to ensure organizational safeguards exist so that fee account receipts support fee-related activities. The division of responsibilities as proposed under this reorganization and improved financial systems will help achieve these goals. Under this proposed organizational structure, the EACs for Enforcement and Services would be responsible for the following:

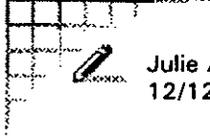
**Executive Associate Commissioner for Enforcement** would coordinate all enforcement operations and staff (Border Patrol, investigation, inspections, intelligence and detention).

- A Deputy Executive Commissioner, who is also the Border Patrol Chief, would have line authority for all enforcement activities to ensure coordination between enforcement components.
- Three Regional Enforcement Commissioners would be responsible for coordinating INS enforcement functions within the regions. A Deputy Regional Commissioner would also be the Regional Border Patrol Chief with line authority in that region.
- INS enforcement functions would be organized along the Border Patrol sector model with sector chiefs for each function reporting to the region.

**Executive Associate Commissioner for Services and Benefits** would be responsible for providing efficient service and effective and accurate delivery of benefits to the immigration community.

- Regional Service Centers, which will play an expanded role as direct mail benefit processing comes on line, will report to this EAC.
- Foreign Operations, which has dual benefits and enforcement responsibilities for refugees, asylees and international anti-terrorism efforts would report to this EAC.
- All existing District Office operations (31 district offices or the expanded 80 suboffices currently under development) would report directly to the Deputy EAC. This direct reporting relationship will ensure that standards are consistent agency-wide and these standards and operating procedures are understood and applied consistently within all of INS' districts.

Immigration - structural reform



Julie A. Fernandes  
12/12/97 07:13:36 PM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP, Leanne A. Shimabukuro/OPD/EOP  
Subject: INS reform

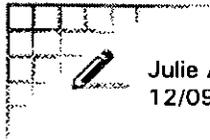
Elena,

I wanted to follow up on your meeting earlier this week with Commissioner Meissner. Leanne talked the Bob Bach from INS today. Apparently, they were concerned that OMB was moving forward with drafting chapters on INS reform, and that this was going to somehow trump or co-opt our review. I spoke with Steve Mertens at OMB and sure enough, he was drafting such a chapter. According to Steve, he was putting this in as a "straw man" because he was sure that we wanted something in the budget document and that he might as well put in his recommendations. I asked Steve not to include anything more than the most general statement (we are reviewing recommendations) in the budget document until he heard otherwise from us. This is the second time that Steve Mertens has made assumptions about our process directly contrary to what we are telling him. At least for now, we have spoken with INS and assured them that our process has not been completed, etc. and that OMB was not driving what we do.

What should be our next step in all this? As this latest episode indicates, OMB (or, at least Steve) is nervous about their budget deadlines, and wants to have an idea from us if we are going to use the document as a vehicle, how we are going to use it. To make that determination, we only need to decide the broad questions, of course.

Thanks.

julie



Julie A. Fernandes  
12/09/97 06:54:13 PM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP, Leanne A. Shimabukuro/OPD/EOP  
Subject: INS reform

Elena,

In light of your meeting tomorrow morning with Commissioner Meissner and OMB, the following outlines a few questions that we think we should consider at this stage in our review:

1. As you know, there is an outstanding issue of whether we want the budget document to include any statement about INS reform. It is possible that the statement could be very general (talking about our commitment to create a strong delineation between services and enforcement, to better both, building on our successes, etc.) in a way that indicates our goals, without committing to any specifics (though OMB may want it to be more detailed.) Also, we should be mindful of our possible desire to get congressional support for whatever we propose, and therefore not make a budget statement that limits our options or that appears final. Either way, we should finalize as soon as we can what the WH approach will be going into the end of January and the return of Congress.
2. Related to the first, we should decide when (if ever?) we should begin our legislative effort.
3. INS has almost finalized a contract bid process for an outside management assessment of the current INS structure, the INS proposal for reorganization, and other proposals (unclear on whether this includes CIR recommendation). According to Bob Bach, the contract could be signed as early as next week (though we had referred to this as the Booze Allen review, the contract has not yet been awarded). The assessment will take approximately 2 months.

While the assessment could potentially help us to flesh out details with the proposal flowing out of our review process, we are concerned that the assessment could work at cross purposes with our efforts. We want to be sure that the assessment is not a tool for INS to predetermine the outcome of our process, or something they could use to beat back our recommendations. Bob has assured us that their goal is not to simply to have this assessment rubber stamp their proposal.

Ideally, the assessment could be a tool to help us to answer difficult or technical management questions (e.g., looking at other agency reorganizations and management structures such as Customs). We recommend seeking assurances from the Commissioner that they will work with us once the contract is awarded to make sure the assessment complements, not conflicts, with our process.

Thanks.

julie & leanne

- Asavine  
- Indians  
.

*INS - Structural returns*

# TRANSMISSION RECORD

**IMMIGRATION AND NATURALIZATION SERVICE  
HEADQUARTERS  
425 I STREET, N.W.  
WASHINGTON, D.C. 20536**

<b>TO:</b> <i>ELENA KAGAN</i>	<b>FROM:</b> <i>DOVIS MEISSNER</i>
<b>ORGANIZATION:</b>	<b>ORGANIZATION:</b> <i>INS</i>
<b>TELEPHONE:</b>	<b>TELEPHONE:</b> <i>202-514-1900</i>
<b>FAX TELEPHONE:</b> <i>456-2878</i>	<b>DATE:</b> <i>10/2/97</i>

<b>NUMBER OF PAGES (including cover sheet):</b> <i>5</i>
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<b>COMMENT/MESSAGE:</b> <i>Per conversation.</i>

DEC-02-1997 11:57  
OFC OF THE COMMISSIONER  
JUV JUSTICE STAFF  
202 514 4623  
002

NOV 25 '97

why?

**Management Issues**

**INS Reorganization**

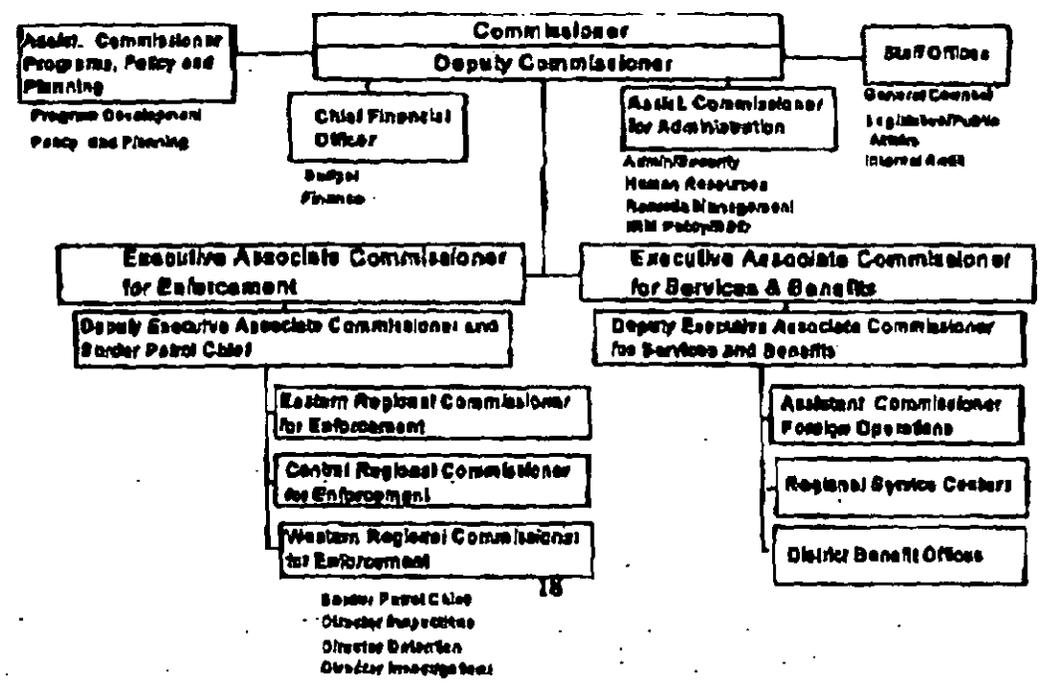
In response to the September 1, 1997, release of the final report of the Commission on Immigration Reform (CIR), the President directed the Domestic Policy Council (DPC) to review the CIR report and recommend ways to improve and streamline Federal immigration policy development and management. The DPC working group will use the President's FY 1999 budget as the vehicle to transmit the President's proposal to the Congress. Towards that end, the following organizational option for the INS has been developed. This reorganization proposal permits INS to meet the fundamental programmatic challenges facing the agency in a way that addresses the concerns identified by the CIR and permitting INS' core functions to remain intact. The Department and INS are requested to address this organizational proposal as part of any appeal.

**Restructure Headquarters**

Up until 1993, INS operated with insufficient resources, weak or non-existent management systems and processes, and lackluster internal management. Since then INS has made progress implementing major changes to enforcement and benefit systems, improving management practices, and upgrading staff capabilities at a time when resource and responsibilities have grown significantly. Instead of dismantling an improved INS as recommended by the CIR, an effort should be made to build on the accomplishments of the past four years. What INS requires is a streamlined organizational structure based on programmatic priorities and clear lines of authority, responsibility and accountability. Such a structure would focus attention and assign responsibilities to those charged with carrying out INS' dual enforcement and benefit roles. We believe these dual but interrelated responsibilities should remain within one agency and properly within DOJ. A future INS organization should have these features:

INS Headquarters, led by a Commissioner and Deputy Commissioner, would focus on policy, strategic planning and management support (finance, records, information Resource Management (IRM) policy and R&D); budget formulation; and compliance with policy and procedures. All line management and operational authority for agency-wide support systems like finance, budget, IRM policy, R&D, and records management would be consolidated in Headquarters.

- Reflecting the importance of INS' fee and fine account receipts (\$1.4+ billion) and the deficient condition of INS' financial operations, a separate Chief Financial Officer (CFO) would be established and report directly to the Commissioner. The CFO organization would include agency-wide budget formulation and execution.
- IRM policy and standards and all R&D initiatives would be consolidated within Headquarters. Operational and support IRM functions would report to the respective program offices.
- A small policy and planning office would develop long-range strategic plans, perform OPRA implementation and monitoring, and improve INS' important statistically policy and measurement responsibilities.
- Headquarters Administration should focus on consolidating records management, improving agency facilities, and managing a streamlined administrative service center operation to effectively meet the needs of field operations.



**Programmatic Focus:**

While the CIR recommends splitting the agency, a programmatic split that maintains the enforcement/benefit link necessary to function effectively accomplishes the same goal. The reorganization would separate Enforcement and Services under the leadership of two Executive Associate Commissioners (EAC). The creation of these two EACs would ensure that clear lines of authority, responsibility and accountability exist in program operations, help bring a field perspective to Headquarters decision making, and reduce stovepipe operations currently prevalent in enforcement operations. The CIR recommendation to merge INS' enforcement agents (Border Patrol, inspection and detention) into one uniform service and a white-collar investigative service should be implemented. This reorganization supports this evolutionary initiative by putting the Border Patrol Chief in a direct line of authority for all enforcement activities and operations organized along Border Patrol sector and regional boundaries. The CIR also calls for higher visibility and focused management attention on the provision of services and benefits to immigrants, and to ensure organizational safeguards exist so that fee account receipts support fee-related activities. The division of responsibilities as proposed under this reorganization and improved financial systems will help achieve these goals. Under this proposed organizational structure, the EACs for Enforcement and Services would be responsible for the following:

**Executive Associate Commissioner for Enforcement** would coordinate all enforcement operations and staff (Border Patrol, investigation, inspections, intelligence and detention).

- A Deputy Executive Commissioner, who is also the Border Patrol Chief, would have line authority for all enforcement activities to ensure coordination between enforcement components.
- Three Regional Enforcement Commissioners would be responsible for coordinating INS enforcement functions within the regions. A Deputy Regional Commissioner would also be the Regional Border Patrol Chief with line authority in that region.
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**Foreign Operations, which has dual benefits and enforcement responsibilities for refugees, asylum and international anti-terrorism efforts would report to this FAC.**

**All existing District Office operations (31 district offices or the expanded 80 suboffices currently under development) would report directly to the Deputy FAC. This direct reporting relationship will ensure that standards are consistent agency-wide and these standards and operating procedures are understood and applied consistently within all of INS' districts.**

12-9

Mtg w/ Meisner

DM - Euf/surica split is right - but how do you really do that?  
gd idea to get dispassionate outside help.  
expertise doesn't really exist in the organization.  
give admin product we can agree on - that can also stand. The political battling

We've done start of what - given them 3 companies

They're supposed to come in on Wed. w/ their ideas about how to do this.

asked: give us alternative structures delineating responsibilities.  
How gets 2 mos - March 1 (starting Dec. 31)

Cumulative - asked them to talk to p. w/ admin/immig, community, etc.

In add'n to neg's plus - we should come up w/ -

legislative plus - keep them busy on some other things.  
some implementation things / others - incl verification  
like to see real policy exercise.

Need more formalized interagency process for immigration intrs.  
mech. for issues to bring issues forward.

But also the /state issues.

Should be more proactive on some of them.

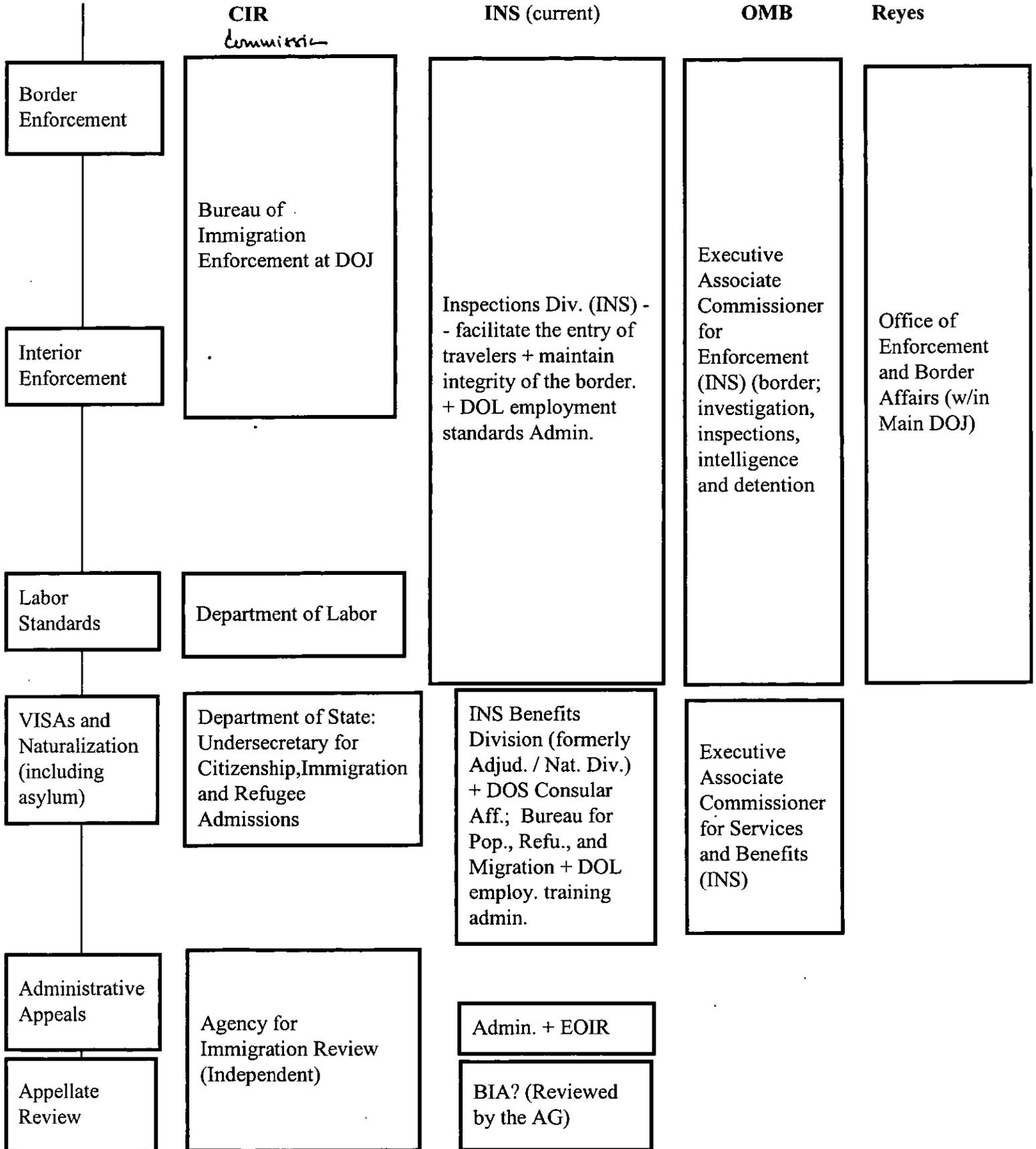
Customs service issues - drugs

BR - Outside review makes lot of sense

Imp at outset to get all people likely to be affected at end as

buy-in as possible at beginning  
clearer direction you can give, the better

Ask the q's that interested parties want answered.



immigrati~~o~~n - ~~re~~structuring reforms  
 and  
 immigrati~~o~~n - deportation

### Race Initiative

1. I have been working with the Town Hall people (Ann Lewis and Minyon heading the effort) on questions for the President and the moderator to use in Akron.

2. Also today, Tanya and I met with folks from the PIR and Bob Shireman to discuss the agenda for the December 17th Board Meeting. The topic is K-12 education. The proposed themes of the day are equity and excellence in primary and secondary education. They envision a more chatty format, with panelists taking questions from the audience and the Board. The proposed panelists include education experts (those who have promoted various models of school reform), students, parents and teachers from urban, suburban and rural school districts. These panelists would be expected to discuss the varying experiences of public education and the challenges that still exist (racial isolation; low expectations; etc.). Though they would take questions from the audience, they talked of scripting some questions or at least getting submissions from the group, and screening for interesting and relevant ones.

They envision the second session as including a discussion of "promising practices" -- programs where schools or school districts have been successful in overcoming racial divides (in resources; expectations; racial segregation; etc.) This panel would include people who are involved in programs that bridge racial divides and education experts with different views on how best to achieve equality of opportunity for kids.

This is all still very rough, but we are hoping to seem more concrete stuff (including names of potential panelists) over the next several days.

3. I met today with John Goering (PIR) and Lisa Ross (DOL) re: the January 13th Board meeting on employment. It is in its very early formative stages.

### Immigration

1. We (NSC, WHC, Maria) had a meeting with the INS and Justice this afternoon re: the implementation of the suspension of deportation provisions of the new law as applied to Guatemalans, Salvadorans and Eastern Europeans covered by the new law. The advocacy groups have asked (1) for a regulation that provides for a presumption of "extreme hardship" for all central Americans covered by the legislation; (2) an additional provision that provides for a presumption of "good moral character" for the same group; and (3) that the process be handled by asylum officers (w/in INS; an administrative process) rather than immigration judges (EOIR). The INS and DOJ are very opposed to doing a reg., but have proposed a new

administrative scheme that would permit asylum officers to determine suspension of deportation claims. This would expedite the process for applicants, be cheaper (no lawyers), but would still allow immigration review (de novo) if the applicant is denied by the asylum officer. It also seems to make sense because the ABC class members (who make up the bulk of those covered by the legislation) are entitled to an asylum adjudication anyway, and the suspension process could be incorporated into that proceeding. The INS is going to give us an outline of their proposal, which will include an explanation of how different groups covered by the legislation (i.e., those who have been through the asylum process already; those who have dates scheduled before EOIR, those not in the system, etc.) would be affected by this administrative change. We should have that by the end of the week.

2. Last Wednesday, Steve Mertens from OMB let us know that he was including a reform proposal in his passback to INS. Though INS had seen an earlier version of OMB's thinking a couple of weeks ago, we were concerned that INS not think that the OMB proposal was any kind of benchmark for our review, or that it in any way had the imprimatur of the EOP. We voiced these concerns to Mertens at that time. According to Scott Busby at NSC, Commissioner Meissner was displeased that OMB included a reform proposal in their passback, outside of the DPC process, and without further consultation with them. We spoke with Mertens today, and he informed us that Commissioner Meissner had informed the DOJ that it is inappropriate for them to comment on the OMB proposal while the DPC review is happening.

3. Leanne and I have one more INS reform meeting to go. On Thursday, we are meeting with the second group of advocates (arranged by Maria) to talk about services (the other was on enforcement). By the end of the week, we will have a summary for you on the meetings that we have had. Our next step, we think, is a White House meeting on the reform (trying to get a sense of where people are internally) where we would also discuss how much we think we need to have done by the middle to end of December (thinking about whether we want something to be part of the President's budget proposal). We would next want to meet with INS on their own, to discuss options. DOJ has told us that the sooner we can make some broad decisions (whether the restructure within INS, within DOJ, pull some functions out, etc.) the better they would be able to tailor the Booze Allen (management consultants) review that they are about to start.

4. You had asked me to follow up on a letter that we received from the Carnegie Endowment re: employment verification pilot programs administered by the INS. Carnegie, et al was concerned about whether these pilots were being conducted with the appropriate concern for civil rights and privacy. I spoke with Bob Bach who informed me that INS has a RFP out to get bids on performing the evaluative function of the pilots. They will have chosen a winner by early Winter, with the hope of having the evaluation begin by March or April. The groups are

concerned that pilots are running now without evaluation. However, according to Bob, only one pilot (of 5) is operating now, and they are moving with the evaluation process as fast as they can. Bob has not been able to give the groups any more information on this effort, for fear of creating the appearance of impropriety in the bidding (i.e., the same groups that are asking for information on the process are bidding in response to the RFP; thus, if he gives too much information to one group on how they want the evaluations to be structured, they could be opening themselves up to a challenge on the fairness of their process)

5. As far as I know, we have not reached closure on the Haitian issue. Is there something else I should know or should be doing?

6. Leanne has been following up with Alan Erenbach re: battered women and 245(i).

## Questions for the Department of State November 19, 1997

### What DOS does now:

- \* Issues 500,000 immigrant visas, 6 million nonimmigrant visas annually
- \* Issues 6 million passports annually (domestically)
- \* Citizenship determinations, registration of births of citizens (overseas)
- \* Asylum-related functions
- \* Embassies and consulates in 200 countries; passport offices in 15 U.S. cities
- \* National Visa Center in NH processes and forwards to overseas posts 750,000 immigrant cases

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### General Questions

- Q. Give a rough overview of what immigration-related functions are currently being carried out by Department of State.
- Q. How does State presently coordinate with the INS, DOL (and others)?
- Q. Does DOS think that services and enforcement should be kept together in the same agency? What are the advantages and disadvantages to separating them?
- Q. What about budgetary implications of State's ideas/proposals
- Q. Is putting substantial new functions over at State "mission overload" for their agency?

### Commission's Recommendations:

- Q. Explain what State favors about Commission's recommendations. Which recommendations are unworkable?
  - What additional infrastructure would be needed for State to handle these additional responsibilities?
  - Since most services are fee-based, would there be any increased costs associated with shifting this function to State?

- Q. Many consular decisions cannot be appealed. Why not? If State were to take over some of the adjudications made by INS and Labor, would they continue to be appealable?
- Q. Since State's primary mission is foreign relations, are they well suited to consider the domestic implications of immigration?
- Q. What improvements could be made within the existing structure?
- Q. Is it realistic to think that Foreign Service Officers would be interested in completing immigration-related tasks?

## **CIR proposal (key points)**

- \* State would be responsible for: naturalization and determinations of citizenship, adjudication of all immigration and limited duration admission petitions, work authorizations and work-related permits and adjustments of status, refugee status determinations abroad and asylum claims;
- \* overseas citizenship services would continue at State
- \* State would then have sole responsibility for filing petition, visa issuance, green cards and work authorization and naturalization
- \* transfer of INS and DOL staff to State (5,000 ees)
- \* creation of Undersecretary responsible for domestic and overseas migration
  - Bureau of Immigration Affairs-- immigration and LDA-- adjudication and exams, work authorization (operate employment verification system)
  - Bureau of Refugee Admissions and Asylum Affairs- combines Bureau of Refugees and Migration with INS functions and DOS Asylum office in Democracy, Human Rights and Labor
  - Bureau of Citizenship and Passport Affairs- naturalization, issuance of passports and determinations of citizenship
- \* Quality Assurance offices-- oversee records management, integrity and fraud in immigration and naturalization benefits
- \* Need for DOS to develop a comprehensive internal review process that ensures that errors are corrected

Mtg w/ INS

Correct The 1970s

1994 Reform

Interim working proposal: streamlining/consolidation -

3 things being going on to big reform -

1. recent centralization + centralization
2. reform of compensation schemes
3. naturalization problem

Then

1. Reform service delivery process -

- split enforcement + service at ground level.
- pub face of INS: serv. deliv office.
- enb. side in diff bldg.

- separately train

allows govt to do behind-the-scenes work

Cooper. by best study

Tech nec to coord. enb + service

Enb side gets broken out at local level

trustable?

Delimitation of border control chain of command

Alienation of border patrol from rest of agency  
Take chief of BP - put ~~him~~ him in the chain of command

(Reyes wants to take BP out of INS + into Main Justice - along w/ other enforcement pieces)

(Moving toward INS proposal)

Ev of how this will work - asylum syst.

INS - separation - shd enb + service even further up - NOT just at crit. field level

Create 2 EACs in these areas

**INS Restructuring Proposals: Mtg. w/ DOJ and INS**  
**11/14/97 Meeting Agenda**

I. **General summary** (brief) by Bob Bach (CIR report and recommendations; Reyes Bill)

II. **INS**

Where are they on their own reorganization proposal.

III. **OMB**

How are their recommendations different from or similar to what Bob presented.

IV. **Discussion/Questions**

**INS Restructuring Proposals: Mtg. w/ DOJ and INS**  
**Questions:**

**Fundamental Mission**

- Q. Why keep enforcement and services together?
- Q. What doesn't work in the Commission's report?
- Q. Does the INS proposed reform cost any money?
- Q. How does INS presently coordinate with the DOS, DOL (and others)?
- Q. INS background paper states that they have hired two outside management consulting firms to assist in developing and validating its reform proposals. Where are they in that process? How does that impact what we are doing with the review?

**Enforcement**

- Q. What of the CIR proposal to merge all of INS's law enforcement agents into one uniform service?
- Q. How is the Reyes bill different from the Commission report with respect to enforcement? What is the downside to, as is suggested in the Reyes proposal, keeping services at INS while moving enforcement to Main Justice?

**Services/Naturalization**

- Q. What is wrong (or wouldn't work) with the DOS handling naturalization (immigration, refugee and citizenship)?
  - a. Does this "send a message" that legal immigration and naturalization are not principally law enforcement problems?
  - b. What additional infrastructure would be needed for State to handle these additional responsibilities?
  - c. Since most services are fee-based, would there be any increased costs associated with shifting this function to State?
  - d. Would this conflict with the State Department's fundamental mission in any way?

### **Workplace**

- Q. What is wrong (or wouldn't work) with the DOL handling work-place enforcement?
- Q. Isn't there overlap with the current system?
- Q. Would INS's reform proposal make changes in this area?

### **Immigration Hearings/Review**

- Q. What is the Justice/INS position on making Executive Office of Immigration Review (EOIR) an independent agency that would handle all appeals from administrative determinations?
- Q. What are the benefits of allowing the Attorney General to have review of certain immigration decisions?

**INS Restructuring Proposals: Mtg. w/ DOJ and INS**  
General Overview of Proposed Reforms

**Commission on Immigration Reform recommends:**

1. Bureau for Immigration Enforcement at DOJ -- Border and interior enforcement.
2. DOL -- Enforcement of immigration-related employment standards (expand its enforcement role by verifying employer compliance with laws requiring employers to hire only legal aliens).
3. DOS -- Adjudication of immigration (visa and benefit functions) and naturalization applications.
4. Agency for Immigration Review -- Consolidation of immigration appeals.

**CIR Commissioner Warren Leiden recommends:**

Two main functions of INS -- enforcement (border and labor) and adjudication (of immigration and naturalization applications)-- should be separated into two different agencies w/in the DOJ, with separate leadership.

Each agency with separate mission, career paths, training, and management, while still benefitting from policy and strategic coordination at senior department level.

**Reyes Bill:**

Pulling enforcement out of INS and into Main DOJ. Bolsters visibility of Border Patrol. Maintains services within current INS structure.