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## STRATEGIC GOAL FIVE: Fairly and Effectively Administer the Immigration and Naturalization Laws of the United States

### STRATEGIC OBJECTIVE & ANNUAL GOAL 5.1: ENFORCEMENT

Secure America's borders, especially to reduce the incidence of alien smuggling

#### 5.1A Reduce the number of illegal aliens in the United States

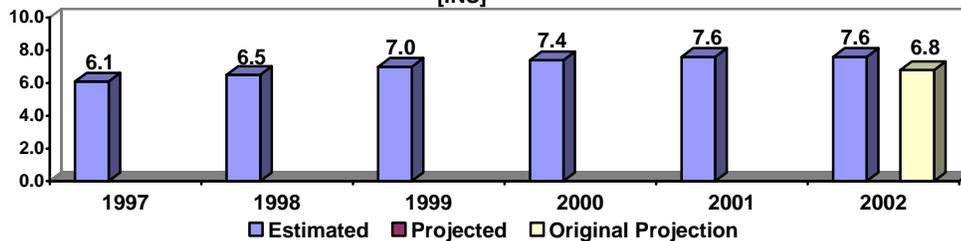
##### Background/Program Objectives:

The Immigration and Nationality Act states that the Commissioner, in consultation with interested academicians, government agencies, and other parties, shall provide for a system for collection and dissemination, to Congress and the public, of information useful in evaluating the social, economic, environmental, and demographic impact of immigration laws. The Act provides that "such information shall include information on... the number of aliens estimated to be present unlawfully in the United States each fiscal year."

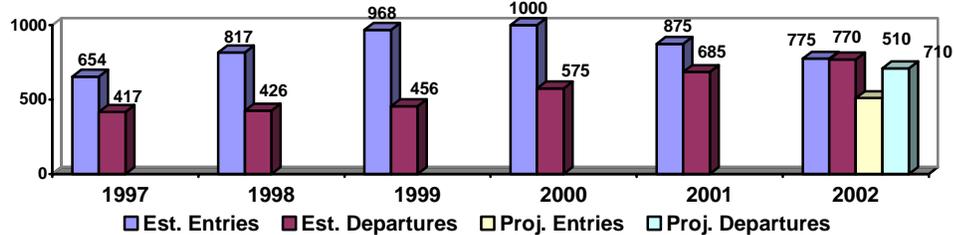
the U.S. illegal population using the detailed statistical data from the U.S. Census Bureau. The estimates were revised for 1997-1999 based on recently released information on the foreign-born population as collected in the 2000 Census, rather than in the 2000 Current Population Survey. INS has improved the estimates further by identifying and eliminating those persons from the unauthorized population who have gained temporary protection against removal by applying for an immigration benefit. The estimated number of illegal residents as of December 31, 1999, was reported as 6.8 million last year, but the estimate has increased to 7.0 million this year, as a result of the improved data and methodology.

The initial estimates and projections reported by INS utilized the official updated 1996 estimates of

DISCONTINUED MEASURE: Estimated Number of Illegal Aliens Residing in the U.S. (in millions) [INS]



DISCONTINUED MEASURE: Estimated Annual Entries and Departures to the U.S. Illegal Population (in 1,000s) [INS]



**Data Definition:** The total number of illegal aliens is an estimate of the total number of illegal aliens residing in the U.S. as of December 31 of the reference year. The definition of a resident corresponds to the U.S. Census Bureau definition of usual residence (i.e., where a person spends more nights during a year than any other place). Illegal aliens in transit or with no place of usual residence within the United States, therefore, are not included in the estimate. The estimate of the total number of illegal aliens is actually based on estimates for several components according to the following formula:

Total illegal residents = (Foreign-born residents) + (Estimated undercount) – (Legally admitted immigrants + Temporary migrants (nonimmigrants) + migrants who have gained temporary protection against removal by applying for an immigration benefit). Note: Legally admitted immigrants include: Aliens admitted for legal permanent residence + Refugees admitted but not yet adjusted to Legal Permanent Resident status - Emigrants – Deaths

Annual entries is an estimate of the annual number of illegal aliens who entered the U.S. during the reference year and continue to reside in the U.S. as of December 31 of the year. A change in the resident illegal population between years is equal to the difference between the number of new entrants establishing residence during the year (entries) minus the number of prior residents who left the illegal population during the year (departures). The difference between entries and departures is the net change in the illegal resident population. **Note that many of the residents departing the illegal population remain in the U.S. as legal permanent residents.** In addition, Illegal residents leave the population through emigration, death, or removal by INS enforcement. The definition of a resident corresponds to the U.S. Census definition of usual residence (i.e., where a person spends more nights during a year than any other place). Illegal aliens who entered the U.S. during the year who are in transit or who have no usual place of residence within the U.S., therefore, are not included in the estimate.

**Data Collection and Storage:** Data are collected from a variety of official government sources. The most important are Census and survey data on the resident foreign-born population collected by the U.S. Census Bureau and administrative data of legal admissions collected by INS. The data on foreign-born residents are collected on the long-form sample during the Decennial census, or, between Decennial censuses, with the monthly household Current Population Survey. The Decennial census data are based on a 1 in 6 sample of all U.S. households. The Current Population Survey data are based on a survey of approximately 50,000 households. INS administrative records used in the estimate are for legal permanent residents, persons removed from the U.S. by INS procedures, and estimates of nonimmigrants based on Nonimmigrant Information System (NIIS) data. The legal permanent resident data are collected by INS through Department of State visas and records of adjustment and recorded in INS' Computer-Linked Application Information Management System (CLAIMS3). Information on INS removals is collected and recorded in INS' service-wide Deportable Alien Control System (DACs) by the respective field offices that conduct the removals. Information on emigrants and deaths of illegal resident aliens is estimated based on data and research conducted by the Census Bureau and information reported by the Mexico-U.S. Migration Study in 1998.

**Data Validation and Verification:** The census foreign-born data are subject to the validation and verification procedures established at the U.S. Census Bureau. Individual INS records of legal permanent residents and persons removed by the INS are extensively reviewed to insure the validity of the data. INS' annual number of legal permanent residents is compared to U.S. Department of State data on visas issued for the categories of immigrants who require a visa, to check for completeness. INS inspectors collect data from all arriving aliens via the Arrival/Departure Record which records name, address, birth date, passport number, airline and flight number, country of citizenship, country of residence, date of arrival and departure. The information is compiled in the Nonimmigrant Information System. The estimates of emigrants and deaths are based on research reports that are subject to the validation and verification procedures established at the U.S. Census Bureau. Data on the removal of criminal and non-criminal aliens are subject to extensive data review activities by both the program office and the Statistics Division of the INS. DACs and CLAIMS3 data verification and validation sections appear in this plan in Strategic Objectives 5.2 and 5.3, respectively. The estimates of emigrants and deaths of illegal immigrants are based on research reports that are subject to the validation and verification procedures established at the U.S. Census Bureau. The estimates of undercount of illegal residents in the 2000 Census are consistent with those of the U.S. Census Bureau and private researchers.

**Data Limitations:** The estimate for the total foreign-born population is subject to sampling error. Assumptions of the number of persons who emigrate or are in temporary legal status and assumptions of the coverage of the foreign-born and illegal aliens in the Decennial census or Current Population Survey also affect the estimate. Differences in assumptions will lead to different estimates. The U.S. Census Bureau and several non-governmental researchers have published their own estimates of the illegal resident population in the past. Differences that are well within the margin of error may still raise questions about the accuracy of the estimates. However, neither the U.S. Census Bureau nor non-governmental researchers have been able to estimate annual inflow, departures from the population, or net annual change in the population, so there are no benchmarks against which to compare the estimates.

## **Performance:**

**Performance Measure:** DISCONTINUED  
MEASURE: Total Number of Illegal Aliens Residing in the United States (in millions) [INS]  
(NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security) (NOTE: Prior year data has been changed as follows: The annual estimates for 1997-1999 have been revised based on information

on the foreign born collected in the 2000 Census and improvements in estimating persons who have obtained temporary protection against removal. The foreign-born information in the census is based on a 1 in 6 household questionnaire [approximately 5,000,000 foreign-born households], while the previous estimates were based on a sample of approximately 50,000 households [native and foreign-born].

The 2000 Census data provides the basis of the estimates through December 31, 1999. The December 31, 2002, projection is based on projecting net annual illegal immigration in 2000-02 and adding it to the December 31, 1999 population.)

**FY 2002 Target:** Original target: 6.8 million. This was based on a .2 million reduction in illegal aliens residing in the U.S. between 2001 and 2002 (originally estimated at 7.0 million in 2001). This target was set without the benefit of the 1999 baseline data now available through the 2000 Census.

**FY 2002 Estimated:** 7.6 million. This reflects no measurable change in the estimated number of illegal aliens residing in the U.S. between 2001 and 2002.

**Discussion:** The projected number of illegal aliens residing in the United States as of December 31, 2002, is 7.6 million. The primary reason that the estimated number for FY 2002 is higher than the target is due to the improved estimates of the foreign-born population available through the 2000 census data, which significantly increases the estimated populations for each year following 1999. The estimated size of the illegal population remained virtually unchanged between FY 2001 and FY 2002, while INS had projected a decrease of 200,000 in the population (see following discussion of the number of illegal aliens entering and departing the U.S.).

**Performance Measure:** DISCONTINUED MEASURE: Aliens Entering and Departing the Illegal Population *formerly:* Illegal Aliens Entering and Departing the U.S. Annually [INS] (NOTE: Prior year estimates have been revised based on new information available from the 2000 census. The average annual number of entries of illegal aliens intending to reside in the United States was 780,000 during the 1995-1999 period, while an average of 410,000 left the illegal population, resulting in a net increase of 370,000 a year. The projected average annual entries for 2000-2004 is 860,000, an average of 710,000 are expected to leave the population, resulting in a net increase of 150,000 a year. The entry data for 2000-2004 period are based in part on the estimated illegal entries in 1999 as counted in the 2000 Census. (Note that many of the aliens departing the

*illegally resident population remain in the United States as legal permanent residents.)*

**FY 2002 Target:** Original estimates:  
510,000 estimated illegal alien entries  
710,000 estimated illegal alien departures  
This results in a net 200,000 reduction in illegal aliens residing in the U.S. as discussed above.

**FY 2002 Estimated:**  
775,000 estimated illegal alien entries  
770,000 estimated illegal alien departures

**Discussion:** This results in a 5,000 increase in illegal aliens residing in the U.S., which is higher than targeted. The projected target for illegal aliens entries for 2002 was set at 510,000. This target was set without the benefit of the 1999 baseline data now available through the 2000 Census. We currently estimate that the number of illegal alien entries in 2001 was 875,000; therefore, the number of entries are estimated to have decreased 100,000 between 2001 and 2002. Apprehensions of undocumented aliens have generally been decreasing since FY 2000 through 2002. This can be attributed to several factors, such as the increased level of control along the southwest border, enhanced enforcement efforts after 9/11/2001, and the possibility that undocumented aliens are more likely to remain in the U.S. rather than return to their native countries, which reduces their exposure to the possibility of apprehension upon their return to the United States.

## 5.1B Effectively Control the Border

### Background/Program Objectives:

#### *At the Ports-of-Entry*

Immigration Inspectors identify and examine persons seeking entry into the United States at air, land, and sea Ports-of-Entry (POEs) in order to prevent the entry of terrorists, criminals, and unlawful migrants. This mission entails the full range of law enforcement and border security responsibilities balanced with the need to foster travel and tourism and facilitate commerce.

INS works with other Federal Inspection Services to obtain and utilize all available information before passengers arrive at United States borders via air, land, or sea. The analysis of that data provides information necessary to prevent illegal entry, human trafficking, and smuggling, among other crimes.

#### *Between the Ports-of-Entry*

The Border Patrol's National Strategic Plan is the basis for a four-phased, multi-year approach to the deployment of new resources along the U.S. borders, initially concentrating on areas of greatest illegal entry. The strategic has a national focus of "prevention through deterrence" as a means to restrict illegal traffic and encourage legal entry. *Deterrence* is defined as raising the risk of apprehension so high that it is futile to attempt entry. The four-phased approach builds-up resources along the entire Southwest border as well as the northern border and coastal areas of the U.S.

Areas with the highest concentration of illegal entry are given the highest priority. The strategy focuses resources on specific sectors (further defined by corridors) in priority order. Phase I includes San Diego and El Paso. Phase II covers Tucson and McAllen. Phase III concentrates on Del Rio and Laredo and the remainder of the Southwest border. Phase IV includes the Northern Border and Coastal areas, as well as new areas of activity.

The primary indicator of successful deterrence is the significant reduction followed by leveling off of attempted entry. *Optimum deterrence* is defined, as the level at which applying more Border Patrol agents and resources would not yield a significant

gain in arrests/deterrence. This is a critical point in the strategy, as it would make little sense to try to reach essentially zero illegal entry attempts in one location while there are literally thousands of such attempts in another. Through sufficient staffing in recent years, the Border Patrol has profiled and predicted the trend pattern to reaching optimum deterrence. After several years of staffing increases, a peak is reached in staffing levels and arrests, followed by a reduction in illegal entry attempts (deterrence), culminating in a leveling off of both resources and arrests (optimum deterrence). It can take up to 6-8 years to reach optimum deterrence provided there are sufficient resources.

Although an eventual reduction in arrests is a primary indicator of illegal entry attempts (and therefore deterrence), other critical indicators include: decrease in border related crime, decrease in recidivism, shifting of illegal activity to non-traditional points of entry and through non-traditional methods, increase in smuggling fees, increase in property values and commercial and public development along the border, etc. Each of these factors is part of a comprehensive analysis conducted for each area. The effectiveness of the Border Patrol's National Strategic Plan is evidenced by the significant changes in illegal entry attempts in the San Diego, California, El Paso and Brownsville, Texas, and the Nogales, Arizona border areas. The ultimate impact is the increase in quality of life in these areas.

As a result of the events of September 11, 2001, the Border Patrol redirected its attention forward into Phase IV of the National Strategy expanding its focus to include the Northern Border and coastal areas of the U.S. Additional Border Patrol Agents and Aircraft Pilots were deployed to the northern border and the Border Patrol expanded its Integrated Border Enforcement Team (IBET) to all sectors along the Northern Border. The IBET increases cooperation and exchange of intelligence between other Federal, State, and local law enforcement agencies. Representatives of the Royal Canadian Mounted Police are an integral part of the IBET teams.

**Performance:**

**Performance Measure:** DISCONTINUED MEASURE: High Priority Border Corridors Demonstrating Optimum Deterrence (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

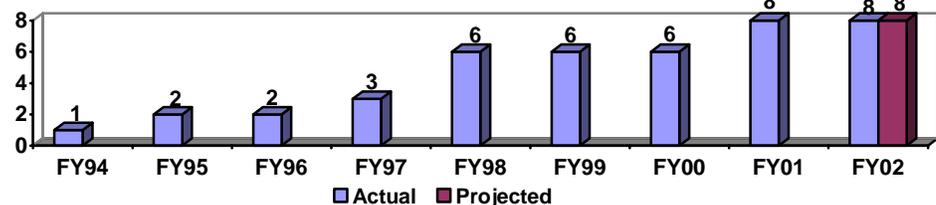
**FY 2002 Target:** 8

**FY 2002 Actual:** 8

**Discussion:** The Border Patrol met the FY2002 target of eight high priority border corridors demonstrating optimal deterrence. In addition, all nine southwest border sectors demonstrated an increase in operational effectiveness (above the FY 2000 baseline) in one

or more corridors. This increase in effectiveness was accomplished while expanding Border Patrol operations to address concerns that arose subsequent to the events of September 11, 2001.

**DISCONTINUED MEASURE: High Priority Border Corridors Demonstrating Optimum Deterrence [INS]**



Phase I	# of Corridors		FY94	FY95	FY96	FY97	FY98	FY99	FY00	FY01	FY02
San Diego	2	0	1	1	1	2	2	2	2	2	2
El Paso	1	1	1	1	2	2	2	2	2	2	2
<b>Phase II</b>											
Tucson	3	0	0	0	0	1	1	1	2	2	2
McAllen	3	0	0	0	0	1	1	1	2	2	2
<b>Phase III</b>											
Laredo	3	0	0	0	0	0	0	0	0	0	0
Del Rio	2	0	0	0	0	0	0	0	0	0	0
El Centro	3	0	0	0	0	0	0	0	0	0	0
Yuma	4	0	0	0	0	0	0	0	0	0	0
Marfa	3	0	0	0	0	0	0	0	0	0	0

**Data Definitions:** Operational effectiveness is defined as apprehensions plus turn backs (the attempt was thwarted), divided by attempts. Attempts are compiled by adding apprehensions plus evadees (successful illegal entries) plus turn backs. Evadees and turn backs are estimated by Border Patrol agents using information from video cameras, infrared scopes, helicopter patrols, sensor hits, and tracks, etc. Optimum deterrence is further analyzed by evaluating: increase in traffic outside of targeted corridors, decrease in attempted illegal entries, decrease in violent acts against law enforcement, and utilization of "non-traditional" entry routes.

**Data Collection and Storage:** Data are compiled by zones and aggregated at the Sector level into Sector corridors. Data collected include: activity (arrests, evadees, turn backs), narcotics seizures (number, type, weight), personnel (permanent, detailed in or out), technology (lighting, cameras, barriers, sensors, vehicles), narrative reports (trends, incidents, factors affecting entry), and additional monthly statistics (IDENT/ENFORCE usage, crime rates).

**Data Validation and Verification:** On a monthly basis, nationwide reporting occurs via the Performance Analysis System (PAS) database. Monthly reviews and editing of apprehension data in PAS is conducted at the Sector level and by the centralized INS Statistics Division. Increasingly, review and editing involves using systems counts from ENFORCE/IDENT.

**Data Limitations:** Standardization of recording and reporting of data is ongoing. Data collection is currently an intensive manual process. The use of INS' Intranet to extract existing data from automated systems such as ENFORCE and ICAD along with auxiliary data not yet automated, is being tested at limited pilot sites. The national implementation of such operational data will be used to access and analyze operational effectiveness Patrol Strategy.

## 5.1C Identify, Disrupt and Dismantle Alien Smuggling and Trafficking Organizations

### Background/Program Objectives:

The growing volume and sophistication of alien smuggling organizations poses a threat to the national security of the U.S. to the success of the INS' Border Control and Interior Enforcement Strategies. Public corruption and lax immigration controls in source and transit countries contribute to a smuggling organization's ability to move large groups of migrants from virtually any country in the world to the U.S.

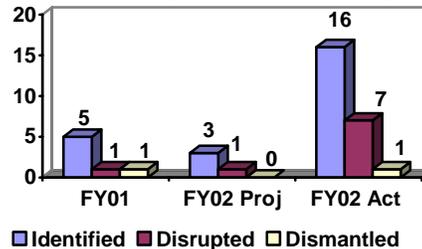
The National Anti-Smuggling Strategy focuses on deterring, disrupting, and dismantling major smuggling organizations operating in the U.S., source, and transit countries. After September 11, 2001, the INS Anti-Smuggling Strategy placed significant emphasis on targeting alien smuggling organizations that present threats to national security. Terrorists and their associates are likely to align with specific alien smuggling networks to obtain entry into the U.S. Some smuggling organizations utilize their illicit profits to provide financial support to terrorist organizations. INS activity in this area will target specific smuggling corridors, and will emphasize long-term, complex investigations targeting smuggling organizations that present a threat to national security. Specific investigative targets have been identified, based on recommendations from the Interagency Working Group (including INS, FBI, DOJ, and the Intelligence Community) on alien smuggling.

To effectively combat threats to our security, INS targets smuggling organizations with ties to extremists overseas. Targeting these groups in source and transit countries increases the ability to protect our homeland, increases our intelligence gathering efforts, enhances our efforts at the border, and enhances our efforts to completely dismantle those organizations that present the greatest threats to our security.

### Performance:

**Performance Measure:** DISCONTINUED MEASURE: Targeted Alien Smuggling & Trafficking Organizations Identified, Disrupted, and Dismantled [INS] (NOTE: This indicator is being discontinued - the program has been

**DISCONTINUED MEASURE: Targeted Alien Smuggling & Trafficking Organizations Identified, Disrupted and Dismantled [INS]**



**Data Definition:** Identification: the process of conducting investigations and gathering evidence and intelligence to name participants and their criminal associates violating Federal U.S. immigration laws. Since these are complex investigations, cases identified in one year produce outcomes in later years.

Disruption: occurs when a targeted organization is adversely impacted as a result of INS enforcement actions. Indicators of disruption include changes in organizational leadership, trafficking patterns, smuggling infrastructure, or smuggling methods. This may include disruptive actions taken by another agency or government at the request of, or in coordination, with the INS.

Dismantlement: occurs when an identified organization is no longer capable of operating as a coordinated criminal enterprise.

**Data Collection and Storage:** Data are collected in the Performance Analysis System (PAS) and through manual tracking. INS collects investigations data in the PAS which contains aggregate case data and workyears for specific categories of activities. The field enters data into PAS each month.

**Data Validation and Verification:** PAS verification is conducted by the Statistics Office of the Office of Policy and Planning. The statistics are corroborated through submission audits; and logic, range, and computational edits. The Office of Statistics produces monthly statistical and production reports. Some manual tracking is required for smuggling and fraud since performance categories for types of cases no longer exactly match the definitions and methodology of the existing PAS categories. This manual case information is collected and verified by headquarters staff.

**Data Limitations:** PAS records are complete with 95% of field office records entered within the first 8 working days of the reporting month. The remaining 5% are subsequently obtained through submission audits. Since PAS data are manually consolidated at an office level, audits of individual case records cannot be performed.

transferred to the Department of Homeland Security)

### **FY 2002 Target:**

Identify 3, Disrupt 1, Dismantle 0

***FY 2002 Actual:***

Identified 16, Disrupted 7, Dismantled 1

***Discussion:*** INS exceeded its goals in FY 2002 for the number of targeted alien smuggling and trafficking organizations identified and disrupted. INS conducted investigations of the most significant alien smuggling organizations and alien smugglers. Many of the operations were conducted in Central and South America, particularly in Guatemala, Mexico, Ecuador, and the Caribbean. The majority of the 16 organizations identified and the 7 organizations disrupted were operating in this area of the world.

## 5.1D Deter Illegal Immigration at the Source

### Background/Program Objectives:

INS enforcement activity overseas is dedicated to halting illegal immigration at its source and in transit in order to safeguard our borders. By intercepting mala fide and undocumented travelers; targeting and prosecuting known alien smugglers and traffickers, disrupting smuggling operations that may support potential terrorists, and repatriating migrants involved in these operations, INS' efforts overseas are keeping our borders safe and keeping out individuals who present national security concerns. Targeted enforcement actions overseas strengthen the legal immigration process and save INS costly processing, detention, and removal of aliens who may gain access illegally to the United States.

Expanded INS enforcement-dedicated resources overseas will result in stronger and more coordinated investigations, higher numbers of mala fide and undocumented interceptions will occur, thus pushing back our borders and increasing security. These actions will send a clear message to potential terrorists, criminals and undocumented migrants that their efforts to violate our borders will not succeed.

### Performance:

**Performance Measure:** DISCONTINUED MEASURE: Interception of Mala Fide and Offshore Travelers en route to the United States [INS] (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

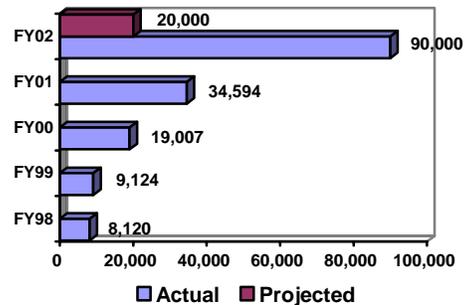
(NOTE: Major discrepancies in the collection of data were identified and corrected in FY 2002.)

**FY 2002 Target:** 20,000

**FY 2002 Actual:** 90,000

**Discussion:** The FY 2002 target was exceeded due to Operation Bus Bound, which was conducted in cooperation with Mexico and Guatemala which resulted significant increases in interceptions of undocumented aliens enroute to the U.S.

**DISCONTINUED MEASURE:  
Interception of Mala Fide and Offshore  
Travelers en route to the US [INS]**



**Data Collection and Storage:** Data are compiled daily on the G-23.34 Workload summary submitted by INS offices in respective foreign countries and reported to the District Office level. The District Office forwards that data to the Office of International Affairs and to the Performance Analysis System (PAS) database.

**Data Validation and Verification:** On a monthly basis, overseas district offices report a summary of the number of interceptions to the Office of International Affairs. The same information is provided to the INS PAS.

**Data Limitations:** Major discrepancies in the collection of data have been identified, corrective action is underway, and expected to be completed prior to the end of FY 2002.

## STRATEGIC OBJECTIVE & ANNUAL GOALS 5.2: CRIMINAL ALIENS

Promote public safety by combating immigration-related crimes and removing individuals, especially criminals, who are unlawfully present in the United States

### 5.2A Increase the Number of Criminal Alien Removals and Monitor Alien Overstays

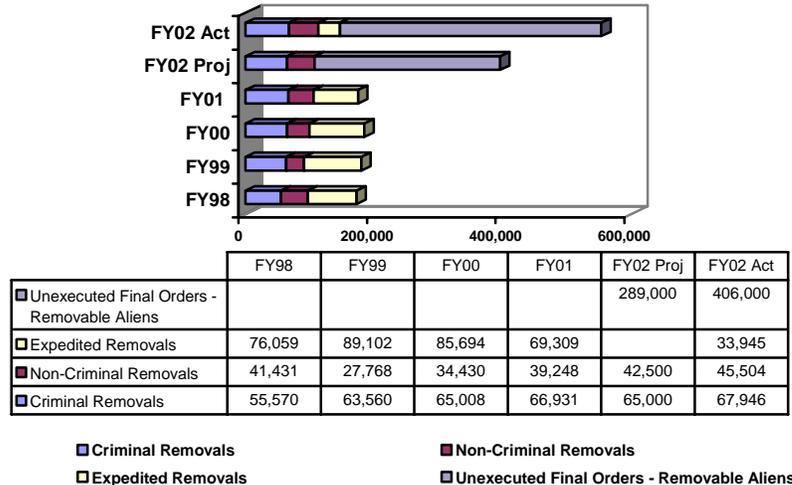
#### Background/Program

##### Objectives:

INS is legally required to remove aliens who have received formal removal orders or who have volunteered to be repatriated. A fundamental part of this mission is to ensure the removal of the criminal element in the alien population. INS is adopting new policies and procedures to improve the effectiveness of the Institutional Removal Program, a program designed to identify and remove incarcerated criminal aliens by means of administrative or hearing processes before their release from custody. Focusing on the criminal alien removals enhances the promotion of public safety.

Another challenge is identifying and removing persons who are in the U.S. illegally, including monitoring alien overstays. Knowing who has entered and who has departed our country in real time is an important element in enforcing our laws. The Data Management Improvement Act of 2000 requires INS to develop a fully-automated, integrated entry-exit data collection system and deploy this system at airports and seaports by the end of FY 2003; at the 50 largest land ports-of-entry (POEs) by the end of FY 2004; and all other POEs by the end of FY 2005. The legislation also requires a private sector role to ensure that any systems developed to collect data do not harm tourism or trade.

**DISCONTINUED/REFINED MEASURE: Final Order Removals, Expedited Removals, and Unexecuted Orders [INS]**



**Data Definition:** Unexecuted Final Orders – Removable Aliens: Aliens that have been issued final orders of removal but who have not been removed at the time of the report. Some of these aliens have been officially notified to report for their deportation, but have failed to do so. These are termed “absconders. Aliens “not readily removable:” include those who are incarcerated, officially designated as in a Temporary Protected Status, and aliens from countries with whom the US does not have repatriation agreements. Expedited Removal: The formal removal of an alien ordered removed by the INS after having been inspected and found to be inadmissible based on having no documents or fraudulent documents.

**Data Collection and Storage:** INS collects removal and detention data in the Deportable Alien Control System (DACS) case tracking system. Data is input daily from physical Alien-files, primarily by INS Deportation Program staff, and to a lesser extent, inspectors and agents. DACS is updated throughout the life cycle of the case.

**Data Validation and Verification:** DACS verification occurs through the headquarters DACS quality team, file reviews, comparison with monthly statistical reports, INSPECT team reviews, and district status reports and call-up lists. The Statistics Office of the Office of Policy and Planning conducts monthly quality reviews of DACS data. The verification of an alien’s lawful status by the Law Enforcement Support Center (LESC) includes interfaces with DACS and other corporate information systems such as the Central Index System (CIS). INS also interfaces with the NCIC to report wanted and deported alien felons.

**Data Limitations:** DACS removals records are complete, with 99 percent of total removals records entered within 6 months of the close of the fiscal year. A small but significant number of detention records (approximately 7 percent of over one hundred thousand records) are incomplete. The long-range plan is for DACS to migrate to the Enforcement Case Tracking System (ENFORCE) that will have the capability to track detention and removal cases. A new system the ENFORCE Removal Module (EREM) should permit the reduction of data entry errors, increase completeness and accuracy of data retrieval and provide greater data integrity.

**Performance:**

***Performance Measure:***

DISCONTINUED/REFINED MEASURE: Final Order Removals, Expedited Removals, and Unexecuted Orders *formerly*: Final Order Alien Removals [INS] (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

***FY 2002 Target:***

Criminal Removals: 65,000

Non-Criminal Removals: 42,500

Unexecuted Final Orders – Removable Aliens:

289,000

***FY 2002 Actual:***

Criminal Removals: 67,946

Non-Criminal: 45,504

Expedited Removals: 33,945

Unexecuted Final Orders – Removable Aliens

406,000

***Discussion:*** INS exceeded both the criminal and non-criminal removal targets for FY 2002. INS re-evaluated the unexecuted final orders measure in FY 2002. After an in-depth review and validation of the data encompassing all active cases in the INS database, including absconders and all other forms of unexecuted final order cases, INS revised the measure to include all removable aliens, not just absconders. As of September 30, 2002, there was a 406,000 case backlog of removable unexecuted final orders and a 196,000 case backlog of not readily removable unexecuted final orders of removal, for a total of 602,000 unexecuted orders. [NOTE: Aliens “not readily removable” include those who are incarcerated, officially designated as in a Temporary Protected Status, and those who are nationals of Laos, Vietnam or Cuba (countries with whom the US does not have repatriation agreements).]

## STRATEGIC OBJECTIVE & ANNUAL GOAL 5.3: IMMIGRATION BENEFITS SERVICES

Provide timely and consistent services and achieve a substantial reduction in the benefits processing backlog

### 5.3A Ensure Immigration Benefit Services are Timely, Fair, and Consistent

#### Background/Program Objectives:

INS is responsible for timely, accurate processing of applications for immigration benefits. The current focus is to increase performance in Adjustment of Status application casework processing while meeting completion and backlog goals.

Quality is a primary consideration for application processing. INS strives to maintain a high level of compliance with Naturalization Quality Procedures. These procedures are designed to ensure that naturalization processing is performed consistently, correctly, and fairly. Standardized reporting of compliance with Adjustment of Status Quality Procedures is under development.

#### Performance:

**Performance Measure:** DISCONTINUED MEASURE: Average Case Processing Time [INS] (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

(NOTE: This average is calculated by dividing the average of the past 12 months of completions into the number of pending applications at the end of September.)

#### **FY 2002 Target:**

Naturalization: 8 months

Adjustment of Status: 10 months

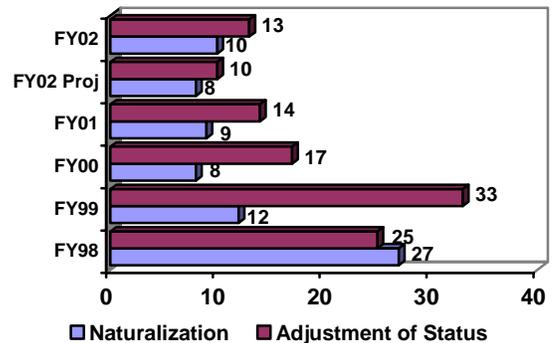
#### **FY 2002 Actual:**

Naturalization: 10 months

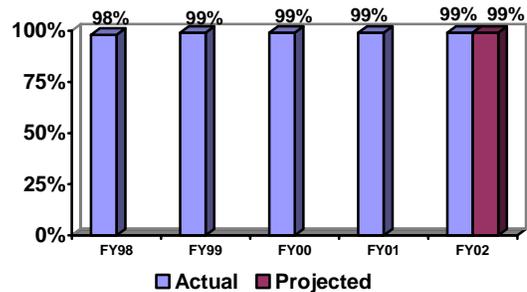
Adjustment of Status: 13 months

**Discussion:** A formal plan was developed to eliminate the backlog of immigration benefit applications over a two-year period, and achieve and maintain a six-month processing standard for all applications. Although the INS met the numerical case completions target for naturalization and 97% of the adjustment of status case completions target, the INS did not meet the processing time goals for these applications in FY 2002. Naturalization applications increased significantly after September 11, 2001. INS also

DISCONTINUED MEASURE: Average Case Processing Time (Months) [INS]



DISCONTINUED MEASURE: Level of Compliance with Naturalization Quality Procedures [INS]



**Data Collection and Storage:** Data are collected using a mix of automated counts and manual case counts. Some data are collected locally under manual counts and reported monthly through the automated PAS database, and some counts are provided from various automated systems supporting casework (e.g. CLAIMS4, CLAIMS3, and the Redesigned Naturalization Casework System).

**Data Validation and Verification:** INS instituted monthly data reconciliation and review activities to maximize the integrity of the data reported. Data on the quality of case work is currently compiled by Quality Assurance Analysts and independent contractor(s) conducting quality reviews.

**Data Limitations:** In FY 2001, Naturalization case capability was fully deployed under CLAIMS4. Improvements to automated case processing will be realized through the development of Phase 1 of the CLAIMS replacement system. The development will build on functional requirements captured and system design work completed in FY 2002.

instituted additional security checks on all applications in FY 2002, which required significant resources. Future backlog elimination milestones will be revised to accommodate the receipt levels and security checks.

***Performance Measure:*** DISCONTINUED

MEASURE: Level of Compliance with Naturalization Quality Procedures (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

***FY 2002 Target:*** 99%

***FY 2002 Actual:*** 99%

***Discussion:*** The INS achieved a 99% compliance rate with the Naturalization Quality Procedures in FY 2002.

**5.3B Ensure Asylum and Refugee Cases are Timely, Fair, and Consistent**

**Background/Program Objectives:**

INS is committed to maintaining timely, fair and consistent asylum case processing that denies or refers to Immigration Court, meritless claims without discouraging legitimate refugees. Similarly, INS conducts expedited removal/credible fear screenings, overseas refugee processing, and adjudication under Section 203 of the Nicaraguan and Central American Relief Act (NACARA 203), in a fair, timely, and consistent manner. INS carefully monitors its pre-reform asylum and NACARA 203 backlogs and applies available resources to reduce these backlogs.

**Performance:**

**Performance Measure:** DISCONTINUED/NEW MEASURE: Timely Completion of Asylum Reform (60 days) and Expedited Removals Cases (14 days) [INS] (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

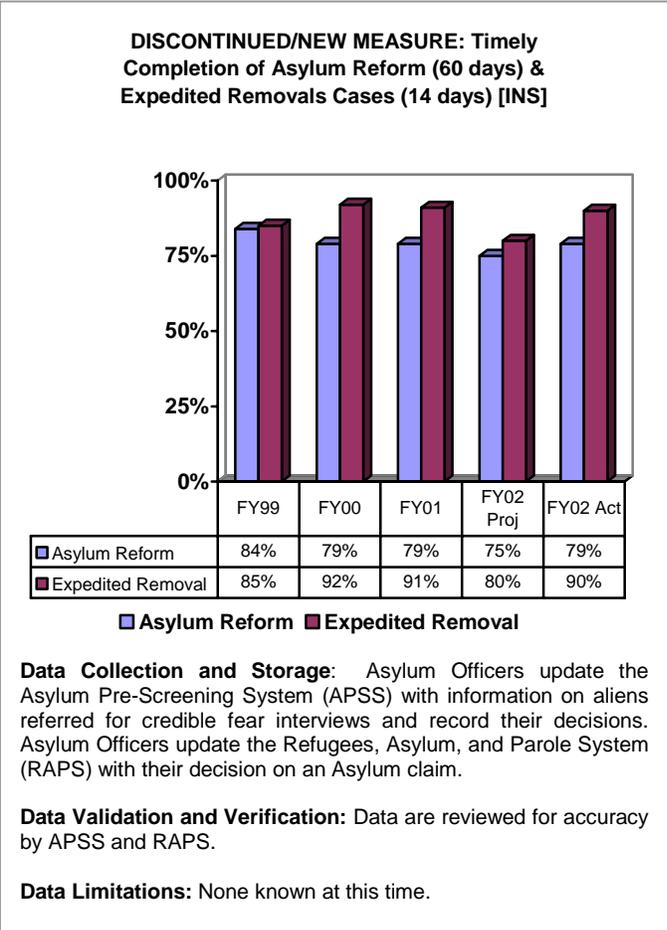
**FY 2002 Target:**

Asylum Reform: 75%  
Expedited Removal: 80%

**FY 2002 Actual:**

Asylum Reform: 79%  
Expedited Removal: 90%

**Discussion:** INS exceeded the goals for timely completion of asylum reform and expedited removal/credible fear cases in FY 2002. In addition, INS completed 86,401 asylum cases and 22,885 NACARA 203 cases, exceeding the targets for completions in both caseloads.



**STRATEGIC OBJECTIVE & ANNUAL GOAL 5.4: ORGANIZATION AND INFRASTRUCTURE**

Improve operational efficiency and organizational effectiveness of the INS workforce

**5.4A Conduct Effective Information Systems Planning and Management to Provide an Adequate, Cost Effective and Compliant IT Environment**

**Background/Program Objectives:**

The enormous growth in INS' workforce and mission over the past several years has resulted in proliferation of new or enhanced automated systems. Management approaches to information technology have been undergoing significant long-term changes, with emphasis on a strategic approach to the management of IT resources and capital assets, compliance with security requirements, and accurate reporting of current status. These activities help ensure that automation decisions and activities provide maximum value for dollar spent.

INS uses its Enterprise Architecture to guide and justify use of resources for automated support of business activities, and is focused on increasing compliance of all projects with appropriate Systems Development Lifecycle Standards and security requirements.

**Performance:**

**Performance Measure:** DISCONTINUED MEASURE: Compliant, Secure and Adequate Information Technology (IT) Systems (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

**FY 2002 Target:**

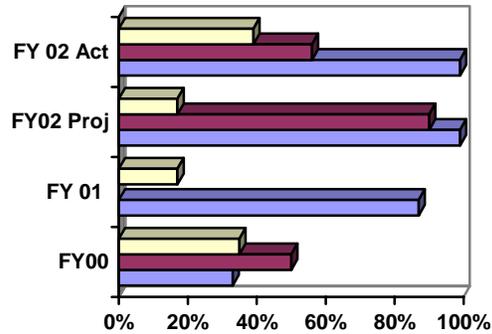
Technologically Adequate Equipment: 17%  
System Security: 99%  
Systems Dev. Lifecycle Standards: 90%

**FY 2002 Actual:**

Technologically Adequate Equipment: 39%  
System Security: 99%  
Systems Dev. Lifecycle Standards: 56%

**Discussion:** Technologically Adequate Equipment: The target of 17% for FY 2002 was surpassed, with a FY 2002 accomplishment of 39%. The improvement was the result of program deployment of new equipment and concerted efforts to improve data. INS initiated the Atlas

**DISCONTINUED MEASURE: Compliant, Secure & Adequate IT Systems [INS]**



	FY00	FY 01	FY02 Proj	FY 02 Act
Technologically Adequate Equipment	35%	17%	17%	39%
Systems Dev. Lifecycle Standards	50%		90%	56%
System Security	33%	87%	99%	99%

**Data Definition:** Technologically Adequate Equipment is the percent of INS workstations that are 600 MHZ or faster, that are capable of running all software applications and an Internet browser. System Security from FY00-02, this is the percentage of systems and sites in full compliance with IT security certification and accreditation requirements. From FY03-04, this is the percentage of total site and systems unconditionally accredited. Life-cycle compliance is based on periodic manual review of systems.

**Data Collection and Storage:** Indicators are extracted from several databases and manual reports used for project management and inventory control. The data are maintained and updated centrally.

**Data Validation and Verification:** Data are verified through routine, continuous management reviews and periodic reports.

**Data Limitations:** The definition of life-cycle compliance is subject to changing interpretation, especially as INS moves toward a more comprehensive approach to IT capital asset management. The definition of technologically adequate will be updated over time as changes to automation at INS put more pressure on workstation performance.

Program that will focus on improving all aspects of the IT environment wide including: connectivity, common computing environment, information assurance, enterprise information,

access and e-Gov, infrastructure engineering and operations and transformation planning

System Security: Significant progress was made throughout the fiscal year and the target of 99.5% for FY 2002 was met. The target cannot be 100% due to continuous fluctuation in systems and sites requiring re-certification and accreditation.

Systems Development Lifecycle Standards: The overall target of 90% was not met. The primary reason this measure was not met was the result of the evaluation of the Information Technology portfolio risks and impact of applications not adhering to Lifecycle Standards. Investment projects are typically significantly more vulnerable than Operations and Maintenance projects to cost and schedule variances and require a higher degree of lifecycle oversight. Of INS projects, 27.5% are investment projects. However, they comprise \$55,666,680, which is 39.7% of the total dollar value of the applications in the portfolios. Considering current resource constraints, a decision was made to concentrate on investment applications. All of the investment projects are in compliance with those components of the Lifecycle Standards.

## STRATEGIC OBJECTIVE & ANNUAL GOAL 5.5: QUALITY OF DATA

Provide accurate, easy-to-use, readily accessible, and up-to-date information to meet planning and operational needs

### 5.5A Provide Accurate and Readily Accessible Information

#### Background/Program Objectives:

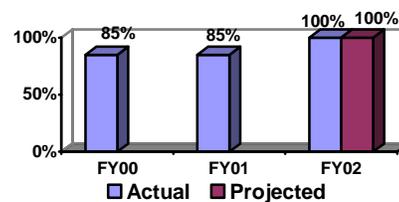
INS will continue to provide useful, current information about INS services, offices and functions, policy and plans, regulations, statistics and reports. INS will provide an information framework that facilitates quick, remote access for wider audiences and allows increased use of the Internet for access to INS forms. INS will modify operations to provide electronic alternatives to delivery of products, services, and exchange of information. By FY 2004, INS will expand the use of electronic filing to additional benefits applications and make 70% of the Immigration Services workload available for electronic filing. INS will provide employers and benefit providers with the information, assistance, and tools needed to comply with the laws while safeguarding the civil and privacy rights of citizens and aliens alike.

INS will continue to implement the Government Paperwork Elimination Act (GPEA) and take steps toward the expansion of electronic government through strategic attention to key areas identified in INS' target Enterprise Architecture and modern e-mail communications. INS has established a GPEA Task Force to coordinate INS' efforts to expand the use of electronic means to deliver services and benefits. This task force will monitor and report on initiatives to gather and exchange information that enhance service and responsiveness, while preserving privacy, legal sufficiency, and accurate, accessible data. As processes and policies are put in place for improved management of information technology (also discussed under Strategic Objective 5.4), informational needs of customers will be identified and addressed through design, development, and deployment of programs and systems.

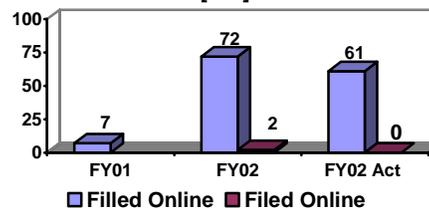
#### Performance:

**Performance Measure:** DISCONTINUED MEASURE: % of Public Use Forms Available Online [INS] (NOTE: This indicator is being

DISCONTINUED MEASURE: % of Public Use Forms Available Online [INS]



DISCONTINUED MEASURE: Forms That Can Be Filled Online and Filed Online [INS]



**Data Definition:** Forms That Can be Filled Online: Customer accesses the form online - fills in the information - prints it and *mails* it. Forms That Can be Filed Online: Customer accesses the form online - fills in the information - and submits it *electronically*.

**Data Collection and Storage:** Information is derived from management reports and review of the INS Internet.

**Data Validation and Verification:** Regular review, control and maintenance of the INS Internet is conducted by the responsible INS program personnel and IRM staff.

**Data Limitations:** The percentage of online forms available does not eliminate the possibility that customers will continue to make non-electronic form requests or file forms manually. The number of applications developed for filing online initially will not reflect nationwide implementation.

discontinued - the program has been transferred to the Department of Homeland Security)

**FY 2002 Target:** 100%

**FY 2002 Actual:** 100%

**Discussion:** The target was met. All forms that are available for public use are downloadable. The Forms and Fees area is the most visited on the INS Website with 9,806,076 visits in FY 2002.

All forms that are available for public use are downloadable.

**Performance Measure:** DISCONTINUED  
MEASURE: Forms That Can be Filled Online and Forms That Can Be Filed Online (Formerly: “Forms and Applications That Can be Filed Online”) (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)  
(Note: This display has been corrected from the previous submission.)

***FY 2002 Target:***

Forms Fillable Online: 72  
Forms Filed Online: 2 (Targets were previously reported incorrectly through typographical errors as Forms: 82; Applications 2.)

***FY 2002 Actual Performance:***

Forms Fillable Online: 61  
Forms Filed Online: 0

***Discussion:*** We did not meet either target for this area. We currently have 61 of the 72 approved forms available. Budget shortages and form content changes prevented us from meeting the target of forms fillable online. The technology for e-filing has been developed. INS is awaiting publication of a regulation in the Federal Register to allow the agency to accept signatures electronically. The regulation was delayed due to a determination that it was necessary to prepare it as a proposed regulation rather than an interim final regulation. The technology will not be available to the public until we have allowed for comment on the proposed regulation and subsequently published the final regulation.

## STRATEGIC OBJECTIVE & ANNUAL GOAL 5.6: BORDER FACILITATION

Improve the efficiency of the inspections process for lawful entry of persons and goods

### 5.6A Facilitate Port-of-Entry Traffic and Monitor Deferred Inspections

#### Background/Program Objectives:

The rapid, continuing growth of passenger and vehicular traffic places greater demands on the inspection process. In addition, multiple terrorist attacks on the U.S. on September 11, 2001 compels INS to continue increased scrutiny at all POEs to ensure border integrity, and increase enforcement of our nation's immigration laws thereby preventing entry of terrorists and other criminals. These necessary enforcement actions can result in longer lines and increased waiting times, especially at United States land border POEs.

While INS cannot compromise its enforcement mission, it strives to effectively manage the movement of travelers and commerce at POEs. To accomplish that objective INS works with transportation companies and other Federal agencies to obtain and utilize all available information before passengers arrive at U.S. borders.

The INS and the U.S. Customs Service (USCS) agree that cooperation in policy and operational matters enhances the enforcement and traffic management objectives of each agency. To this end, INS coordinates efforts with USCS and the other federal inspection services to facilitate the inspection of bonafide travelers.

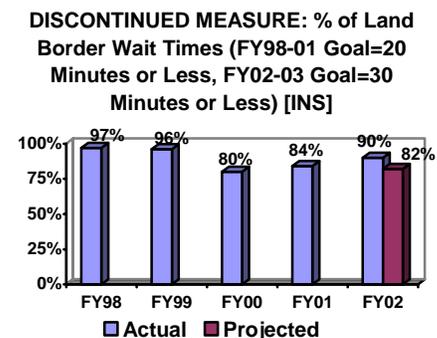
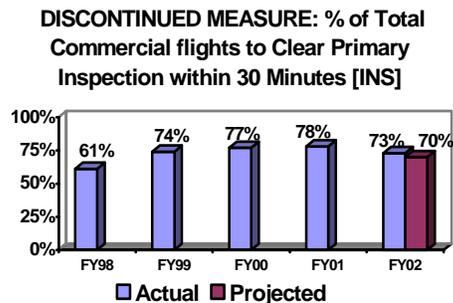
#### Performance:

**Performance Measure:** DISCONTINUED MEASURE: % of Total Commercial Flights to Clear Primary Inspection within 30 Minutes [INS] (NOTE: This indicator is being discontinued - the program has been transferred to the Department of Homeland Security)

**FY 2002 Target:** 70%

**FY 2002 Actual:** 73%

**Discussion:** INS exceeded its target and cleared 73% of commercial flights through primary within 30 minutes.



**Data Collection and Storage:** Individual POEs collect flight processing information from travelers and airlines and report aggregated information monthly into the Performance Analysis System (PAS). The inspection time for the last traveler is captured in the Interagency Border Inspection System used by INS and U.S. Customs Service. Wait time data for each land POE is collected manually and reported through INS regional offices.

**Data Validation and Verification:** PAS verification is conducted by the INS Statistics Office through submission audits; edits, data validation and logic checks, and field contact. Reported processing times are reviewed by district and regional office staff above each air POE and by the headquarters Inspections program, monthly. Air POEs flight processing information is reviewed by supervisory and technical staff. Time measurement data provided by airlines is recorded in automated systems and subject to quality reviews. At land POEs, data is manually collected locally and validated regularly.

**Data Limitations:** PAS records are complete with 95% of field office records entered within eight working days of the following (reporting) month. Land POEs use one of three approved methodologies to observe, and collect data, and to calculate wait times. Because of this variety, submitted data may vary slightly among land POEs.

**Performance Measure:** DISCONTINUED  
MEASURE: % of Land Border Wait Times  
(FY98-01 20 Minutes or Less, FY02-03 30  
Minutes or Less) [INS] (NOTE: This indicator is  
being discontinued since the program has been  
transferred to the Department of Homeland  
Security)

**FY 2002 Target:** 82%

**FY 2002 Actual:** 90% (89.85%)

**Discussion:** INS exceeded the target,  
clearing 89.85% of land border non-commercial  
vehicles through primary inspection within 30  
minutes at those locations where the information  
was captured.

## STRATEGIC OBJECTIVE & ANNUAL GOAL 5.7: ADJUDICATION

Adjudicate all immigration cases promptly and impartially in accordance with due process

### 5.7A Adjudicate Immigration Cases in a Fair and Timely Manner

#### Background/Program Objectives:

The mission of the Executive Office for Immigration Review (EOIR) is to provide separate and independent fora for the objective, unbiased adjudication of disputes between INS and aliens or other individuals regarding immigration status, removal, or the availability of relief under the law. In the conduct of this mission, EOIR and its components (the Board of Immigration Appeals (BIA), the Immigration Courts, and the Office of the Chief Administrative Hearing Officer) seek to render fair and proper decisions in a timely and efficient manner. EOIR's ability to meet its goal of fair and timely adjudication of immigration cases is critical to: the guarantee of justice and due process; the timely grant of relief from removal in meritorious cases; the timely removal of criminal and other inadmissible aliens; and the effective utilization of limited detention resources. EOIR has identified four adjudication priorities and set specific time frames for each. These priorities include cases involving criminal aliens, other detained aliens, those seeking asylum as a form of relief from removal, and appeals to the BIA.

#### Performance:

**Performance Measure:** Percent of Immigration Court Cases Completed Within Target Time Frames [EOIR]

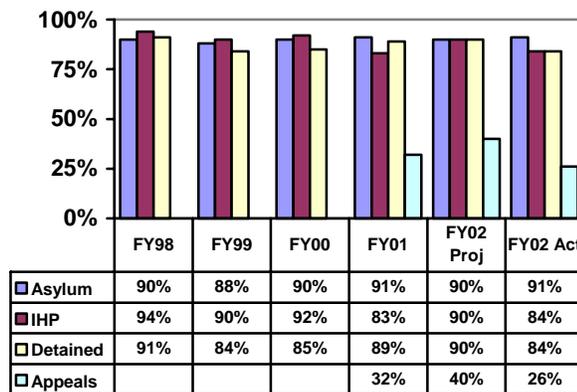
##### *FY 2002 Target:*

90% Expedited Asylum Cases within 180 days  
 90% Institutional Hearing Program (IHP) (Criminal) Cases before release  
 90% Detained Cases Without Applications for Relief within 30 days  
 40% Appeals within 180 days

##### *FY 2002 Actual:*

91% Expedited Asylum Cases within 180 days  
 84% Institutional Hearing Program (IHP) (Criminal) Cases before release  
 84% Detained Cases Without Applications for Relief within 30 days

**% of EOIR Cases Completed Within Target Time Frames**



**Data Collection and Storage:** Data are collected from the Automated Nationwide System for Immigration Review (ANSIR) a nationwide case-tracking system at the trial and appellate levels).

**Data Validation and Verification:** Data is verified by on-line edits of data fields. Headquarters and field office staff have manuals that list the routine daily, weekly and monthly reports that verify data. Audits are conducted using the system random number generator, comparing automated data with the corresponding hard case files. All data entered by courts nationwide is instantaneously transmitted and stored at EOIR headquarters, which allows for timely and complete data. Data validation is also performed on a routine basis through data comparisons between EOIR and INS databases.

**Data Limitations:** None known at this time.

26% Appeals within 180 days

**Discussion:** EOIR has worked to complete its cases within the targeted time frames. The first three measures (expedited asylum, IHP, and detained cases without applications for relief) relate to the immigration courts. The immigration courts met their goal of completing expedited asylum cases within 180 days. Despite the complexity of many cases due to their designation as "special interest," the courts were within 10% of the goal for detained cases without applications for relief. IHP cases were also within 10% of the

goal, and the percentage of cases meeting the goal was up slightly from FY 2001. Due to a new regulation that imposes strict time lines on the BIA's adjudications and mandates elimination of the backlog, EOIR did not meet its goal of completing 40% of appeals within 180 days of filing. Instead, efforts were concentrated on completing a large number of BIA's oldest cases. At the end of FY 2002, BIA's backlog was 44,400 cases, down from 57,900 pending at the end of FY 2001. Additionally, BIA completed more than 47,000 cases in FY 2002, an increase of 48% over its FY 2001 completions.