

**STATEMENT**

**OF**

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**BEFORE THE**

**U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON IMMIGRATION AND CLAIMS**

**REGARDING**

**THE INS INTERIOR ENFORCEMENT STRATEGY**

**WEDNESDAY, JUNE 19, 2002  
2237 RAYBURN HOUSE OFFICE BUILDING**

**2:00 P.M.**

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, I am pleased to have the opportunity to testify before you regarding the Immigration and Naturalization Service's (INS) Interior Enforcement Strategy, and our efforts to increase the domestic security of the United States.

As preliminary matter, and as you know, Mr. Chairman, the President recently announced his proposal for a new Department of Homeland Security. The INS strongly supports the creation of this new cabinet-level department, as proposed by the President and the Commissioner considers this an important and very positive development for the security of our nation and for the mission and employees of the INS. In this new structure, the INS will become a key part of one of the largest agencies in the Federal Government and will be partners in what is the most important mission of our government: protecting the American people and ensuring the safety of our institutions and our precious freedoms.

Enforcing our nation's immigration laws in the interior of the United States has always been an exceptionally demanding and challenging mission. The tragic events of September 11, 2001 have placed even greater demands and challenges upon our agents.

The INS Interior Enforcement Strategy is symbiotic to our Border Control Strategy established in 1994. The strategies envision a seamless web of enforcement from the interior of the United States to the nation's borders and out to the farthest reaches of source and transit countries that will impact the flow of illegal immigrants to the United States. The underlying principles and goals of these strategies were designed to respond to the changing migration environment in the United States in all its complexity. The Interior Enforcement Strategy includes the following strategic priorities:

- ◆ Identify, apprehend, and remove alien criminals;
- ◆ Deter and diminish smuggling and trafficking of aliens;
- ◆ Respond to community needs as they relate to illegal immigration;
- ◆ Minimize immigration benefit fraud and other document abuse; and
- ◆ Block employers' access to unauthorized workers.

Meeting these priorities requires the capacity to remove all removable, deportable, and excludable aliens so that the execution of a final order of removal is a certainty. Only with this effective enforcement can the INS ensure that these key strategic policy objectives are met. The INS has less than 2,000 Special Agents throughout the world.

Within the context of the Interior Enforcement Strategy, INS Special Agents are tasked with a wide range of critical responsibilities including working with the Federal Bureau of Investigation (FBI) and intelligence community to support counter-terrorism efforts within the Joint Terrorism Task Forces (JTTF). In fact, the INS committed a significant number of agents to the 9-11 investigation and provided a significant amount of investigative information for the 9-11 investigation. In addition to our counter-terrorist efforts, the INS' responsibilities include identifying convicted criminal aliens and processing them for deportation; investigating immigration crimes; and auditing and identifying employers and employees who have violated immigration laws.

Another of our critical missions is to support state and local law enforcement through the INS' Law Enforcement Support Center (LESC) located in Burlington, Vermont. The primary mission of the LESC is to help local law enforcement agencies determine if a person they have

contact with, or have in custody, is in fact an illegal, criminal, or fugitive alien. The LESC provides a 24/7 link between Federal, state, and local officers and the databases maintained by the INS.

In FY 2001, the LESC received 221,507 state and local law enforcement inquiries, 10,155 investigative inquiries, and 10,338 inquiries regarding foreign nationals seeking to purchase firearms, and it lodged 1,465 detainers authorizing the detention of an unlawful alien.

The LESC provides every law enforcement officer in participating states direct access to the INS. When a police officer arrests an alien, INS personnel at the LESC are able to provide that officer with vital information and guidance, and if necessary, place the police officer in contact with an INS officer in the field. On a daily basis, these interactions result in the INS taking into custody individuals who are present in the United States unlawfully and who may have committed a crime. The partnerships fostered by the LESC increase public safety by identifying criminal aliens who may otherwise pose a threat to the local community or our nation.

Another way in which the INS has responded to the needs of the law enforcement community is through 45 Quick Response Teams (QRTs) across the United States. The QRTs are comprised of 200 INS Special Agents and Detention and Removal Officers. The primary duty of the QRTs is to work directly with state and local law enforcement officers to take into custody and remove illegal aliens who have been encountered by state and local law enforcement officers for violations of state or local laws.

For decades, the INS has actively participated in Federal, state, and local task forces that target criminal activities and enterprises with criminal alien involvement. One such task force is

the Violent Gang Task Force (VGTF). INS agents assigned to VGTF units in major cities throughout the United States assist local and Federal agencies in investigations and operations involving alien-based gangs and organized crime groups. The INS also has 127 Special Agents assigned to the Organized Crime Drug Enforcement Task Force (OCDETF) in nearly 60 cities across the United States. OCDETF is a multi-agency Federal task force operating under the direction of the Department of Justice, which has as its primary mission the identification, investigation, prosecution, and dismantling of sophisticated organizations involved in narcotics trafficking.

INS agents from each District also participate in a nationwide worker exploitation task force that conducts investigations targeting abusive employers who subject workers to inhumane or substandard working conditions, or who violate a wide range of other criminal statutes. The task force is comprised of Federal, state, and local law enforcement agencies across the country.

Worksite enforcement activity is another facet of our interior enforcement strategy. The Immigration and Nationality Act was revised in 1986 to establish employment controls that restrict the availability of work for illegal aliens. The goal, of course, was to deter illegal immigration by removing the employment opportunity magnet. Under this strategy, the INS specifically targets employers who are abusive to their workers and violate other Federal and state laws, regardless of industry or geography.

INS Special Agents conduct investigations of immigration benefit and document fraud. Benefit fraud investigations target organizations, facilitators, and unscrupulous attorneys and immigration consultant, who seek to take advantage of vulnerable immigrants to undermine our legal immigration system. Benefit fraud may involve attorneys who prepare fraudulent asylum

applications, immigration consultants who arrange fraudulent marriages, and very complex business-related visa fraud schemes. Recent activities have included an initiative focusing on facilitators of student visa fraud.

Document fraud investigations target individuals who produce or sell counterfeit or fraudulently obtained immigration and identity documents. These investigations may involve high quality photo-substituted passports used to attempt entry into the United States, counterfeit “green cards” and Social Security cards sold to illegal aliens seeking to gain employment here, or genuine, but fraudulently obtained, U.S. birth certificates, driver’s licenses, or other identification used by aliens to establish a new, “legal” identity in the United States.

### **Interior Enforcement in the Post 9/11 Environment**

The terrorist attacks on September 11, 2001 prompted a refocus of the INS’ strategic approach to its law enforcement responsibilities. The INS is committed, as the highest priority of its interior strategy, to ensure domestic security using all the immigration law enforcement authorities at its disposal. There are several notable examples of this approach.

#### **Worksite Enforcement - National Security Focus**

As a result of a new emphasis on worksite enforcement targeting national interest industries, there has been more than a 20 percent increase in employer case completions. Specifically, the INS launched Operation Tarmac to enhance security at our nation’s airports.

INS Headquarters directed its field offices to initiate worksite enforcement investigations into the hiring practices of companies employing individuals who work at airports and who have direct access to commercial aircraft and other secure areas to ensure that these individuals are

authorized to work and that employers are complying with the employment eligibility verification requirements. Particular attention is devoted to companies that provide security at major airports throughout the United States. These operations have includes prosecution of individuals who violated criminal immigration statutes, removal of unauthorized aliens from airport worksites, and fraudulent document training of security officials responsible for granting access badges to secure areas.

The primary objective of Operation Tarmac is to ensure that travelers have confidence in their safety and security while traveling. This effort has been undertaken in cooperation with a variety of Federal agencies, as well as airport authority management officials. Participating Federal agencies include the FBI, the Executive Office of the U.S. Attorney, the Transportation Security Administration, and the Offices of the Inspector General for the Departments of Labor and Transportation.

Operation Tarmac has been an enormous undertaking. For example, the INS has audited over 190,000 Employment Eligibility Verification Forms (Forms I-9) at more than 1,900 airport businesses; and, to date, over 500 unauthorized aliens have been arrested, and over 260 have been charged with criminal violations of law. We have also initiated Operation Glowworm, using the same goals and methodologies to enhance the security of our nation's nuclear power facilities.

#### Operation Southern Focus

Our efforts to enhance domestic security also led to the initiation of Operation Southern Focus. In January 2002, the INS initiated a multi-jurisdictional enforcement initiative aimed at targeting alien smuggling organizations specializing in the movement of U.S.-bound aliens from

countries that are of interest to the national security of the United States. Information available to the INS indicates terrorist organizations often use human smuggling organizations to move around the globe. Many targets of Operation Southern Focus were believed responsible for smuggling hundreds of aliens. Since the inception of this operation, five significant alien smugglers have been arrested and charged with alien smuggling violations, and significant alien smuggling pipelines have been severely crippled.

#### Alien Absconder Initiative

The INS recently initiated the Alien Absconder Initiative (AAI). The AAI is designed to identify and apprehend unauthorized aliens who have unexecuted final orders of removal. The objective of Phase I of the AAI is to locate, apprehend, interview, and deport approximately 5,900 aliens with unexecuted final orders from countries with active al Qaeda networks and to gather valuable information to assist in the prevention of future terrorist or criminal attacks. INS Headquarters provided more than 5,000 leads to INS field offices that have thus far resulted in the apprehension of nearly 700 fugitives, including 32 positive hits from the National Crime and Information Center (NCIC).

Phase II of the AAI targets over 300,000 immigration fugitives with unexecuted final orders of removal. The AAI is the INS' first national program to address alien absconders.

#### Joint Terrorism Task Forces

Our Joint Terrorism Task Forces (JTTF) continue to be the backbone of the INS' efforts to combat international terrorism in the interior of the United States. The INS has 112 JTTF agents stationed in various locations. JTTF agents serve as a critical component in the effort to root out terrorists and their supporters. INS Special Agents working with the JTTFs have played

a significant role in recent terrorist investigations nationwide. Working closely with the FBI and other agencies within the multi-agency task forces, INS Special Agents serve the national security of the United States by proactively investigating, targeting, and arresting known terrorists, terrorist organization leaders, members, and associates.

INS agents assigned to the JTTFs have conducted approximately 6,300 joint INS/FBI interviews since September 11, 2001 and have played a critical role in increasing our domestic security efforts.

### Conclusion

In closing, I would like to state that the men and women of the INS stand ready to tackle the many critical missions with which they are faced. The INS' mission of deterring illegal migration and combating immigration-related crime has never been more critical to our nation's efforts to ensure the safety of the American public. Thank you for this opportunity to appear, Mr. Chairman. I look forward to your questions.