

---

**U.S. COMMISSION ON IMMIGRATION REFORM**

---

**Testimony of Barbara Jordan  
Chair, U.S. Commission on Immigration Reform  
Before the U.S. House of Representatives  
Committee on Appropriations  
Subcommittee on Appropriations for the Departments of  
Commerce, Justice, State, the Judiciary and Related Agencies  
March 29, 1995**

---

Mr. Chairman, members of the subcommittee, thank you for providing this opportunity to testify today. I am Barbara Jordan, the Chair of the Commission on Immigration Reform. I am accompanied by the Commission's Executive Director, Susan Martin.

Before I begin my formal testimony, I must commend this committee on its use of new technology to bring the work of the Congress closer to the American people. As you will hear later in my testimony, the Commission shares your belief that the federal government must tap new technologies in order to make the work of government efficient and in touch with the demands of the American public.

The Commission on Immigration Reform was created by the Immigration Act of 1990. We are a fully bipartisan body. In addition to the Chair, we have eight members who were appointed by the majority and minority leadership in each house of Congress.

The Commission's mandate is to examine and make recommendations to this Congress on the implementation and impact of U.S. immigration policy. We are required to make interim reports as issues arise and a final report in September 1997. The Commission issued its first interim report in September 1994. In calendar year 1995, we intend to issue three reports with interim recommendations on a range of issues from legal immigration numbers and categories to the handling of migration emergencies and the removal of deportable aliens from the United States. In addition, we continue to pursue our long-term agenda to assess the economic, social, demographic and other impacts of immigration on the United States.

This morning I would like to describe briefly the recommendations the Commission already has made in the hopes that they will be useful to this committee in setting FY 1995 appropriations not only for the Commission, but also for other immigration-related agencies. I will then turn to our plans for this fiscal year and our request for next year's appropriations.

The Commission's 1994 report to Congress was entitled *U.S. Immigration Policy: Restoring Credibility*. The title is telling of our recommendations. The Commission believes it is essential to control illegal immigration if we are to have a credible immigration policy. We believe legal immigration is in the national interest, but see illegal immigration as a threat both to our long tradition of immigration and to our commitment to the rule of law.

The Commission recommends a comprehensive, seven-point strategy to restore credibility. Let me tell you that the strategy is neither cheap nor painless. There are no quick fixes to our immigration problems; there are no inexpensive solutions. For too long we have neglected immigration as a public policy issue and now must pay for the consequences.

Four points in our report call for special attention. First, we need improved border management. The Commission calls for a strategy of prevention of illegal entry and facilitation of legal ones in the national interest. The concept is simpler, of course, than its achievement. The Commission was highly impressed with the border operations in El Paso that aim to prevent illegal entry. It is far better to deter illegal immigration than to play the cat and mouse game that results from apprehensions followed by return followed by re-entry. To accomplish a true deterrence strategy will require additional personnel as well as a strategic use of technology and equipment. We will also require new measures of effectiveness because apprehensions alone cannot measure success in preventing illegal entries. Our goal should be zero apprehensions-not because aliens get past the Border Patrol but because they are prevented entry in the first place.

While we tighten our control over illegal entry, we must also reduce the long waiting times at our ports of entry. It is ridiculous that people with legitimate border crossing cards feel it is more convenient to cross illegally than go through our ports of entry. But that is the case. Our own delegation waited for one and one-half hours to cross from Juarez into El Paso-and this wasn't even at rush hour. In an age of NAFTA, we must do a better job of handling the legitimate border travel. The Commission supports the development of a land border user fee whose resources would be used to open more lanes, add more inspectors and, if necessary, more ports of entry to speed this traffic.

Our second set of recommendations would reduce the magnet that jobs currently present for illegal immigration. We have concluded that illegal immigrants come primarily for employment. The Commission believes that we need to enhance our enforcement of both employer sanctions and labor standards. But, to make employer sanctions work, we must improve the means by which employers verify the work authorization of new employees. The Commission believes the most promising option is a computerized system for determining if a social security number is valid and has been issued to someone authorized to work in the United States. We are pleased that the Administration has endorsed our recommendations in this area, and we look forward to working with INS and the Social Security Administration on the design of pilot programs that will phase in and test this new verification approach. I urge this committee to provide the funding needed to develop the computerized system and implement the pilot programs.

Third, the Commission urges greater consistency in our immigration and benefits policies. We believe that illegal aliens should be eligible for no public benefits other than those of an emergency nature, in the public health and safety interest, and constitutionally protected. On the other hand, we urge the Congress to retain for legal immigrants eligibility for our safety net programs. The United States screens legal immigrants to determine if they will become public charges, but unforeseen circumstances-deaths, illnesses-occur. The Commission does not want to see individuals whom we have invited to enter become vulnerable when such situations arise. On the other hand, the Commission strongly supports efforts to make our public charge provisions work. We do not want the U.S. taxpayer to bear a burden when there is a sponsor in this country

who has pledged to provide support for an immigrant. The affidavits of support signed by sponsors should be legally binding, and the provisions for deportation of those who do become a public charge-for reasons known prior to entry-should be strengthened.

The Commission also made recommendations regarding impact aid for states and localities experiencing the fiscal effects of illegal immigration. We believe the federal government has a responsibility in this area. The first responsibility is to control illegal entries; the second is to help states and localities with their fiscal problems. However, we are skeptical of some of the data used to calculate these fiscal impacts. At present, the Commission believes that the data to support reimbursement of criminal justice costs are sound and we urge immediate reimbursement of these costs. We are not prepared to make such a recommendation regarding medical and education costs. We also urge that any impact aid provided require appropriate cooperation by states and localities in the enforcement of immigration policy.

Our fourth area concerns the removal of criminal aliens. The Commission supports enhancement of the Institutional Hearing Program that permits the federal government to obtain a deportation order while criminal aliens are still serving their sentences. Once the sentence is over, it is far easier and less expensive to remove the alien after an IHP proceeding. The Commission also recommends further negotiation of bilateral treaties that will permit deportation of criminal aliens to serve their sentences in their home countries.

The Commission has provided copies of our full report to the committee so I will not go into details on the other recommendations. Let me turn my attention to this year's work. The Commission is currently at work on three reports while engaging in research needed to answer the longer-term questions in our legislative mandate. Our budget justification spells out these reports in some detail so let me emphasize our work in only one of these areas: legal immigration.

At the request of the House and Senate Judiciary Committees, the Commission has accelerated its examination of the legal immigration system in order to make recommendations by June 1. Last week, we spent a day of Executive Session debating basic principles to underlie our legal immigration policies. We discussed the national interest in family reunification, employment-based immigration, and diversity, refugee, and humanitarian admissions and we set out the objectives that each of us wants from legal immigration. During the next two months, we turn our attention to the numbers and criteria for admission that fulfill these objectives, the procedures we use to determine the admissibility of individuals applying for permanent and temporary admission, and other similar issues.

We are also looking at naturalization and the civic integration of newcomers to the United States. I, for one, would like to see all eligible immigrants become U.S. citizens-and become citizens for the right reasons, not to receive some federal benefit but to be fully participating members of our polity. Right now, there are too many barriers to naturalization. In some districts, it can take two years to complete the process. We plan to have recommendations to improve this situation.

Now, for FY 1996. We have requested an increase in appropriations for next fiscal year because we see a significant increase in our work. We expect and support major administrative and

legislative action this year on immigration reform. The Commission feels an obligation to monitor the implementation of these initiatives so that we can give an independent assessment to the Congress of their effectiveness in reducing illegal immigration.

In addition to these assessments, the Commission will also turn its attention to structural issues in the implementation of U.S. immigration policy. Having made interim recommendations on improvements we urge regarding both legal and illegal immigration, the Commission will examine the adequacy of the structures we have in place to implement such policy. In our 1994 report, we already raised a number of questions regarding implementation and coordination of policy. For example, we have concerns about our border management apparatus, the coordination between the INS and the Department of Labor in worksite investigations, and the infrastructure to support effective enforcement and service delivery. These and other similar issues will be the focus of our attention in the next fiscal year. The Commission also will continue its assessment of the labor market, fiscal, social, and demographic impacts of immigration, as required by our statutory mandate. We already have begun two major, two-year research initiatives that will provide cutting-edge information on these issues. One is an expert panel at the National Academy of Sciences to assess the literature on the demographic, labor market, and fiscal effects of immigration, to undertake new research to fill gaps in current understanding, and to report to the Commission on their conclusions regarding the short-term and long-term implications of immigration for U.S. society. The second is a binational study with Mexico that should provide new information on the scale, characteristics, and impact of the largest single source of both legal and illegal immigration to this country. This binational study will permit data collection in both countries, providing answers to questions that cannot be examined adequately with data from the U.S. alone.

I thank you again for this opportunity to discuss the work and recommendations of the Commission on Immigration Reform. I also want to state for the record our commitment to work with this Committee as you address the very challenging issues arising in the appropriation of funds to improve implementation of immigration policy. We are the creation of Congress and offer ourselves as a resource to help you in your work. Dr. Martin and I would be pleased to answer questions.

---

U.S. COMMISSION ON IMMIGRATION REFORM

Last update August 15, 1996