

**IMMIGRATION USER FEE**

(Dollars in thousands)

**Permanent Indefinite Special Fund**

	Perm. Pos. 1/	FTE	Amount
2000 actuals.....	3,836	3,707	\$451,768
2001 availability .....	3,990	3,956	494,384
Adjustments to base			
Increases (See p. 95).....	...	77	25,121
Decreases (See p. 95).....	...	...	-4,130
2002 base.....	3,990	4,033	515,375
Program changes (detailed below).....	558	279	76,491
2002 estimate.....	4,548	4,312	591,866

1/ Permanent positions reflect positions funded from program revenues and are not included in the Department's total position level.

Comparison by activity and program	2001 Availability			2002 Base			2002 Estimate			Program Changes		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Enforcement:												
Inspections.....	3,335	3,356	\$307,386	3,335	3,433	\$325,676	3,874	3,702	\$395,392	539	269	\$69,716
Investigations.....	53	46	6,853	53	46	7,057	53	46	7,057	...	...	...
Detention and Removals.....	177	166	82,519	177	166	83,481	192	174	89,993	15	8	6,512
Intelligence.....	27	27	3,407	27	27	3,517	27	27	3,517	...	...	...
Subtotal.....	3,592	3,595	400,165	3,592	3,672	419,731	4,146	3,949	495,959	554	277	76,228
2. Immigration Support:												
Training.....	23	23	2,335	23	23	2,445	23	23	2,445	...	...	...
Data & Communications Systems.....	32	28	52,083	32	28	52,306	32	28	52,306	...	...	...
Information & Records Management.....	32	28	2,570	32	28	2,608	32	28	2,608	...	...	...
Legal Proceedings.....	129	122	13,894	129	122	14,401	133	124	14,664	4	2	263
Subtotal.....	216	201	70,882	216	201	71,760	220	203	72,023	4	2	263
3. Program Direction:												
Management and Administration.....	182	160	23,337	182	160	23,884	182	160	23,884	...	...	...
Total.....	3,990	3,956	494,384	3,990	4,033	515,375	4,548	4,312	591,866	558	279	76,491

Program Description

The Immigration User Fee Account was established in the Department of Justice Appropriations Act of 1987. Most of this account's revenue is generated from a \$6.00 fee charged to each passenger arriving in the United States aboard a commercial aircraft or vessel from a foreign location. Cruise ship passengers, whose journey originates in Canada, Mexico, or any territory or possession of the United States, or any adjacent island to the United States, are currently exempt from this fee.

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The President's 2002 budget includes language that would increase the current user fee by \$1.00, to \$7.00, and would also lift the cruise ship exemption and institute a \$3.00 cruise ship fee from passengers whose journeys originated in Mexico, Canada, the United States, a territory or possession of the United States, or any adjacent island to the United States. However, it would not apply to immigration inspection at designated ports-of-entry of passengers arriving by Great Lakes international ferries or Great Lakes vessels on the Great Lakes and connecting waterways, when operating on a regular schedule. The requested fee changes are included in the General Provisions, and the 2002 User Fee funding level is based on these two provisions. The user fee was last increased (from \$5.00 to \$6.00) in FY 1994. In 2001, INS anticipates that program costs will exceed new revenues again and, without a fee increase, INS will use prior year balances in FY 2002.

<u>Program Changes</u>	<u>Perm Pos.</u>	<u>FTE</u>	<u>Amount</u>
<b>Airport Inspections</b> .....	459	230	\$63,451

1. Inspectors at International Airports

INS requests 283 positions, 142 workyears, and \$19,927,000 for additional Immigration Inspectors at new and renovated airport terminals, as well as at high growth airports. Current construction at international airports will increase the number of international gates and primary inspection booths. With the anticipated increase in international travelers at each location, INS will require additional inspectors in order to process all passengers within the statutory requirement of 45 minutes.

2. Passenger Analysis Units

INS requests 60 positions, 30 workyears, and \$4,510,000 for additional Immigration Inspectors to staff passenger analysis units at airports. These units are a joint INS/U.S. Customs initiative that analyze traveler information in advance of plane arrivals in order to identify inadmissible aliens, including criminal aliens, drug traffickers, and terrorists. These units will review passenger listings prior to the plane's arrival and will place lookouts in the computer systems, so that inadmissible aliens can be intercepted during primary inspection.

3. Administrative Assistance for Inspections

INS requests 97 positions, 48 workyears, and \$4,144,000 for additional inspection assistants and clerks to perform ancillary, inspection functions at medium and large airports. These functions include assisting passengers with forms, taking photographs and fingerprints, mailing and logging immigrant visas, and conducting record and database searches. This increase in support staff will allow inspectors, currently assigned to these functions, to return to their primary mission.

4. Detention and Removals

INS requests 15 positions, 8 workyears, and \$6,512,000 for 7 Detention Enforcement Officers, 3 Deportation Officers, 5 Docket Clerks, and 200 additional detention beds. These resources will support the significant increases in projected workloads at high growth airports.

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<u>Program Changes</u>	<u>Perm Pos.</u>	<u>FTE</u>	<u>Amount</u>
<p>5. <u>Automated Entry/Exit System</u></p> <p>INS requests \$14,370,000 for the initial investment in an automated entry/exit system at airports. On June 15, 2000, the INS Data Management Improvement Act of 2000 (P.L. 106-215) was enacted. This Act amends Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act to require the development of an integrated entry and exit data system that would use available data to record alien arrivals and departures in an electronic format, without establishing additional documentary requirements. The implemented system will fully automate the I-94 process, increase data integrity, and maintain departure control data.</p>			
<p>6. <u>Carrier Consultant Program</u></p> <p>INS requests \$6,300,000 for the Carrier Consultant Program. This funding will strengthen INS' ability to support carrier training requirements, improve communication with the carriers, and reduce illegal migration. Training initiatives will be targeted to high-risk carriers and focus on questions of admissibility, fraud deterrence, and carrier responsibilities as they relate to U.S. immigration laws. With this funding, INS will also conduct a feasibility study on the development of a Carrier Response Center. This project is in response to an industry request for a single authoritative link, available to airline personnel, on issues of entry requirements, anti-fraud, document identification, and immigration law. INS will also use this funding for the publication and distribution of intelligence alerts.</p>			
<p>7. <u>2002 Winter Olympics</u></p> <p>INS requests \$1,000,000 for the increased inspections volume related to the 2002 Winter Olympics. This funding will provide the necessary overtime, staff details (travel and per diem), and equipment associated with inspection services for arriving foreign participants, their family members, and visitors.</p>			
<p>8. <u>Information Technology Initiatives</u></p> <p>INS requests \$6,425,000 for information technology initiatives pertaining to airport inspections. INS is requesting \$3,200,000 for the National Automated Inspections Lookout System (NAILS); \$2,000,000 to study alternative technology that would streamline airport inspections; \$800,000 for the expansion of Inspections Traveler Examination (INTEX); and \$425,000 to purchase additional Live Scan Devices that would send electronic fingerprint submissions to the FBI's Integrated Automated Fingerprint Identification System (IAFIS).</p>			
<p>9. <u>Legal Proceedings</u></p> <p>INS requests 4 positions, 2 workyears, and \$263,000 to support the increased immigration inspector staffing. Three attorneys and one legal assistant are needed to address the growing workload that will be generated by these additional inspectors.</p>			

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<b>Seaport Inspections</b> .....	99	49	\$13,040
1. Additional Inspectors at Seaports			
<p>INS requests 54 positions, 27 workyears, and \$4,153,000 for additional Immigration Inspectors at newly activated seaport terminals and current terminals that are understaffed due to the growth in the cruise ship industry.</p>			
2. Passenger Analysis Units			
<p>INS requests 20 positions, 10 workyears, and \$2,273,000 for additional Immigration Inspectors to staff passenger analysis units at seaports. These units are a joint INS/U.S. Customs initiative that analyze traveler information in advance of ship arrivals in order to identify inadmissible aliens, including criminal aliens, drug traffickers, and terrorists. These units will review passenger listings prior to the ship's arrival and will place lookouts in the computer systems, so that inadmissible aliens can be intercepted during primary inspection.</p>			
3. Administrative Assistance for Inspections			
<p>INS requests 25 positions, 12 workyears, and \$1,069,000 for additional inspection assistants and clerks to perform ancillary, inspection functions at seaports. These functions include assisting passengers with forms, taking photographs and fingerprints, mailing and logging immigrant visas, and conducting record and database searches. This increase in support staff will allow inspectors, currently assigned to these functions, to return to their primary mission.</p>			
4. Information Technology Initiatives			
<p>INS requests \$5,545,000 for information technology initiatives pertaining to seaport inspections. INS is requesting \$2,330,000 for the Automated Entry/Exit System; \$1,800,000 for the Vessel Inspection Processing System; \$1,180,000 for portable workstations that access NAILS; and \$235,000 to upgrade NAILS.</p>			
Total Program Changes, Immigration User Fee.....	558	279	76,491