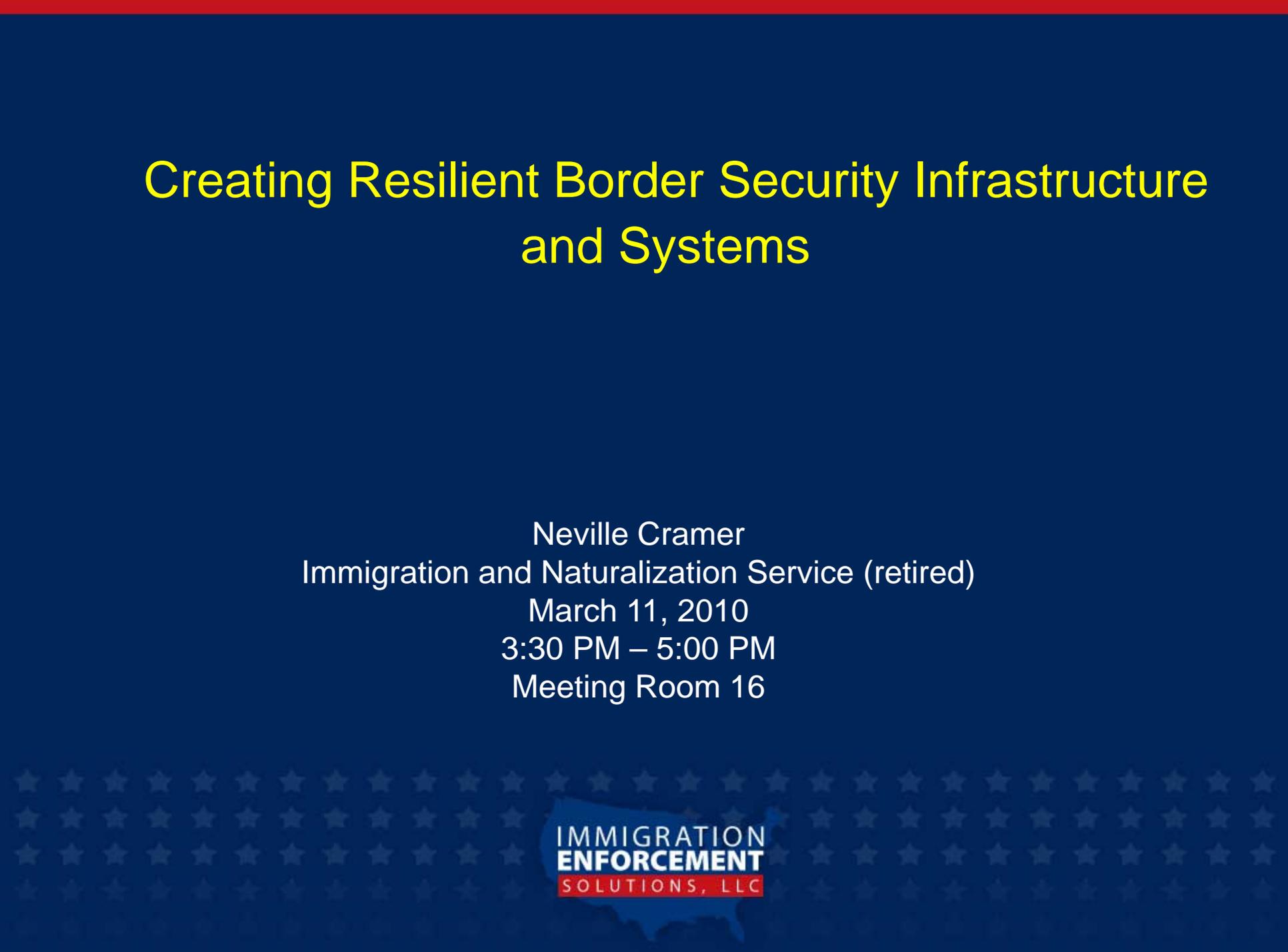


Creating Resilient Border Security Infrastructure and Systems

Neville Cramer
Immigration and Naturalization Service (retired)
March 11, 2010
3:30 PM – 5:00 PM
Meeting Room 16



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Legal Immigration

- The single largest impediment to maintaining or increasing legal immigration to the U.S., is our inability and unwillingness to control illegal immigration.

Issues

Policies and Programs

Comprehensive Immigration Reform

Border Security

Interior Enforcement – E-Verify

Recommendations

Policies and Programs

Government “policies” and programmatic realities

- Government “policies” are only as good as the programs, processes and procedures used to implement them.
- Policies are mostly for media & public consumption.
- Programmatic successes and failures tell the real story!

A New Way Forward

In almost every instance, successful immigration enforcement programs have been sabotaged and/or eliminated.

Programs that have miserably failed to control illegal immigration have consistently been funded and supported by Congress, the media and immigration advocates.

This must be changed!

Programs and New Technology

- There must be a much closer relationship between the scientific community, contractors, researchers, each agency's officer corps and policy makers.
- Without coordination of ALL parties, creating a resilient infrastructure will be virtually impossible.
- Establishing the National Center for Border Security and Immigration (BORDERS) is a “first step” in the right direction.

The E-Passport



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The first Malaysian E-Passport
was introduced in March, 1999!

Eleven years ago!

The E-Passport



The E-Passport

- Biographic and biometric information is embedded on “write-once only” RFID chip.
- Allows for visual comparison of photo and biographic information.
- Electronic comparison of fingerprints
- Currently the most secure system in the world.

The E-Passport- KLIA, Malaysia

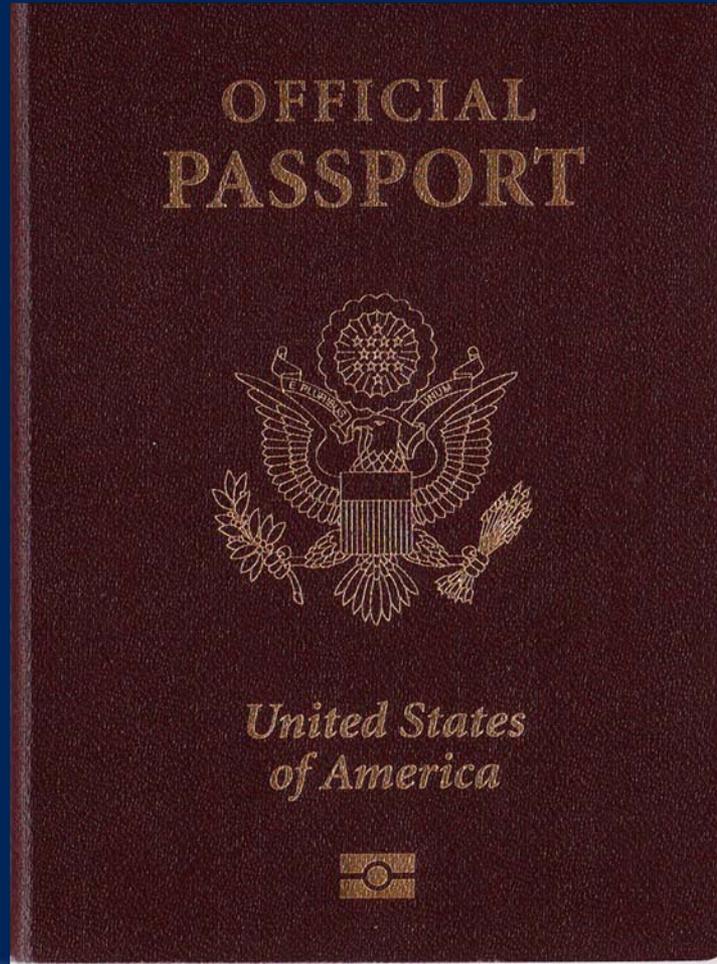


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Passports & International Travel

U.S. POLICY - To facilitate the movement of citizens and aliens across our international borders with professionalism and the highest level of security possible.

U.S. E-Passport



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The E-Passport

- Using the APIS System – (Automated Passenger Information System) and,
- The fingerprints, photographs and biographic information on the E-Passport;
- U.S. Citizens returning home could be screened at check-in;
- Biometric (fingerprint) and biographic pre-arrival checks completed during flight;
- Automated inspection at arrival.

Advantages of all E-Passports

- Facilitate inspection and entry of citizens & foreign nationals
- Prevent use of multiple identities
- Detect imposters, criminals and terrorists
- Rapid Identification for law enforcement
- Eliminate waiting period for deportation travel documents
- Eliminate the need for airlines to capture and transmit passenger data

A380 Airbus – An Immigration Nightmare

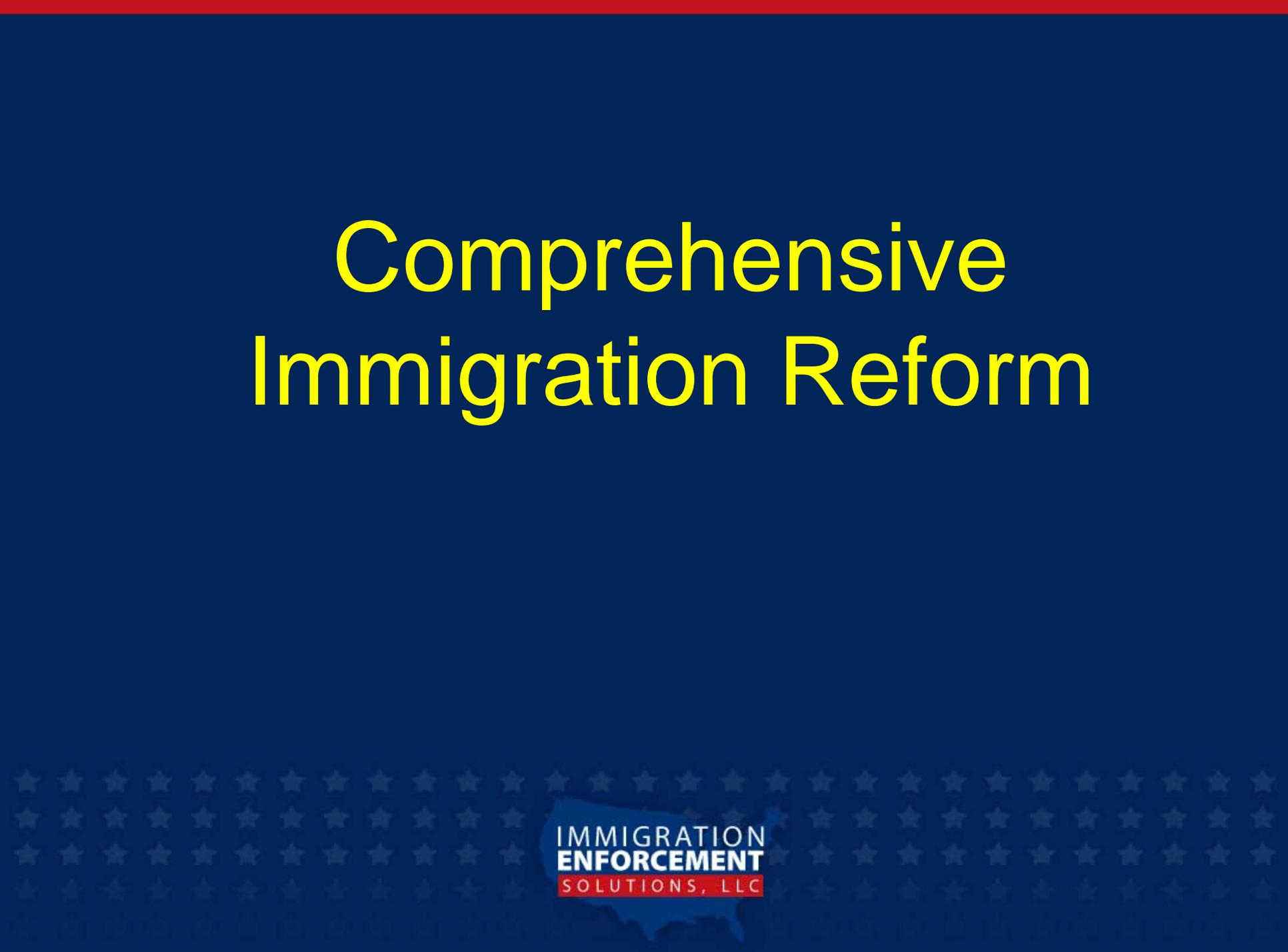


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The E-Passport

- In 2004, officials who had little or no experience with processing passengers at our international ports of entry decided NOT to put fingerprints on our new E-Passports!
- Without the inclusion of fingerprints or another biometric, every regular U.S. E-Passport issued today puts us another 10 years behind in the proper use of this technology!

Comprehensive Immigration Reform



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1986 Immigration Reform & Control Act

- 1986 Immigration Reform and Control Act
 - Secure our borders
 - Employer sanctions to prevent hiring of illegal immigrants
 - Amnesty for 2.8 million illegal immigrants

Comprehensive Immigration Reform

- 2010 & beyond –
 - Secure our borders
 - Employer sanctions to prevent hiring of illegal immigrants
 - Amnesty for millions of illegal immigrants

LOOK FAMILIAR?

Border Security



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Border Patrol Headquarters – Eagle Pass, Texas (1976)



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The U.S. Border Patrol - Facts

1978 – USBP had approximately 2,000 Border Patrol Agents and approximately 2 million illegal immigrants were in the United States.

2009 – 16,000 Border Patrol Agents and approximately 16 million illegal immigrants in the U.S.

By 2030 – 50,000 Border Patrol Agents and 50 million illegal immigrants.

Over the last thirty years the Border Patrol's size has increased tenfold, and over the exact same period the number of illegal immigrants in the U.S. has increased tenfold as well.

Simply adding more Border Patrol Agents has never worked, yet every single piece of major immigration reform legislation has funding for additional Border Patrol Agents!

The U.S. Border Patrol

Those who support increased illegal immigration have always supported giving more resources to the U.S. Border Patrol (as opposed to strengthening interior enforcement.)

WHY?

Simply increasing the size of the Border Patrol has never worked and it never will.

U.S. Border Security

- The goal is to gain “operational control” of our borders.

U.S. Border Security

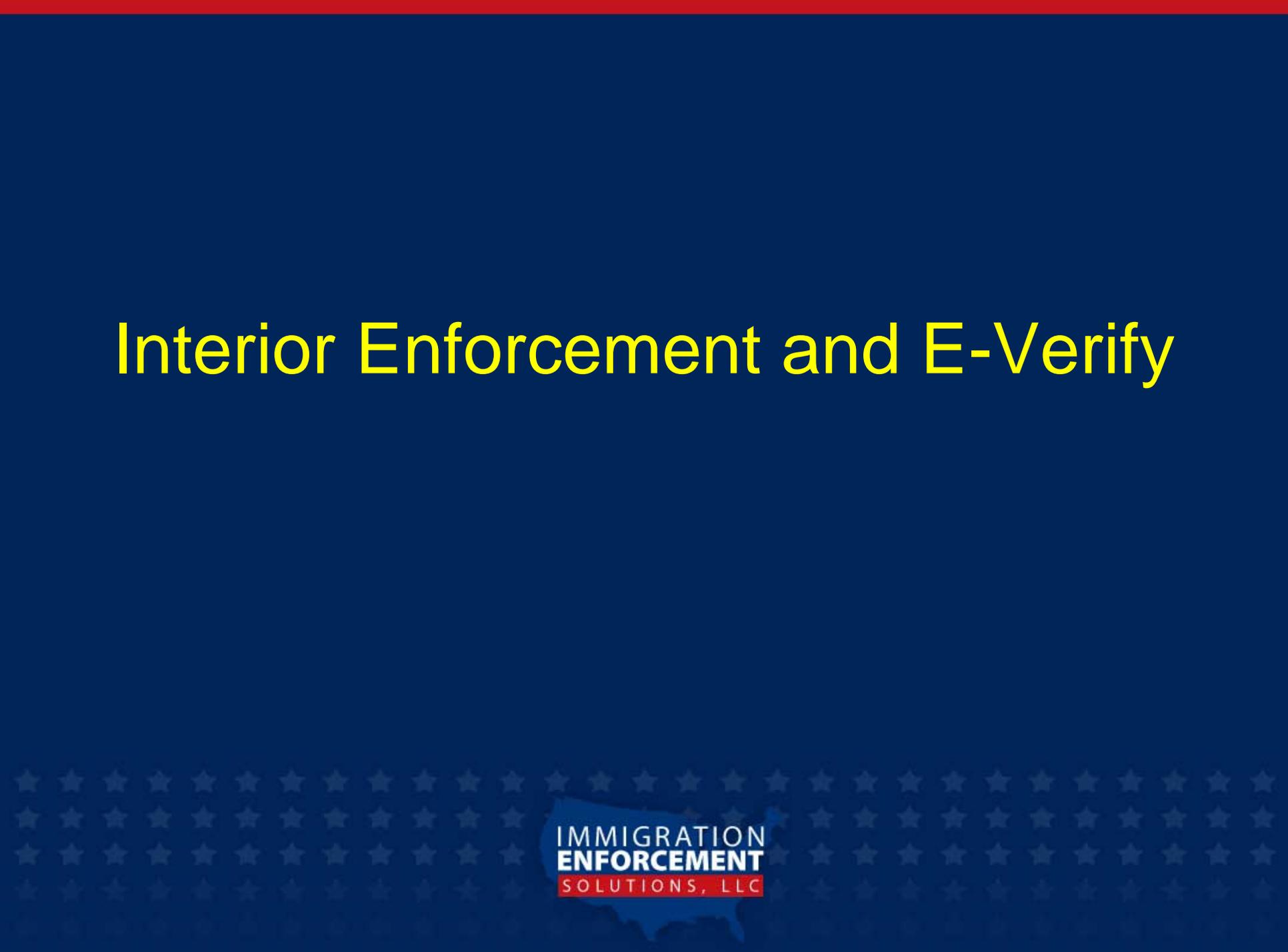
Technology – more sensors, ground radar systems, cameras and barriers (in high traffic areas.)

UAV's (drones) & satellites

Significant increase in DETENTION - detain most illegal immigrants illegally crossing the border for 60 to 90 days. (Operation Streamline –Yuma, Arizona.)

“Economics” is still the most powerful push factor creating illegal immigration to the United States.

Interior Enforcement and E-Verify



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I-9 Form

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB No. 1615-0047; Expires 03/31/07
Employment Eligibility Verification

Please read instructions carefully before completing this form. The instructions must be available during completion of this form. **ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work eligible individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification. To be completed and signed by employee at the time employment begins.

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

- A citizen or national of the United States
 A Lawful Permanent Resident (Alien #) A _____
 An alien authorized to work until _____
(Alien # or Admission #) _____

Employee's Signature _____ Date (month/day/year) _____

Preparer and/or Translator Certification. (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature _____ Print Name _____
Address (Street Name and Number, City, State, Zip Code) _____ Date (month/day/year) _____

Section 2. Employer Review and Verification. To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

Document title:	List A	OR	List B	AND	List C
Issuing authority:	_____		_____		_____
Document #:	_____		_____		_____
Expiration Date (if any):	_____		_____		_____
Document #:	_____		_____		_____
Expiration Date (if any):	_____		_____		_____

CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) _____ and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative _____ Print Name _____ Title _____
Business or Organization Name _____ Address (Street Name and Number, City, State, Zip Code) _____ Date (month/day/year) _____

Section 3. Updating and Reverification. To be completed and signed by employer.

A. New Name (if applicable) _____ B. Date of Rehire (month/day/year) (if applicable) _____

C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility. Document Title: _____ Document #: _____ Expiration Date (if any): _____

I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative _____ Date (month/day/year) _____

NOTE: This is the 1991 edition of the Form I-9 that has been rebranded with a current printing date to reflect the recent transition from the INS to DHS and its components.

Form I-9 (Rev. 05/31/05) Page 2

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Interior Enforcement – Employer Sanctions – E-Verify

Reducing illegal immigration to the U.S. to a manageable level will only occur when:

- (1) the U.S. implements a nationwide mandatory automated employment eligibility verification system (E-Verify), and
- (2) deploys a sufficient cadre of interior enforcement officers who have the authority to levy significant fines and criminal penalties against non-compliant employers.

U.S. Birth Certificates and other “breeder documents”

- Biometrics (fingerprints) must be added to U.S. birth registration.
- Birth registration and certification should be a federal responsibility.
- Federal funding should be authorized for re-registration of U.S. births.

E-Verify and U.S. Employment Documentation

- All documents used for employment authorization must eventually contain a photograph and fingerprints of applicant.
- All biographic information (and some biometric information) must be verifiable through the E-Verify automated system.
- Misuse of employment authorization documents to subvert E-Verify must have significant penalties

Recommendations

Responsible Federal Agencies

- U.S. Dept of Justice – Prior to 9/11 –***
Immigration and Naturalization Service (INS)
 - U.S. Dept. of Homeland Security – Post 9/11***
Customs and Border Protection (Border Patrol &
Inspections at ports of entry)
Immigration and Customs Enforcement (ICE)
Citizenship and Immigration Services (CIS)
- ***Bureau of Consular Affairs at the U.S. Department of State also has significant visa issuance responsibilities.

Need for a Cabinet Level Immigration Agency

- Directly Affected Agencies— Homeland Security, Justice, State & Labor.
- Indirectly Affected Agencies— Health and Human Services, Education, Commerce, Transportation & Housing and Urban Development.

Need for a Bi-Partisan National Immigration Policy Board

- Set visa category limitations
- Remove immigration process decisions out of the political arena
- Review and authorize new technology
- Set refugee and asylum limits
- Review, authorize and suspend Temporary Protected Status

U.S. Immigration

It can be fixed!

Neville Cramer
Immigration and Naturalization Service (retired)



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