

EXTENSIONS OF REMARKS

CONGRESSIONAL IMMIGRATION REFORM CAUCUS HEARING

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. TANCREDO. Mr. Speaker, recently the Congressional Immigration Reform Caucus held a hearing on INS reform, as well as the connections between immigration policy and terrorism. Our witnesses gave immensely insightful testimony. I am submitting the statement of Mr. Mike Cutler for the record.

TESTIMONY OF MICHAEL CUTLER, INS SENIOR
SPECIAL AGENT

Chairman Tancredo, members of the Congress, ladies and gentlemen, I greatly appreciate this opportunity to share my views and perspectives which I have acquired during my roughly 30 years as an immigration officer. I would like to start out by giving you an overview of my career with the INS, I will summarize it for you briefly.

I entered on duty with the INS at New York City in October, 1971, as an Immigration Inspector at JFKIA. I ultimately spent 4 years in that assignment conducting inspections of passengers arriving at that port and seeking entry into the United States. During the course of that assignment I was detailed for approximately one year to an examinations unit known as the I-130 Unit, so-named because the applications which we were adjudicating were known as I-130 Petitions. These are the petitions that are filed by spouses and other relatives who are seeking to obtain Lawful Permanent Resident Alien status for their respective spouses, children or other immediate relatives. My assignment dealt with the I-130 petitions which were filed by either United States citizens or LPRs on behalf of their alien spouses. My goal in this assignment was to seek to uncover marriage fraud in which the marital relationship exists only for the purpose of providing the alien beneficiary with LPR status.

In 1975 I became a Criminal Investigator or, as it is now known, a Special Agent. I have remained a Special Agent with the INS since August of 1975. I have rotated through just about every squad within the Investigations Branch of the INS at NYC during my tenure as a Special Agent. I spent several years, in the aggregate assigned to the Frauds Unit in which I was responsible to uncover a variety of fraud crimes involving INS issues, from fraud schemes carried out with the ultimate goal of obtaining LPR status and/or U.S. citizenship, to the use of fraudulent identity documents to otherwise circumvent the laws enforced by the INS.

In 1988 I was assigned to the Unified Intelligence Division of the New York office of the Drug Enforcement Administration. In this assignment I was responsible to work cooperatively with members of the DEA and other law enforcement personnel and analysts from a wide variety of other agencies including members of the NYPD, New York State Police, U.S. Customs Service, Internal Revenue Service, Federal Bureau of Investigation, Royal Canadian Mounted Police and British Customs. My assignment here

lasted for approximately 3 and a half years. During this assignment I decided to conduct a study on the individuals who were arrested by the DEA by reviewing DEA arrest records. We determined that approximately 60 percent of the individuals arrested by DEA and the DEA Task Force were identified as being "foreign born." Nation-wide approximately 30 percent were identified as "foreign born." For the 3 years that I tracked these statistics, there were only slight variations on the percentages. Although these numbers are now over 10 years old, I imagine that the percentages are probably not much different.

In 1991 I was promoted to my current position of Senior Special Agent and assigned to the OCDETF Unit (Organized Crime, Drug Enforcement Task Force). This assignment requires that I work with other agencies to investigate, apprehend and prosecute aliens who are involved in narcotics trafficking and related crimes.

The INS is charged with the responsibility of enforcing laws that govern the entry of aliens into the United States as well as those laws that are involved in the granting of Lawful Permanent Resident Alien status to aliens and to the bestowing of U.S. citizenship on aliens.

It is often said that you only get one opportunity to make a first impression. Generally speaking, the first laws that aliens entering the United States encounter are those laws that the INS is supposed to enforce. When the INS fails to effectively, consistently and fairly enforce these laws, we are sending a very dangerous message to aliens seeking to enter the United States. In effect we are telling them that not only can they expect to get away with violating our laws, they can anticipate being rewarded for violating our laws!

I have come to think of the INS law enforcement program as a tripod. The Border Patrol is responsible for enforcing the laws between ports of entry, the Immigration Inspectors are charged with the responsibility of enforcing the laws at ports of entry and the Special Agents are supposed to back up both of the other two divisions. Each of these components of the enforcement program, in my opinion, need to be emphasized equally. Just as a camera's tripod needs to have three legs of equal length, the enforcement tripod needs to rest equally on each of its three legs. If you shorten one of the legs on your camera's tripod, it falls over. This is the reality of the INS enforcement program. It seems that each time the call goes out to tighten up on the enforcement of the immigration laws, the typical response is to hire more border patrol agents. I am a great fan of the Border Patrol, they do dangerous and difficult work, however, if we do not also boost resources allocated to the interior enforcement mission, the entire enforcement program becomes ineffective. Aliens who are illegally in the United States don't only come to this country by running the border. Often, they obtain visas under assumed identities or violate the terms under which they were admitted after they enter the United States. As we have seen with the terrorists, most of them, from what I have read, appear to have entered the United States with visas that were issued by the State Department and then engaged in their treacherous missions. The task of tracking down such aliens is purely the domain of the Special Agents.

We also need to exploit technology to help us to track aliens entering and departing the United States. We need to also use this technology to help prevent aliens and other criminals from creating multiple identities for themselves, further complicating the law enforcement efforts of the INS as well as other law enforcement organizations.

We have heard calls recently for the implementation of a student tracking system. We have similarly heard calls for the INS to keep gabs on non-immigrants who violate their terms of admission (or immigration status). I couldn't agree more with these goals, however, I would like to know who is supposed to do this work? If we simply enter this information in a computerized database, we certainly will become aware of violations of the Immigration laws, but then what? I presume that the goal of establishing a tracking system would be done to enable the INS to remove those aliens who violate their Immigration status, however, without a cadre of dedicated Special Agents, who will do the job? Currently, according to published statistics there are fewer than 2000 Special Agents of the INS nation-wide. At the present time, there are approximately 100 Special Agents to cover the southern half of the state of New York, including New York City.

Clearly this situation is untenable. We need to have many more Special Agents. We also need to have an agency that functions effectively. At present, each district office operates more as a franchise than as a component of a paramilitary organization. While I agree that each office needs to have some autonomy to take regional variations into account, the over-all functioning of the agency should stress a direct chain of command from Headquarters to each and every field agent throughout the United States. Each employee needs to feel that he or she is within the chain of command to headquarters and the level of accountability should be directly proportionate with the level that the employ works at. That is to say, the higher up the chain of command, the more accountable the employee needs to be. Issues of morale and attrition rates which have been, in my experience, virtually ignored, can no longer be ignored. A considerable sum of money is spent on recruiting and training each law enforcement officer of the INS. Special Agents require several years from the time they are hired to the time when they are truly "up to speed" and possess the skills and abilities that they need to do their difficult and complex jobs. However, for many reasons, highly qualified agents often leave the INS shortly after they complete their training at the Academy. This revolving door is not cost effective and helps to erode morale and efficiency in those offices which suffer from high attrition rates. It would seem that when Special Agents resign they should be given formal exit interviews to identify the issues which caused them to leave. To my knowledge, this is not being done. Often the agents who leave go on to other agencies where many of them develop successful careers.

The role of the Special Agents is vital. When our nation was attacked on September 11, 2001, the danger posed by terrorists became all too clear, however, various criminal

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

organizations over the years have also exacted their toll from our nation and our people. Go back to that statistic I quoted earlier. Sixty percent of all people arrested in New York City by the DEA and the DEA Task Force were identified as being foreign born. Over the years, how many people may have lost their lives or suffered terribly at the hands of narcotics traffickers? What of the impact of other criminal aliens? We have seen the rise of ethnic organized crime throughout our nation. How many more people have fallen victim to these criminals? The most effective way of dealing with these criminals is to beef up the interior enforcement program of the INS. Any law enforcement agency has two primary goals. Goal one is the detection of crime and the successful investigation, apprehension and prosecution of the criminal who commits the crime. The second goal is to be a credible deterrent to those who would violate the laws which fall under the jurisdiction of that law enforcement agency. This goal is directly dependent on how effectively the agency carries out its first goal. Without an effective interior enforcement program, criminal aliens are emboldened to attempt to enter our nation to commit their crimes. They are not deterred by a program that lacks manpower and leadership. We need to change the reality and consequently, the perception. Not only to prevent future terrorist attacks, but to also deter criminal activities of a wide spectrum of criminals who still find America to be a "Land of Opportunity".

Please understand, I am not opposed to the lawful entry of aliens who come to the United States to share the "American Dream", I only take issue with those who come here in violation of law and who end up creating America's nightmares. Indeed, my own mother was welcomed by this country shortly before the Second World War, enabling her to survive, while her mother, for whom I am named, perished in the Holocaust. We simply need to know who we are admitting and having an agency that possesses the resources to not only track aliens who end up violating their Immigration status, but also has the resources to track them down and ultimately, when appropriate, remove them from the United States. This capability is a matter of nothing less than national security.

ESSAY BY PHILIP ALDRIDGE

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mr. OTTER. Mr. Speaker, in the wake of September 11th, our view of America has shifted. It is as if someone cleaned the window of our perspective, removing the dirt of cynicism and distrust and allowing us to see anew the opportunities that being Americans offers us. Suddenly, we have joined together, united in our resolve to both fight for freedom and to appreciate the freedoms we have. Rather than bickering over petty differences, we find ourselves more willing to reach out to each other, more aware of the basic truths on which our country was founded, and more thankful to those who fought and died to ensure that we can enjoy freedom.

Our renewed sense of patriotism and gratefulness is expressed through the eyes of our young people. Philip Aldridge, an eighth grader from Coeur d'Alene, Idaho, reminds us about how blessed we are to call ourselves

Americans. His essay, "America's Heroes", was written in honor of Veteran's Day on November 11th. I would like to thank Philip for sharing his thoughts with me. His words inspire us to show appreciation for the freedoms we enjoy but often take for granted.

AMERICA'S HEROES

(By Philip Aldridge)

Have you ever stopped and thought about how nice it is to live in America? More often than not, our society takes the hard-earned freedoms that have been bestowed upon us for granted. These rights and freedoms upon which our country was built have been challenged many times and yet we still stand strong and united. For this we can recognize all the men and women of America who have fought with great pride and who gave their lives for what they so strongly believed in. These are our veterans.

Our country enjoys many freedoms not recognized by many. But do you realize that these are what make our nation strong? One of these rights is freedom of religion. Our country was inhabited and founded by men and women who unfortunately had religion forced upon them. Religious tolerance, which means the willingness to accept faith different from your own, was put into place during the birth of our country.

Every four years we elect a president. And every four years, people complain about who was elected. If you look at other countries, the people don't even choose who their leader is. In most cases, the leader either comes from a line of royalty or he assembles himself with full power. We the people of America, are very fortunate to have a freedom to vote.

The most well-known freedom in our society is freedom of equality. In the Declaration of Independence, it states that all men are created equal. This means that whether you're of a different race or if you're a male or female, everyone has equal rights.

Any citizen of the United States should be deeply grateful for these freedoms for which soldiers have fought and defended. We can show appreciation for these privileges by serving our country, respecting its laws, and honoring America's heroes and patriots . . . our veterans.

IN HONOR OF RITA J. KAPLAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 2001

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay special tribute to Rita J. Kaplan, who is the driving force behind the new mammography clinic at Bellevue Hospital in New York City.

Ms. Kaplan is an inspiration to us all. She is a known fighter and victor for important causes. She fights for what she believes in and never loses her sense of compassion for others.

Ms. Kaplan realized the need for a new clinic at Bellevue Hospital when a family member was diagnosed with breast cancer. Ms. Kaplan's four grandparents, who arrived in the early 1890's, had a history of receiving extraordinary and caring treatment at Bellevue, and she wanted to make sure that today's Bellevue patients continue to receive first class care. Recognizing that Bellevue's mammography clinic needed refurbishment and new equipment, Ms. Kaplan devoted her con-

siderable energies and resources to making Bellevue's facility the finest available. In her honor, Bellevue is naming the new center, the Rita J. Kaplan Breast Imaging Center.

As a child, Ms. Kaplan wanted to be a doctor, but while in college at the University of Wisconsin, she turned to a career in social work. She continued on with her education, receiving a master's degree in social work from Columbia University. She was trained as a clinical social worker and received advance training at the Ackerman Institute, in family therapy.

In the early 1980s, she and her husband, Stanley H. Kaplan, donated a fund to found the Rita J. and Stanley H. Kaplan Comprehensive Cancer Center. They also donated \$2 million to help establish a new home for the Jewish Board of Family and Children's Services, which was named in their honor.

Ms. Kaplan, a life-long crusader and political activist, is a member of the Board and Executive Committee of the Jewish Board of Family and Children's Services; Chairperson of the Management Committee of Jewish Connections, Divisional Committee of JBFCS; Member of the Management Committee at Kaplan House; and a Member of the Board of Sutton Place Synagogue where she sits on the Rabbi's Committee. She also sits on various UJA-Federation committees.

Ms. Kaplan served on boards of the Hemlock Farms Community Association in the Poconos; the Brooklyn Philharmonic Orchestra; the Madeline Borg Community Services Divisional Committee; and the Board of the Solomon Schechter High School of New York.

Mr. Speaker, I salute the work of Rita J. Kaplan, and I ask my fellow Members of Congress to join me in recognizing her contributions to the New York community and to our country. Thank you.

EXPRESSING SENSE OF CONGRESS IN HONORING THE CREW AND PASSENGERS OF UNITED AIR- LINES FLIGHT 93

SPEECH OF

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2001

Mr. TANCREDO. Mr. Speaker, I rise in support of H.R. 3248 and wish to fully express my gratitude to the crew of United Flight 93, and especially its captain, Jason M. Dahl. It was with immense sadness that I learned that the Dahl family and indeed all of Colorado had been robbed on September 11th of a good man and a good father. Mr. Dahl's family, to paraphrase President Lincoln, must feel enormous pride for having laid such a costly sacrifice upon the altar of freedom.

According to a friend, Dahl learned to fly before he learned to drive. A neighbor remembered Dahl's football and baseball games in the street with neighborhood children and his commitment to his family and his community. Having read the statements of those who eulogized him, I cannot help but conclude that the gentleman flying that plane was one of America's best—a great father and husband alike. Since September 11th, America has rediscovered the importance of family, and turned to family members for comfort and understanding. It is no small tragedy that the