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GENERAL GOVERNMENT
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Mr. Leonard F. Chapman, Jr. 86
Commissioner, Immigration and
Naturalization Service
Department of Justice

Dear Mr. Chapman.

We have completed a limited [review of the Immigration and Naturalization Service's (INS) alien removal program]. Our review included an examination of the practices and procedures for detaining and transporting deportable aliens by INS' Southwest regional office. We reviewed the legislation and INS policies concerning the removal of aliens. We examined pertinent records and interviewed officials at the INS Southwest regional office, San Pedro, California, INS district offices in Los Angeles, California, and Chicago, Illinois, and INS central office, Washington, D.C.

Our review showed that INS lacks basic data to comprehensively evaluate the effectiveness of its alien removal program. More specifically

- INS has not made a comprehensive evaluation of its Mexican interior repatriation program. Available evidence indicates the program is questionable.
- Efforts to assess alien busing operations has been limited. Consequently, INS has no assurance its buses are effectively used, the purchase of new buses are justified, or chartered buses are an economical alternative.

Additionally, the Immigration and Nationality Act (8 U.S.C. 1252(b)) needs to be clarified with respect to the payment of alien transportation costs.

INTERIOR REPATRIATION PROGRAM

In fiscal year 1976 INS was authorized \$2 million for its program of returning Mexican aliens to the interior of Mexico (commonly referred to as the interior repatriation program) as opposed to border towns. INS' justification for the program was that this program is more of a deterrent because it makes it more difficult for an alien to return to the United States. In its fiscal year 1977 budget, INS requested \$3.9 million for interior repatriation.

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According to INS the majority of the aliens expelled locally along the Southwest border attempt to illegally reenter the United States, many on the same day. If they are apprehended, they are again expelled along the border and the cycle repeats itself, creating a "revolving door" situation. INS believes interior repatriation is a much more economical alternative than apprehending the same alien repeatedly until he tires and goes home or finally evades U.S. authorities.

On the basis of apprehension data for only a 2 month period in 1970, INS determined that only 16 percent of the aliens returned to the interior attempt to reenter the United States within a year. However, INS has never made a comprehensive evaluation of the effectiveness of its repatriation program. We found that data needed for such an assessment is lacking. Preliminary evidence indicates the program is questionable. For example, transportation cost to the U.S. border is inexpensive from many of the Mexican interior locations used by INS. In addition, many aliens being transported never reach the designated destination.

The interior locations to which INS sends aliens are only about 150 miles to 750 miles from the nearest U.S. point of entry. The commercial bus fare for the city furthest from the border (750 miles) was estimated at \$12. Five out of seven locations, however, were less than 500 miles from the border. Thus, aliens may readily and inexpensively return to the United States. During fiscal years 1971-1975, 35 percent of the aliens were sent to locations about 200 miles from the United States.

Occasionally, INS sends informants along on the interior bus trip to report on aliens who leave the bus prior to arriving at their destinations. An INS report issued in September 1975 noted that only 238 of a total 351 aliens being transported, or 68 percent, arrived at their scheduled destinations. For the El Centro sector, included in the above report, INS noted that only 16 of the 32 aliens starting on one bus trip arrived at their destinations. Of the other 16, 9 paid the driver \$5 each to let them off only 4 miles from the border and the remaining 7 deserted the trip at various other locations.

INS officials told us that they plan to evaluate the program's effectiveness. We agree with INS' plan and recommend that the evaluation be completed before the program is expanded.

MONITORING THE BUS OPERATION

INS has made limited attempts to establish a system for monitoring and comprehensively reviewing its bus operation. Consequently, INS has

no assurance that its buses are effectively utilized, that the purchase of new buses are justified, or that chartered buses are an effective alternative. Once again, comprehensive data necessary for evaluating the effectiveness of this operation is lacking

We noted that:

- INS has raw data for analyzing bus utilization, but has never accumulated this data in a manner useful to measure utilization.
- Some buses were not used at all and other buses were used 30 days per month, depending on the location of the bus and the time of the year (apprehension of aliens increases during certain times of the year)
- Some locations which had low usage were nevertheless scheduled for additional buses.

One fundamental question facing INS is how to best move the aliens. Buses are the most economical answer, but whose buses? Should INS use charter services or operate in-house buses? Which option would be best on certain routes? INS, however, has not developed the data needed to answer these questions.

Cost comparisons made by INS of chartered versus in-house buses were based on incomplete data. In computing the cost of operating in-house buses, INS did not include bus depreciation and was using outdated information to identify personnel cost for each trip. Our examination of the cost of operating in-house buses showed that by including bus depreciation and updated personnel cost, INS' cost per alien trip increased. The increase ranged from 68 cents to over \$4 per alien trip, depending on the destination.

Because comprehensive data is lacking, INS cannot

- accurately assess whether the most economical bus transportation method is used,
- determine the utilization of its current bus fleet; or
- justify the purchase of additional buses.

We recommend that INS compile adequate data to identify the maximum bus utilization methods. We believe sufficient data is essential if decisions are to be made as to the most economical and effective way to move aliens

LEGAL CLARIFICATION NEEDED

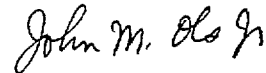
The Immigration and Nationality Act provides that INS must pay transportation costs for aliens who are deported. The act states that INS can pay the expense for removing any alien who is authorized to depart voluntarily but who is financially unable to do so. The law makes no clear stipulation, however, regarding aliens who may depart voluntarily and who have enough money but refuse to pay for their fare.

In response to our inquiry, INS officials agreed that for practical and financial reasons they have given a broad, rather than a narrow, reading to the authority of granting voluntary departure at Government expense. They told us that to spend \$200 for transportation, which will have to be spent by the Government eventually, is not only common sense, but a correct application of the law. However, they agreed that the law is not clear and that clarification would be desirable. We recommend that INS obtain clarification to assure proper implementation.

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We appreciate the cooperation and assistance provided our representatives by INS. We would like to be appraised of any action taken on the areas discussed in this report.

Sincerely yours,



John M Ols, Jr.
Assistant Director