



# Department of Justice

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Prepared Text  
Border Trade Alliance Speech  
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## IMMIGRATION POLICIES IN A FREE TRADE ENVIRONMENT

Good morning, and thank you for the introduction, Bill. It's my pleasure to be here this morning. I see many of you have traveled to Washington from communities I visited earlier this year, communities such as Calexico, California; Nogales, Arizona; and Laredo, Texas. Some of you have traveled here from Mexico and Canada. It is good to see all of you here today.

As members of the Border Trade Alliance, you are committed to the expansion of global markets, beginning with free trade in the Americas. You know the need for efficient methods to move people and goods across international boundaries. This, too, has been a priority of the Clinton Administration. While strongly supporting the integrity of our borders, we have worked for the passage of NAFTA and continue to support increased free trade.

In an increasingly interrelated and interdependent world, the need for expedited international travel and exchange will only continue to grow. And it is clear that in this modern

global economy, the growth in the number of international migrants seeking to come to the United States will also continue. That is why the Immigration and Naturalization Service is committed to a strategic approach that will regulate entry to the United States in a manner that facilitates lawful travel and commerce while ensuring border integrity.

In the wake of demands for increased immigration enforcement and services, public institutions have struggled to grow accordingly. Previous Administrations failed to request adequate resources to support a successful enforcement and service mission. The INS fell behind, and President Clinton, INS Commissioner Doris Meissner and I have worked hard these past two years to provide this agency with the necessary resources.

All of you are well aware of the challenges surrounding the nation's urge to curb illegal immigration while expanding trade with our North American trading partners. When this Administration came into office, high unemployment and economic uncertainty helped spread an anti-immigrant sentiment across this country, particularly in those States with the largest numbers of immigrants such as California. As the domestic debate raged over how to toughen border control, the nation heard little from the proponents of global trade. It is our duty to remind the public that our efforts to deter illegal entry and contraband go hand in hand with our efforts to facilitate international commerce and travel. We look to groups like the Border Trade Alliance to

participate in the public dialogue and to remind their communities that a reasonable balance must be struck.

I'd like to spend some time this morning sharing with you this Administration's plans for striking that reasonable and sensible balance.

We have developed a border control strategy based upon "prevention through deterrence." We have adopted Operation "Hold-the-Line" in El Paso, Operation "Gatekeeper" in San Diego and Operation "Safeguard" in Nogales. These operations are targeted at the areas where we traditionally experienced the highest level of illegal entries. We have worked hard to regain control over our borders. However, a strong nation does not have to erect fortress-like barriers. Border integrity requires the strength to control where necessary and facilitate where possible.

This morning I'm going to focus on our efforts that directly impact trade and commerce. I'm going to talk about inspections at ports of entry and our bi-national efforts with the Governments of Mexico and Canada. I'm going to share with you our planned use of technology to provide for the swifter movement of goods and people.

Last fiscal year, the INS performed more than 510 million inspections at ports-of-entry all across this country. Of these 510 million inspections, more than 333 million involved non-U.S.

citizens. Over 90% of these non-citizens are temporary visitors who cross our land borders, often routinely as commuters. These inspections were performed at air and sea ports (66 million), as well as at land border ports of entry (444 million).

Some of you come from communities which handle the largest volume of entries through our land border ports. To look at just a few specific ports, in fiscal year 1994, San Ysidro, California, handled over 58 million inspections; Laredo, Texas handled 24 million inspections; And along our northern border, Detroit handled 22 million inspections. As you know, Mexico and Canada are two of this nation's three largest trading partners. It is in our national interest to facilitate lawful travel and commerce across these ports.

The INS is committed to facilitating legal entry through technology and innovative approaches. One example is our project with the State Department and the U.S. Customs Service, in conjunction with the Department of Agriculture, to electronically transfer visa and petition data through an interagency system that utilizes document readers to process machine readable passports, visas, alien registration cards and other documents at ports of entry. This system saves time and ensures accuracy.

The INS is also currently testing a system at airports in New York City, Newark and Toronto, that allows frequent travelers to be "preinspected" for admission to the U.S. Once approved,

these travellers receive a unique identification card which allows them to use an automated inspection kiosk when entering the country.

The INS is also using technology to identify repeat offenders, terrorists, criminal aliens and others attempting to unlawfully enter the United States. We have a new identification system which uses fingerprint and other information to positively identify persons apprehended by the Border Patrol. This system is linked to a database of criminal offenders, which allows the Border Patrol to find out within minutes if the person apprehended has a criminal record. The system is up and running in San Diego and we are looking to expand it across the country.

At our land border ports of entry, the INS is revamping its handling of Border Crossing Cards used by Mexican nationals to enter the United States primarily for commercial purposes. The INS was previously unable to meet the demand for Border Crossing Cards. In response to this service need, the INS revamped its application and interview process and it has eliminated the backlog at all ports of entry except for Douglas, Arizona, which INS is addressing. At several Ports of Entry, applicants for Border Crossing Cards are being processed on a walk-in basis. We recognize the importance of Mexican shoppers and consumers to many U.S. border towns and we are committed to making legal migration easier than illegal migration by efficiently issuing Border Crossing Cards.

Part of the Administration's immigration legislation includes a provision that will allow states to choose to participate in the collection of a Border Services User Fee. We are proposing the collection of \$3 from each non-commercial conveyance and \$1.50 from each pedestrian crosser. Frequent crossers would be entitled to discounts such as a \$10 charge for unlimited entries per month.

One-half of these fees would be directed to INS and one-half of the fees would be directed to U.S. Customs. Currently, INS shares primary inspection duties with the U.S. Customs Service on a roughly equal basis. The U.S. Customs Service is an agency of the Treasury Department and INS inspectors work alongside U.S. Customs officers to ease traffic flows and ensure speedy entry across our borders.

Let me take a minute or two to discuss the reasons that led us to propose such a fee. You and others have voiced your concerns with our proposal, which we modified in response to those concerns.

The bottom line driving our proposal is that we need to enhance services and infrastructure at our ports of entry. Ports are crucial investments in local communities. Investments in the ports through the border fee will be good for the community -- both by helping the ports facilitate long-distance and local commerce and by creating jobs.

We know that investment in the ports is best handled by local interests, working with their states, who know better than anyone else what services can help meet local needs. Under our proposal, states that voluntarily opt into the border fee program can establish a Border Services Council for each port to develop spending priorities. These priorities will be taken into account as the funds are reinvested into the local ports to fund additional immigration inspectors and related support staff; the addition or improvement of facilities at the ports and contiguous border areas; and other enhancements to facilitate legal traffic.

Our immigration legislation contains specific language ensuring that funds generated by the border fee will remain in the port region and will not be used to substitute for appropriated funding currently available to the port. In addition, funds from the border fee above and beyond amounts that can be reinvested in the port will be granted to the Border Councils to spend on enhancements outside the port that facilitate operation of the port or otherwise enhance the flow of people or goods across the border.

The Border Councils will be comprised of three state representatives appointed by the Governor, including at least one representing business interests; three local representatives appointed by the Mayor or other local governing body, as determined by the state; and three federal representatives (one

each from INS, Customs, and the General Services Administration).

States that select ports to participate in the border fee program may withdraw those ports from the program after amortizing any improvements made with border fee revenues and after providing one year's notice.

The border fee, which will help facilitate legal entries, will complement ongoing border enforcement, because efficient ports are secure ports. Right now, we are facing increased incidents of port running, situations where people run in groups or drivers speed through our inspection gates and lanes, running down inspectors or legal crossers who get in their way. The increased resources the border fee will bring will help us protect crossers who are playing by the rules.

We are confident that the border fee approach can work. The international airport user fees, which have been in effect since 1987, have helped to speed lawful entry and reduce costly delays at airports.

Granted, few people fly internationally every day, while we have many daily crossers at our land ports of entry. We have attempted to take that difference into account as we developed the border fee proposal by creating a discount for repeat crossers. In addition, the border fee will have much more of a compensating increase in local commerce than occurs with the

airport fee.

Finally, we believe that our border fee proposal is good government and a part of the Administration's overall focus on "shared responsibility" with states and localities in responding effectively to the current immigration phenomenon. Our approach creates a partnership that gives local authorities a major decision-making role in how we adjust to shifting traffic patterns and border conditions at each port.

Some have raised concerns about this proposal in light of the peso devaluation. However, this Administration is working closely with Mexico and its people by providing loan guarantees. Mexico and its economy are rebounding. We have seen NAFTA at work during its first year. Although the rate of growth of NAFTA trade has dropped off since the peso devaluation, the absolute values of NAFTA trade remain at significant levels.

Our proposal must be looked at in the long-term context. We will continue to need more resources for our land ports of entry. I hope that you will take a second look at our proposal, give it some serious thought, and ask yourself from what source we can find these resources if not from a border fee. We stand ready to work with each of you to find a viable source of funding for our ports.

Now that I have raised the need for added resources with

you, I also want to assure you that the INS is working to operate better, faster and cheaper through the use of common sense and advanced technologies.

INS is installing dedicated commuter lanes, most recently, in Point Roberts, Washington, and Detroit, Michigan. The first dedicated commuter lane opened in June, 1991, at the Blaine, Washington, port of entry. Currently, more than 33,000 U.S. and Canadian border crossers pay an annual fee of \$25 to participate in the popular program.

The commuter lane projects enable low-risk, frequent border crossers to cross the border through a specific vehicle lane with an abbreviated inspection process (at Blaine, a windshield decal and visual inspection). Random compliance inspections of the Blaine project's participants have demonstrated a remarkably low, .03 percent, incidence of misuse. INS plans on opening dedicated commuter lanes in Buffalo, New York, and Otay Mesa, California, later this year.

In addition, an entirely new concept, called an Automated Permit Port, is expected to be tested and open to the public at Scobey, Montana, by mid-year. Under this program, INS will test the feasibility of operating fully automated land border ports at selected remote ports of entry which have limited hours of operation. Approved applicants, using smart cards, voice recognition devices, or other technologies, will be able to enter

the United States when the port is normally closed.

These and other new projects are facilitating the flow of legal traffic at border ports of entry through the use of technology, automation, and other non-personnel intensive means, thus allowing the limited number of inspections staff to focus more on higher risk traffic.

I also want to let you know about our Bi-National efforts with Mexico and Canada on immigration issues. I have traveled to both Mexico City and Montreal and have developed working relationships with their respective Attorney General and Justice Minister, and their Ministers of the Interior. We have made substantive progress with both nations in addressing issues of mutual concern, including ways to curb port runners in El Paso and San Diego, establishing a joint Canada/U.S. frequent traveller program, and developing common data requirements and processes with Canada to support the introduction of electronic clearance of commercial goods.

Finally, I want to talk to you about what employers can do to reduce the jobs magnet for illegal immigrants. To prevent illegal immigration, we need to enhance the disincentives for migrating in the first place.

INS is working to prevent unauthorized employment by developing simpler, more fraud resistant documents, and

developing new technology that will help us reduce the number of documents used for employment authorization. Our immigration legislation also contains a provision that will further reduce the number of employment authorization documents. With enactment of this statutory provision and utilization of the new technology, by the end of 1996 we will be able to reduce the number of employment authorization documents to 6.

But I urge those of you who are employers, who represent chambers of commerce, to take back the word to your communities that this Administration is committed to improving the mechanisms employers use to verify employment authorization of job applicants. Voluntary compliance is the strongest and most effective strategy against illegal employment.

We will continue our efforts at facilitating legal trade and commerce as efficiently as possible while also deterring illegal immigration and contraband. I hope you will support our initiatives, as we seek both to expand global markets and maintain the integrity of our nation's borders. We need your help, and I look forward to working with you and other groups like the Border Trade Alliance as we move forward on each of those fronts. Thank you.