

Statement of Congresswoman Jan Schakowsky House Judiciary Subcommittee on Immigration and Claims

I would like to thank Chairman Hyde, Chairman Smith, Congresswoman Jackson-Lee and members of the Subcommittee for holding this hearing and allowing me the opportunity to address the operations of the Chicago district office of the Immigration and Naturalization Service (INS). Your interest and commitment to exploring the issues and problems facing immigrants who seek service at our Chicago office is important and worthy of our time and attention.

According to Census Bureau data, Chicago is fourth behind New York, Los Angeles and San Francisco in attracting new immigrants. Close to 60% of immigrants to Illinois are choosing to resettle in Chicago and the metropolitan area.

Chicago is a city of immigrants and is proud of its diversity. However, it is disheartening to know that the first interaction these new residents will have with our government will be with an agency that puts customers last.

My district serves as a gateway to America for immigrants from all parts of the globe. In my district congressional offices, over ninety percent of constituent cases involve the INS. I receive a large number of calls and letters from my constituents and immigrant rights advocates complaining of poor service and callous treatment by INS staff. Training, increased staffing and changes in procedure at the Chicago office are needed to reflect a level of courtesy, professionalism and efficiency deserving of paying customers. Most of all, a change in the culture of the INS office is required, one that reflects the respect that our city feels for our immigrant residents.

Efforts by Commissioner Doris Meissner and District Office Director Brian Perryman to improve the quality of service in Chicago, provide sensitivity and customer service training to employees, and their willingness to work with the Illinois delegation should be applauded. However, much work remains to be done in order to ensure the delivery of prompt, accurate and courteous service at the Chicago office.

Today's hearing is an essential component in our efforts to reshape the Chicago INS office to provide quality customer service.

This morning, I will briefly share with you some observations on issues related to the delivery of services at the Chicago office, and some suggestions on what must be done to improve and enhance the Chicago district office. I will also address the way in which people who are seeking asylum are treated, the special needs of elderly immigrants and immigrants with disabilities, and the arbitrary manner in which disability waivers are granted.

I have included with my written testimony an articulate and compelling letter written by

Ms. Carrie Golus, from Chicago, which really highlights many of the issues we are discussing today.

10 West Jackson and the line

After hearing countless INS horror stories from my constituents, I decided to spend the morning of July 7th at the INS facility at 10 W. Jackson Boulevard. On that morning, I intentionally did not identify myself as a Member of Congress. I was simply a human being attempting to navigate the INS system.

I arrived at 9 a.m. to a massive line of more than 1000 people, only 600 of whom would be allowed in that day. Many had begun lining up at 4 or 5 a.m. The line snaked around the building, down the sidewalk and around the block. This was not unusual. Every day, several hundred people wait for 3 to 4 hours only to be turned away. For many, this was their second, third or fourth visit. I spoke with many frustrated customers who had taken time off from work only to be denied service. Let us not forget that they are customers, paying high fees for services.

What I witnessed was hostile, inept, and downright unacceptable treatment of hundreds of people. The INS seems to be sanctioning, if not promoting, a "customer is always wrong" policy. This was reflected in arbitrary rudeness and appalling incompetence. A large number of people I spoke with recounted their humiliation and degradation at being treated "like animals." I experienced this first hand, as an INS officer barked at me to "move or go to jail" because I did not follow instructions quickly enough.

Here are some of the horror stories I heard during my visit:

A woman filed for naturalization four years ago. She found out, after waiting in line for twelve hours last month, that the INS lost her paperwork. An INS employee and a Supervisor told her that she must return another day and resubmit all her paperwork. She will have to pay all the fees once again. She has already paid more than \$2000.

The INS incorrectly printed the date of birth on the green card of a twelve-year-old girl. An INS official brusquely informed the family that they must fill out another application, wait in line, resubmit the paperwork and pay the fees once again.

Due to numerous mistakes made by the INS, a woman had returned to the INS facility to wait in line for a second day. INS employees misspelled her name on her most recent green card. She verified on her application that she had spelled her name correctly. She called the INS and was told that she must come to 10 W. Jackson and wait in the line to submit paperwork. She had already waited for seven hours the previous day. When she finally spoke with an INS representative, she was told that she needed to bring photos. She was in line once more to submit more paperwork and the photos. Finally, she will have to pay another fee for a new green card, even though the INS is responsible for the error.

A woman received the notification of the time and date of her oath ceremony after it was scheduled to occur twice. A third time, she never received notification, only a phone call 12 hours before the appointment was scheduled to take place.

A couple from Taiwan applied for their 11 year old daughter to become naturalized. They visited the Chicago office three times, were treated rudely and were given the wrong form to file. It wasn't until their third visit that they were given the correct form. They were told they needed to pay the fee again, start from scratch and wait the full length of time until the application was processed.

A woman spent two days in line just to receive a naturalization form (N-400). She was unable to get it the first day and was not told by any INS official that she could get the form online or by calling an 800 number.

A family with small children waited in line for four hours only to be told that they had to return again the next day. At 10:30 a.m., INS officers announced that no more people would be served that day.

A large number of people were standing in line because of mistakes that INS made, and despite the stated policy of waiving further fees if the INS is clearly at fault, customers are still being required to pay additional fees and repeat arduous steps even though they were not responsible for the mistake.

A couple from Belleville, 6 hours away, found out only by chance that they could get in to see an INS employee even though they were not one of the lucky 600. Apparently a policy exists that guarantees service to people who travel long distances. The randomness with which this policy is communicated is not acceptable. Information of this nature that affects the direct delivery of services should be actively disseminated and made known to all information officers and customers.

These stories are really indicative of the larger problem of too few front-line INS employees with too little information. People are given wrong information, bad information, or no information at all. Many people wait in line because they are confused by INS information, or because different INS employees had given them conflicting information.

Inquiries made by telephone are often met with a busy signal or an answering machine, forcing many people to make a special trip to the office for information that should be made readily available on site or by phone, fax or computer. The INS must expand its partnership with libraries to make INS forms available, and they must reach out to include other government agencies and ethnic community organizations in that effort.

At the Chicago office, there seems to be an overwhelming presence of uniformed guards at the facility. It feels as if the guards are there to hold these INS customers in check and to protect the public from them, which I find very insulting. We must find a balance between the security needs of the office and the desire to provide and foster a more

friendly, customer service environment.

I am also concerned about the hours of operation and the staffing level in the Chicago office. It is my understanding that the public is unable to visit the INS on Fridays without an appointment. This is the only federal agency that I am aware of where this exists. Given the demands on the office and current backlog, the office should be open five days a week and consideration should be given to having evening and weekend hours as well.

Also, information officers are supposed to be available in the lobby from 7:30 AM until 4:00 PM each day. However, on many occasions, the information officer is no where to be found after 2 PM. In many sections of the office, where there are multiple windows set up to assist customers, only one or two of the windows are actually being staffed. This needs to be addressed and improved.

These are all components of a mosaic that sends a clear and simple message to immigrants: Keep Out. This is not the message I want to send to residents of my district.

Improvements

Subsequent to my appearance at the line in July and the accompanying media coverage, and after several meetings with District Office Director Perryman and conversations with Commissioner Meissner, several changes have been made. These changes resulted in some much-needed improvements for INS customers. I am not a management consultant, but common sense would seem to dictate many of these reforms.

Tickets are given out to the first 600 people at 7 am each morning so that others will not miss work while standing needlessly in line. INS information officers are working the line, answering questions. In addition, certain applications, including the form to renew green cards, are now being processed through the mail. More informative information sheets are being distributed to visitors as they enter the building and a "forms kiosk" is now stationed on the first floor near the public entrance of the building, allowing people access to forms without having to wait in line or go to the second floor information room.

Working with immigrant advocacy groups and other community-based organizations, my office is monitoring the activities at 10 W. Jackson on a daily basis, and I am getting regular reports.

Changes made to date must remain permanent and additional reforms put in place. There is still much more that needs to be done to make service acceptable. INS employees must be well trained and there must be an adequate number of them to meet the needs. Subsequently, once they are given the tools, they must then be held to high standards of professionalism.

Supervisors should be present throughout the office and active in their observations of staff interactions with customers. If unacceptable behavior is witnessed or inaccurate information is given, they must have the authority to address the situation.

Commissioner Meissner announced in August that the Chicago district office would begin to provide cultural diversity/sensitivity training to employees starting in the fall. I would be interested in seeing documentation of the training and classes, who is conducting the training, the nature of the training, when it's taking place, and who is attending.

To make this training as productive as possible, I hope that the district office will work closely with employees to identify specific needs and the most effective training methods. Employees should also be encouraged to provide suggestions on how best to deal with other problems at the Chicago INS office.

Backlog

Regularly, the American Immigration Lawyers Association looks at 38 INS district offices nationwide, and issues a "Report Card" on the processing times for adjudications. In the last Report, Chicago failed to make the grade. If you filed an application for permanent residence in Chicago, it would take between 540 and 720 days to process the application, while the same application would take between 90-120 days if filed in the Seattle office. In Chicago, the waiting period between naturalization filing and swearing in, is between 365-540 days, and only 30-60 days in Pittsburgh. We need to take steps to cut back the processing time.

Also, what seems to be a simple process of applying for a replacement green card can take up to 7 months. We need to determine why Chicago is doing so poorly and what can be done to make it better.

Why is there such an appalling lack of quality service. With the recent 137% increase in fees for processing forms, the level of customer service and prompt processing has not kept pace.

While people wait to become citizens, their lives are on hold. They pay taxes, but they cannot vote on how their tax money should be spent. Some serve in the United States Armed Forces, yet they cannot vote for the Commander in Chief. Many are fearful of traveling outside the United States without a U.S. passport, and thus cannot visit family members or fulfill professional obligations.

401 South State Street the interview process

I went to the INS facility at 401 State Street with a Russian-speaking woman who had been denied a medical waiver, despite having a physician's form stating she suffers from dementia. The dementia was so severe, she could not remember her own telephone

number. This interview was her second attempt to get the medical waiver. During the interview, the woman needed to take a nitroglycerin pill to help calm her nerves. After she passed she received not so much as a congratulations.

While there, my staff and I were able to hear questions being asked of other applicants like: "Do you know what true is?", "Do you hate the Constitution?" and "Will you pay your taxes?." These questions are not among the 100 possible questions given to potential citizens, indicating the arbitrary nature of the interview process.

The atmosphere that I witnessed and that others have reported to me is one of intimidation, instead of helpfulness and courtesy. The attitude seems to be one of keeping people from "slipping by" rather than congratulating legal residents who become citizens.

Improper and arbitrary denials of disability waivers due to the lack of training provided to adjudicators is unacceptable and must be rectified. Client experience indicates a lack of consistency among officers, some of whom are assigned from other positions on a temporary basis and are asked to adjudicate cases without proper training or knowledge of the forms and regulations. Adjudicators responsible for medical and disability waivers should have special training.

Seniors and people with disabilities and the immigration process

Clearly, seniors have a unique set of needs in the immigration process. They do not fit neatly into the INS naturalization process and, in fact have extreme anxiety about the entire process. They have varied transportation, language and health needs that require special attention by immigration officers.

For example, many arrived in this country as older adults, never attended school in their native countries, and may come from a country that does not use the Roman alphabet. They spend from two to four years studying to pass the citizenship test, beginning with learning the alphabet. Their difficulty learning is compounded by the short-term memory loss common to many elderly. When they appear before the INS officers, they are very nervous about being able to remember, plus they are intimidated by authority figures. If they have waited several hours to be interviewed, they may be tired, hungry, and weak.

In considering the needs of the elderly, I ask that INS staff treat each elderly applicant with respect and consideration and provide staff with training sessions on sensitivity to the elderly. And, if possible, resume interviewing at the community sites where the elderly are more comfortable and less intimidated.

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The needs of immigrants with disabilities must also be addressed. Announcements to the general public must be made to deaf newspapers and avenues for communicating must be formatted for persons with disabilities, including large print and TTY machines. Interpreters must be available to ensure effective communication at interviews and

tests. Wheelchairs, places to sit and comfortable waiting areas should also be provided.

Detention facilities

Finally, I have grave concerns about the treatment of many asylum seekers, especially women and children.

It is unacceptable, yet common, that asylum seekers are being housed in jails with criminals while they await hearings and the completion of the immigration process. Women are being housed in jails in Stone Park, Racine and in other locations where the INS rents space. If they have children, they are separated. The children are placed in separate facilities while the mothers are housed in jails. A policy ensuring the humane housing of women and their children together must be developed.

In Ullin, 88 Chinese asylum seekers have been sitting in a maximum-security jail since early June awaiting their asylum claims to go before the judge. These immigrants are isolated from their families, housed with criminals despite their lack of a criminal record, subjected to harsh treatment and lack of access to legal resources.

I am concerned that detained asylum seekers, who do not speak English and have no family or friends in the U.S., are not aware that they are able to obtain free legal services. Without legal counsel, many immigrants will not know or be able to exercise their legal rights.

Many legal advocates have advised me of the numerous barriers they face in trying to provide "Know Your Rights Presentations" to detainees. These crucial presentations should be implemented immediately at all jails and detention centers in Illinois.

The U.S. detention policy should be brought into compliance with international principles of refugee protection and basic notions of decency and compassion.

Recommendations

In summary, these are my suggestions for improvements at the INS Chicago office.

- Eliminate the "customer is always wrong" culture.
- Increase the number of permanent staff available to serve customers.
- Increase capacity so that all customers visiting will receive service, not just the first 600.
- Have information officers available from at least 7:30 a.m. until 4:00 p.m.
- Re-examine Friday office closings and explore the feasibility of expanding hours of operation to include some evenings and weekends.
- Shorten the overall processing time for applications.
- Revisit guard presence and the x-ray procedure.
- Actively work to expand partnerships with government agencies and ethnic community organizations to ensure the wider availability of forms.

**Ensure phone lines are open, available and answered in a timely and accurate manner.
Provide mandatory training to staff that includes cultural/diversity, sensitivity and a focus on the delivery of quality customer service.**

Increase supervisory presence throughout the office, especially in areas with high customer interactions.

Provide special training for adjudicators dealing with medical and disability waivers.

Make the interview process more welcoming.

Eliminate the use of arbitrary questions.

Maintain compliance with the Americans With Disabilities Act.

Asylum seekers and their children should not be separated.

Provide adequate detention facilities for women.

Implement Know Your Rights Presentations at all jails and detention centers.

Conclusion

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I look forward to the opportunity to work with Mr. Perryman and Commissioner Meissner to develop and implement a comprehensive plan to improve operations at the Chicago district office. □ It is imperative to institute comprehensive, long term, positive changes. □

Thank you for the opportunity to testify before this Subcommittee.