

Farewell to the I.N.S.

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In an expression of bipartisan exasperation, the House of Representatives voted 405 to 9 on Thursday to dismantle the Immigration and Naturalization Service. The Senate is expected to deliver the coup de grace soon. Congress has rightly concluded that the immigration agency's storied incompetence can no longer be tolerated at a time of growing concerns about border security and about our open society's ability to keep out terrorists.

There are many reasons to celebrate the demise of the old ***I.N.S.***, but building an effective new system will not be easy. The House bill would establish two separate immigration agencies, both still within the Justice Department. One would handle immigration services like citizenship applications; the other would protect the nation's borders and enforce the immigration laws. The two bureaus would report to a new associate attorney general for immigration affairs, but that office would have no direct budgetary or personnel authority over the two agencies.

A preferable Senate alternative proposed by Edward Kennedy and Sam Brownback would also break the ***I.N.S.*** into two bureaus, but place them within a new organization similar to the Federal Bureau of Investigation. The director, who would report directly to the attorney general, would control the agency's budget and staff.

The White House should work to ensure that the final legislation looks more like the Senate's version, and must determine how best to coordinate the work of the ***I.N.S.*** with the patchwork of other federal agencies involved in border security. Absent so far in the debate has been a convincing explanation of why the immigration agency should stay within Justice, where it is a neglected stepchild. Tom Ridge, the director of homeland security, reportedly favored a bolder plan to create a new border security agency that would pull together the ***I.N.S.***, the Customs Service and the Coast Guard.

The hurdles entailed in reinventing the ***I.N.S.*** will be enormous, and the Bush administration must ensure that the agency's vital work is not neglected during the transition. Congress recently approved useful border security legislation that would create a monitoring system for foreign students and establish an intelligence database accessible to both the State Department and the ***I.N.S.***.

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