

HR 3231

Barbara Jordan Immigration Reform and Accountability Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Nov 6, 2001

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Apr 26, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/3231>

Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-9]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors (46 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Gekas, George W. [R-PA-17]	R · PA		Nov 6, 2001
Rep. Deal, Nathan [R-GA-9]	R · GA		Nov 15, 2001
Rep. Foley, Mark [R-FL-16]	R · FL		Nov 15, 2001
Rep. Gallegly, Elton [R-CA-23]	R · CA		Nov 15, 2001
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Nov 15, 2001
Rep. Green, Mark [R-WI-8]	R · WI		Nov 15, 2001
Rep. Hostettler, John N. [R-IN-8]	R · IN		Nov 15, 2001
Rep. Issa, Darrell E. [R-CA-48]	R · CA		Nov 15, 2001
Rep. Jenkins, William L. [R-TN-1]	R · TN		Nov 15, 2001
Rep. Lewis, Jerry [R-CA-40]	R · CA		Nov 15, 2001
Rep. Reyes, Silvestre [D-TX-16]	D · TX		Nov 15, 2001
Rep. Rogers, Harold [R-KY-5]	R · KY		Nov 15, 2001
Rep. Roukema, Marge [R-NJ-5]	R · NJ		Nov 15, 2001
Rep. Smith, Lamar [R-TX-21]	R · TX		Nov 15, 2001
Rep. Bachus, Spencer [R-AL-6]	R · AL		Feb 5, 2002
Rep. Bonilla, Henry [R-TX-23]	R · TX		Feb 5, 2002
Rep. Callahan, Sonny [R-AL-1]	R · AL		Feb 5, 2002
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		Feb 5, 2002
Rep. Lewis, Ron [R-KY-2]	R · KY		Feb 5, 2002
Rep. Linder, John [R-GA-11]	R · GA		Feb 5, 2002
Rep. Calvert, Ken [R-CA-43]	R · CA		Feb 12, 2002
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Feb 12, 2002
Rep. Pence, Mike [R-IN-2]	R · IN		Feb 12, 2002
Rep. Sununu, John E. [R-NH-1]	R · NH		Feb 12, 2002
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Feb 27, 2002
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Mar 6, 2002
Rep. Shimkus, John [R-IL-20]	R · IL		Mar 12, 2002
Rep. Skeen, Joe [R-NM-2]	R · NM		Mar 12, 2002
Rep. Barr, Bob [R-GA-7]	R · GA		Mar 19, 2002
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Mar 19, 2002
Rep. Flake, Jeff [R-AZ-1]	R · AZ		Mar 19, 2002
Rep. McIntyre, Mike [D-NC-7]	D · NC		Mar 19, 2002
Rep. Wilson, Joe [R-SC-2]	R · SC		Mar 19, 2002
Rep. Young, Don [R-AK-At Large]	R · AK		Mar 19, 2002
Rep. Combest, Larry [R-TX-19]	R · TX		Mar 20, 2002
Rep. Gibbons, Jim [R-NV-2]	R · NV		Mar 20, 2002
Rep. Keller, Ric [R-FL-8]	R · FL		Apr 9, 2002
Rep. Kennedy, Mark R. [R-MN-2]	R · MN		Apr 9, 2002
Rep. Pryce, Deborah [R-OH-15]	R · OH		Apr 9, 2002
Rep. Green, Gene [D-TX-29]	D · TX		Apr 11, 2002
Rep. Johnson, Sam [R-TX-3]	R · TX		Apr 11, 2002

Cosponsor	Party / State	Role	Date Joined
Rep. Weller, Jerry [R-IL-11]	R · IL		Apr 11, 2002
Rep. Cooksey, John [R-LA-5]	R · LA		Apr 16, 2002
Rep. Udall, Mark [D-CO-2]	D · CO		Apr 16, 2002
Rep. Ryan, Paul [R-WI-1]	R · WI		Apr 17, 2002
Rep. Frank, Barney [D-MA-4]	D · MA		Apr 18, 2002

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Apr 8, 2002
Judiciary Committee	Senate	Referred To	Apr 26, 2002

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
107 HR 4108	Procedurally related	May 6, 2002: For Further Action See H.R.3231.
107 HRES 396	Procedurally related	Apr 25, 2002: Motion to reconsider laid on the table Agreed to without objection.

Barbara Jordan Immigration Reform and Accountability Act of 2002 - Abolishes the Immigration and Naturalization Service (INS).

Establishes in the Department of Justice the Office of the Associate Attorney General for Immigration Affairs (AAGIA), headed by an Associate Attorney General for Immigration Affairs, who shall be responsible for: (1) supervising the Director of the Bureau of Citizenship and Immigration Services and the Director of the Bureau of Immigration Enforcement; (2) coordinating national immigration policy; and (3) allocating and coordinating such Bureaus' resources through the Office of Shared Services.

(Sec. 3) Establishes within the Office the positions of: (1) Policy Advisor; (2) General Counsel; (3) Chief Financial Officer; and (4) Director of Shared Services.

Establishes within the Office: (1) the Office of the Ombudsman; (2) the Office of Professional Responsibility and Quality Review; and (3) the Office of Children's Affairs, which shall implement law and policy for unaccompanied alien children who come into the custody of the Department of Justice, including placement and foster care issues and development of a legal representation plan.

Transfers from INS to the Office of Children's Affairs functions relating to unaccompanied alien children.

Transfers from the Assistant Attorney, Civil Division, to the Associate Attorney General for Immigration affairs all functions performed by the Office of Immigration Litigation, and all related personnel, infrastructure, and funding.

(Sec. 4) Establishes in the Department of Justice the Bureau of Citizenship and Immigration Services (BCIS), to be headed by the Director of the Bureau of Citizenship and Immigration Services.

Requires the Director to: (1) designate an official to administer student visa programs and the Student and Exchange Visitor Information System through September 30, 2004 (authorizes administrative continuance after such date); and (2) provide appropriate student-related information to the Director of the Bureau of Immigration Enforcement.

Requires the Director to implement a managerial rotation program under which supervisory and managerial personnel shall, as a condition of further promotion, work in field offices or service centers and gain multi-function experience.

Authorizes the Director to implement immigration backlog pilot initiatives.

Transfers all INS and service center adjudication functions and personnel to the BCIS, including functions and personnel related to visa and naturalization petitions, and asylum and refugee applications.

Establishes in the BCIS: (1) the Office of Policy and Strategy, which shall establish and coordinate national immigration policies; (2) the position of Chief Budget Officer; (3) the Office of Congressional, Intergovernmental, and Public Affairs; and (4) the Office of Citizenship, which shall be responsible for promoting citizenship and naturalization training.

Authorizes the establishment in the BCIS of the position of Legal Advisor.

Sets forth requirements for sectors, field offices, and service centers.

(Sec. 5) Sets forth the functions of the Office of the Ombudsman, including: (1) individual and employer problem resolution with the BCIS; (2) problem area identification, and legislative and administrative corrective proposals; and (3)

local Ombudsman office monitoring.

(Sec. 6) Establishes in the Department of Justice the Bureau of Immigration Enforcement (BIE), to be headed by the Director of the Bureau of Immigration Enforcement.

Requires the Director to implement a managerial rotation program under which supervisory and managerial personnel shall, as a condition of further promotion, work in field offices or service centers and gain multi-function experience.

Transfers to the BIE all INS functions respecting: (1) the Border Patrol; (2) the detention and removal program; (3) the intelligence program; (4) the investigations program; and (5) the inspections program.

Establishes in the BIE: (1) the Office of Policy and Strategy to establish and coordinate national immigration enforcement policies; (2) the position of Chief Budget Officer; and (3) the Office of Congressional, Intergovernmental, and Public Affairs.

Authorizes the establishment in the BIE of the position of Legal Advisor.

Sets forth requirements for sectors, field offices, and Border Patrol sectors.

(Sec. 7) Amends the Omnibus Crime Control and Safe Streets Act to establish within the Bureau of Justice Statistics of the Department of Justice the Office of Immigration Statistics, to be headed by a Director. States that the Office shall: (1) maintain all immigration statistical information from the Office of the AAGIA, the BIE, the BCIS, and the Executive Office for Immigration Review; and (2) establish standards for statistical reliability.

Transfers to the Office functions of the Statistics Branch of the Office of Policy Planning of INS.

(Sec. 8) States that: (1) the Attorney General or his delegate may perform any function for which this Act vests responsibility in an official other than the Attorney General; and (2) nothing in this Act shall be construed to limit the powers, authorities, or duties of the Secretary of State and special agents of the Department of State and the Foreign Service under the State Department Basic Authorities Act, the Immigration and Nationality Act, or any other Act, to investigate illegal passport or visa issuance or use.

(Sec. 9) Sets forth savings provisions respecting: (1) legal documents; (2) proceedings; (3) suits and continuance of suits; (4) nonabatement of actions; and (5) administrative procedure and judicial review.

(Sec. 10) Sets forth requirements for the transfer of Department of Justice personnel and related matters (including database integration) in conjunction with the transfer of functions under this Act.

(Sec. 11) Directs the Attorney General, prior to obligating any resources for voluntary separation incentives (authorized by this Act), to submit to the appropriate congressional committees a strategic restructuring plan. States that an individual who within five years of such separation accepts compensated Federal employment shall be required to repay the entire incentive amount.

(Sec. 12) Authorizes the Attorney General, during a period ending not later than five years after enactment of this Act, to conduct an employee disciplinary demonstration project.

(Sec. 13) Authorizes appropriations to effect the abolition of INS and to establish the replacement entities created under this Act. Establishes in the Treasury the Immigration Reorganization Transition Account. Sets forth related funding and fee provisions. Authorizes appropriations for refugee and asylum adjudications.

Expresses the sense of Congress that the missions of the Office of the AAGIA, the BCIS, and the BIE are equally important, and should be adequately funded to ensure they operate at financial levels not below those in existence prior to the enactment this Act.

Amends the Immigration Services and Infrastructure Improvements Act of 2000 to extend the immigration application backlog elimination date to one year after enactment of this Act.

(Sec. 14) Directs the Attorney General to report to specified congressional committees on: (1) division and transfer of funds and personnel among the Office of the AAGIA, the BCIS, and the BIE; (2) improvement of immigration services; (3) BIE enforcement plans; (4) whether the Director of Shared Services is properly and efficiently servicing the BCIS and the BIE; (5) closure of permanent interior checkpoints and fund reallocation for border and point of entry enforcement; and (6) necessary law and funding revisions to ensure timely response to emergent or unforeseen immigration needs.

Directs the Attorney General to submit reorganization implementation plans semi-annually through FY 2005, which shall include establishment of separate BCIS and BIE accounts and financial management systems.

Directs the Comptroller General to report to specified congressional committees on: (1) transfer of functions under this Act; and (2) resultant improvements in operations, management, and financial and information administration.

(Sec. 15) Directs the Attorney General to: (1) establish an Internet-based immigration filings tracking system, and a related Technology Advisory Committee; and (2) conduct a feasibility study of online immigration filing, including a review of related INS computerization and technology.

(Sec. 16) Defines "function" and "office" for purposes of this Act.

(Sec. 17) States that: (1) the abolishment of INS, the establishment of the Office of the AAGIA, the BCIS, and the BIE, appointment of Directors, and the transfer of functions shall take effect one year after the date of enactment of this Act; and (2) the Associate Attorney General for Immigration Affairs is authorized to perform specified functions during an 18-month transition period.

Actions Timeline

- **Apr 26, 2002:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Apr 25, 2002:** Rule H. Res. 396 passed House.
- **Apr 25, 2002:** Considered under the provisions of rule H. Res. 396. (consideration: CR H1632-1666; text of measure as reported in House: CR H1643-1650)
- **Apr 25, 2002:** Rule provides for consideration of H.R. 3231 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Apr 25, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 396 and Rule XXIII.
- **Apr 25, 2002:** The Speaker designated the Honorable Steven C. LaTourette to act as Chairman of the Committee.
- **Apr 25, 2002:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3231.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with ten minutes of debate on the Sensenbrenner amendment.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Baldwin amendment.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Jackson-Lee amendment.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Roybal-Allard amendment.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Velasquez amendment.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Issa amendment.
- **Apr 25, 2002:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Issa amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hoyer demanded a recorded vote pending the absence of a quorum and pursuant to the provisions of H. Res. 396, the Chair postponed further proceedings on the question of the adoption of the Issa amendment until later in the legislative day.
- **Apr 25, 2002:** DEBATE - Pursuant to the provisions of H. Res. 396, the Committee of the Whole proceeded with twenty minutes of debate on the Lofgren amendment.
- **Apr 25, 2002:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lofgren amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Cannon demanded a recorded vote pending the absence of a quorum and pursuant to the provisions of H. Res. 396, the Chair postponed further proceedings on the question of the adoption of the Issa amendment until later in the legislative day.
- **Apr 25, 2002:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Apr 25, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3231.
- **Apr 25, 2002:** The previous question was ordered pursuant to the rule.
- **Apr 25, 2002:** Passed/agreed to in House: On passage Passed by recorded vote: 405 - 9 (Roll no. 116).
- **Apr 25, 2002:** On passage Passed by recorded vote: 405 - 9 (Roll no. 116).
- **Apr 25, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 25, 2002:** The title of the measure was amended. Agreed to without objection.
- **Apr 24, 2002:** Rules Committee Resolution H. Res. 396 Reported to House. Rule provides for consideration of H.R. 3231 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Apr 19, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-413.
- **Apr 19, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-413.
- **Apr 19, 2002:** Placed on the Union Calendar, Calendar No. 246.
- **Apr 18, 2002:** Mr. Arney asked unanimous consent that the Committee on Judiciary have until midnight on April 22 to file a report on H.R. 3231. Agreed to without objection.
- **Apr 10, 2002:** Committee Consideration and Mark-up Session Held.

Apr 10, 2002: Ordered to be Reported (Amended) by the Yeas and Nays: 32 - 2.

- **Apr 8, 2002:** Subcommittee on Immigration and Claims Discharged.
- **Nov 15, 2001:** Subcommittee Hearings Held.
- **Nov 9, 2001:** Referred to the Subcommittee on Immigration and Claims.
- **Nov 6, 2001:** Introduced in House
- **Nov 6, 2001:** Introduced in House
- **Nov 6, 2001:** Referred to the House Committee on the Judiciary.