

July 1998

IMMIGRATION STATISTICS

Guidance on Producing Information on the U.S. Resident Foreign-Born



General Government Division

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The Honorable Stephen Horn, Chairman
The Honorable Dennis J. Kucinich,
Ranking Minority Member
Subcommittee on Government
Management, Information and Technology
Committee on Government Reform and Oversight
House of Representatives

The Honorable Carolyn B. Maloney
House of Representatives

The makeup of the foreign-born population residing in the United States continues to interest policymakers as they debate immigration issues. These policymakers have expressed concerns that the information necessary to make informed decisions on public policy regarding immigration either has not been available or has not been adequate. Accordingly, you requested that we review the federal immigration statistics function. You asked us to (1) follow up on two reports of the National Academy of Sciences (NAS)¹ that contain recommendations designed to streamline and strengthen the collection, analysis, and dissemination of immigration statistics; (2) assess the quality of current federal demographic information on the foreign-born population; and (3) identify the federal guidance on the production of demographic information on foreign-born residents and provide information on agencies' status relative to that guidance.

This report responds to the third objective of your request. Objectives 1 and 2 are addressed in separate reports.²

Specifically, this report

- identifies the federal guidance available to the agencies responsible for collecting, analyzing, and disseminating information on the foreign-born and
- provides information that compares the agencies to federal guidance on (1) independence, (2) capacity to produce information, and (3) efforts to

¹NAS is a private, nonprofit society of scholars established by Congress in 1863 to advise the federal government on scientific and technical matters.

²Immigration Statistics: Status of the Implementation of National Academy of Sciences' Recommendations (GAO/GGD-98-119, June 9, 1998) and a companion report that will be issued shortly.

coordinate the production of information, which includes statistical data on the foreign-born.

To determine which agencies were responsible for producing the majority of the statistics on the foreign-born, we synthesized literature reviews, agency documents, and testimonial evidence from agency officials and knowledgeable experts and identified the principal agencies that generated statistical information on the foreign-born: Immigration and Naturalization Service (INS)³ and the U.S. Bureau of the Census.⁴ We then verified our selection with officials from the Office of Management and Budget (OMB) and from the agencies we had tentatively selected. Three other agencies that collect specialized information on the foreign-born are (1) the Office of Refugee Resettlement of the Department of Health and Human Services (HHS); (2) the Immigrant Visa Control and Reporting Division of the Department of State; and (3) the Population, Refugees, and Migration Bureau of the Department of State.

In developing the information for this report, we interviewed—and analyzed relevant documents provided by—officials from OMB and the two principal agencies as well as experts in the area of federal statistical information in general and on the foreign-born population. We also drew upon our current and prior work on statistical information on foreign-born residents. To identify the federal guidance affecting the production of statistics on the foreign-born, we talked to officials from OMB, Census, and INS and experts on immigration issues. To provide information on the two agencies' independence, capacity to produce statistical information, and interagency coordination efforts, we developed indicators using applicable criteria from current federal guidance on how statistical agencies should operate. We examined the two agencies' statistical activities in relation to the indicators we derived from NAS guidance to make our comparisons regarding the elements of independence, capacity to produce statistical information, and interagency coordination.

We requested comments on a draft of this report from the Director of OMB, the Attorney General, and the Secretary of Commerce. OMB and the Attorney General provided oral comments, which we discuss near the end of this report. The Department of Commerce had no comments on the report. We did our work in Washington, D.C., between October 1997 and

³Within INS, our work involved reviewing the efforts of the Statistics Branch, which produces information on the foreign-born.

⁴Within the Census Bureau, we focused on the Population Division's efforts because Census' information on the foreign-born is produced by staff in that division.

July 1998 in accordance with generally accepted government auditing standards.⁵

Results in Brief

Standards and guidance covering the production of all federal statistical information, including statistics on the foreign-born, have been issued by two sources. First, governmentwide guidance has been issued by OMB, which is legislatively charged with ensuring that agencies' statistical activities follow federal statistical standards. OMB's guidance includes uniform standards for the compilation and release of all federal statistical data.

Second is NAS' report, Principles and Practices for a Federal Statistical Agency, which provides guidance to executive branch agencies on how to compile and release statistical information and suggests practices for achieving independence, the capacity to produce information, and coordination.⁶ According to OMB and NAS, the existing federal guidance provides statements of best practices, which are intended as suggestions, not prescriptions.

The Bureau of the Census and INS differed from each other in their structure and mission, and thus their independence, capacity, and coordination varied. For example, according to Census Population Division officials, the Census Bureau, structured as a statistical agency with a primary mission of collecting and disseminating statistical information, has incorporated the elements of the NAS guidance in generating information on the foreign-born. Specifically, Census has procedures in place to protect its independence, it has the capacity to produce information, and it coordinates with other statistical agencies.

In contrast, INS' Statistics Branch, a self-described data collection and analysis unit, has incorporated some, but not all, of the elements of independence and many of the elements of capacity and coordination. For example, it was not established by statute as an independent entity. Officials said the branch has been working to improve its capacity and coordination by hiring qualified professional staff and by coordinating its statistical activities with other agencies that produce data on the foreign-born.

⁵App. I describes in detail the scope and methodology of our work.

⁶Principles and Practices for a Federal Statistical Agency (Washington, D.C.: National Academy Press, 1992).

Background

For this report, we define the following terms:

- “Foreign-born” refers to all persons who were born abroad to parents who were not U.S. citizens, and who now either (1) are in a permanent legal status (naturalized citizen, legal permanent resident, refugee, person granted asylum) or (2) are in a temporary legal status (tourists, business people, and students) or in the United States illegally but who remain here for over a year.
- “Independence” is derived from elements of NAS’ guidance intended to provide an agency with freedom from influence by others in the production of its statistical products.
- “Capacity to produce statistics” refers to elements that we derived from NAS’ guidance that provide for a clearly defined and well-accepted mission and commitment to quality and professional standards. This definition also includes an ability to comply with legal and administrative responsibilities, such as congressional reporting requirements or contractual arrangements with other agencies.
- “Coordination” refers to elements that we derived from NAS’ guidance that suggest cooperation with data users and coordination with other statistical agencies.

NAS defines a federal statistical agency as a unit of the federal government whose principal function is the compilation and analysis of data and the dissemination of information for statistical purposes. NAS further states, “The unit must be generally recognized as a distinct entity.”

NAS’ Committee on National Statistics is comprised of professionals in the statistical field who have no direct relationship with the federal government. Since its founding, the Committee on National Statistics has concentrated on reviewing selected federal statistics. It also prepares reports on special studies it carries out—independently or under contract—that are intended to improve the effectiveness of the federal statistical system.

The activities, budgets, and staffing of INS’ Statistics Branch and the Census Bureau, as well as their principal products related to the foreign-born, are as follows.⁷

INS’ Statistics Branch

INS’ Statistics Branch is responsible for preparing reports on operational and demographic statistics, monitoring the information system’s

⁷App. II provides more detail.

reliability, and advising other INS offices on sampling and other statistical applications. Some of the branch's reports are used for internal programmatic purposes, and others are used by Congress, federal agencies, and others interested in information on the foreign-born. The branch is located within the Office of Policy and Planning, which was created in a major INS reorganization in 1994 to reinforce Servicewide planning and provide attention to macro-level immigration policy. The branch's fiscal year 1998 budget was \$1.4 million, and in March 1998, the branch had a staff of 24 full-time-equivalent positions, 22 of which were filled. The branch is responsible for INS' primary statistical publication, the annual Statistical Yearbook of the Immigration and Naturalization Service. Although the Yearbook has been published since 1892, the Immigration Act of 1990 (P.L. 101-649, section 142, codified at 8 U.S.C. 1103(d)⁸) specified the selected reporting requirements. Also published annually are the Commissioner's Fact Book and Immigration Advance Reports.

Census Bureau's Population Division

The Population Division's fiscal year 1998 budget was \$31 million. The division has two full-time demographers who specialize in information on the foreign-born. These demographers, supported by other Census staff, collect and analyze information on the foreign-born and implement an interagency agreement with INS for providing this type of information. Two Census Bureau products represent a source of immigration information: (1) estimates and projections, which are published in Census' Current Population Reports, are based on data from INS and the decennial census and (2) the Current Population Survey (CPS). Customers for this information include Congress, federal agencies, state and local governments, the private sector, the academic community, research organizations, libraries, and individuals.

Two Sources Guide the Production of Federal Statistical Information

As required by the Paperwork Reduction Act, official guidance covering the production of all federal statistical information, including statistics on the foreign-born, is to be issued by OMB. NAS has also issued guidance for agencies that produce statistical information. Governmentwide statistical guidance has been issued by OMB, in its Statistical Policy Handbook and subsequent statistical policy directives. The other source of guidance is NAS' 1992 report, Principles and Practices for a Federal Statistical Agency, which provides guidance to executive branch agencies on how to compile and release statistical information, specifies best practices that may be

⁸This report was not intended to be a comprehensive analysis of all statutes relating to statistical information on the foreign-born. Accordingly, this report focuses on 8 U.S.C. 1103(d).

used to achieve independence, the capacity to produce information, and coordination with data users and other agencies. The NAS guidance has been used by us and NAS to carry out studies of statistical agencies.⁹ We used the guidance in our current work to gather and present information on aspects of independence, capacity, and coordination in the production of information on the foreign-born.

OMB's Guidance

OMB's guidance is aimed at federal statistical agencies. The need for strong oversight and coordination of the decentralized federal statistical system was recognized in law by the enactment of the Paperwork Reduction Act of 1980, codified at 44 U.S.C. 3501.¹⁰ The act created the Office of Information and Regulatory Affairs (OIRA) in OMB and assigned the Director of OMB and the Administrator of OIRA the responsibility for overseeing the federal statistical system and coordinating its activities. OIRA's Statistical Policy Branch functions include

- developing and implementing governmentwide policies, principles, standards, and guidance concerning data sources, data collection procedures and methods, and data dissemination and
- evaluating statistical program performance and agency compliance with governmentwide policies, principles, standards, and guidance.

OMB established governmentwide uniform statistical standards and guidance for the collection and compilation of statistical data and for the release and publication of federal statistics. According to OMB, the standards and guidance are intended to result in several benefits, including greater efficiency in the design and conduct of statistical surveys, reduction in reporting burdens on respondents, greater uniformity and comparability among statistical series and studies, and improved accuracy and timeliness of statistical data. OMB also encourages the use of NAS' Committee on National Statistics as an independent adviser and reviewer of federal statistical activities.

NAS' Guidance

NAS' Committee on National Statistics developed guidance that it believes comprises "fundamental characteristics that define a statistical agency and its operations." The guidance is contained in NAS' 1992 report, which the

⁹Statistical Agencies: Adherence to Guidelines and Coordination of Budgets (GAO/GGD-95-65, Aug. 9, 1995) and The Bureau of Transportation Statistics: Priorities for the Future (Washington, D.C.: National Academy Press, 1997).

¹⁰In addition, the Budget and Accounting Procedures Act of 1950 and the Paperwork Reduction Act of 1995 granted OMB general statutory responsibility for developing statistical standards and definitions.

committee prepared partially in response to requests from congressional and executive branch officials for advice on what constituted an effective federal statistical agency. The committee also prepared the report because it was concerned that federal statistical agencies sometimes might not meet what it considered to be acceptable professional standards.

According to NAS, the guidance contains principles and practices, consistent with current laws and statistical theory, that are statements of “best practices,” rather than legal requirements or scientific rules. In its report, NAS also provided guidance that it considered important for the proper functioning of a statistical agency.¹¹ This guidance includes a strong measure of independence, the capacity to produce statistics, and coordination with statistical agencies and data users.

Independence

The guidance included suggestions for ensuring that a statistical agency have a strong measure of independence, noting that the circumstances of different agencies may govern the exact form that independence takes and that not all aspects of independence are required.

Specifically, the agency should

- be generally recognized as a distinct entity that may be located within a cabinet department or an independent agency;
- have independence mandated in organic legislation or encouraged by organizational structure;
- be headed by a presidential appointee for a specific term not coincident with that of the administration;
- be distinct from the enforcement and policy-making activities carried out by the department in which it is located;
- have broad authority over the scope, content, and frequency of data collected, compiled, or published;
- have primary authority over the selection and promotion of its professional staff; and
- be recognized by policy officials outside the unit for its authority to release statistical information without prior clearance.

The NAS guidance discusses the importance of each of the above elements of independence. For example, the guidance suggests that “A statistical agency must be in a position to provide credible information that may be used to evaluate the program and policies of its own department or the

¹¹According to NAS, “Although focused on federal statistical agencies, many of the principles and practices presented [in its report] also apply to statistical activities elsewhere.”

government as a whole. The basic independence of a statistical agency is essential.”

Although recognizing that some limitations on independence are common, the guidance further says, “. . . the effectiveness of an agency depends on its maintaining a reputation for impartiality; thus, an agency must be continually alert to possible infringements on its credibility and be prepared to argue strenuously against such infringements.”¹² NAS also suggests that the independence of the unit head be understood and that the unit head be recognized as professionally qualified and have direct access to the secretary of the department in which the unit is located.

The guidance cites as an example the independence of agencies such as the Census Bureau, where the head of the agency is appointed by the president and confirmed by the Senate. The guidance suggests that the unit head and qualified unit staff be able to speak on the unit’s statistical program before Congress. The guidance also suggests that a clear distinction be made between the statistical information the unit releases and the policy interpretations of such statements by the secretary of the department, the president, or others. This suggestion reflects practices long followed by many of the principal statistical agencies.

Capacity

The NAS guidance also included the suggestions that a statistical agency have a commitment to professional standards and to a clearly defined and well-accepted mission, which we consider to be components of a capacity to produce statistics.

Specifically, the agency should

- have a clearly defined and well-accepted mission;¹²
- develop strong staff expertise in the disciplines relevant to its mission as well as in the theory and practice of statistics;
- develop an understanding of the validity and accuracy of its data and convey the resulting measures of uncertainty to users;
- use modern statistical theory and sound statistical practice in all technical work; and
- follow accepted standards in reports and other releases of data on definitions, documentation, descriptions of data collection methodology, measures of uncertainty, and discussions of possible sources of error.

¹²We interpret this element as also having the ability to comply with legal or administrative requirements.

According to the NAS guidance, “The best guarantee of high-quality results is a strong professional staff . . . Managers . . . should charge professionals with responsibility and authority for developing and promulgating statistical standards.” The guidance further says

“An effective statistical agency keeps up to date on developments in statistical theory or practice that might be relevant to its program. It must also be alert to changes in the economy or in society that may call for changes in the concepts or methods used in particular data sets.”

Closely related to a discussion of an agency’s capacity to produce data is NAS’ suggestion that an agency have a clearly defined and well-accepted mission. In its guidance, NAS explains that some agencies’ missions are spelled out in legislation, while other agencies lack a specified mission and instead have only general legislative authority. The guidance further explains that, occasionally, specific requirements may be set in legislation, and when this is the case, NAS’ guidance suggests that meeting these legislative requirements is a measure of an agency’s capacity to produce statistics. Further, the guidance suggests that a statistical agency recruit and retain a professional staff of statisticians and analysts in fields relevant to the unit’s mission and develop relationships with appropriate professional statistical organizations to review the agency’s statistical program, priorities, methods, and data products.

Coordination

In addition, the NAS guidance included the suggestions that a statistical agency coordinate with other statistical agencies and cooperate with data users. Specifically, the agency should

- coordinate with other statistical agencies;
- seek advice on data concepts, methods, and products;
- seek advice on its statistical programs, priorities, and methodologies;
- meet access and confidentiality needs; and
- make data accessible to all potential users.

The guidance also suggests working with interagency committees and engaging “wholeheartedly in coordinating activities.” The guidance provides that

“Statistical agencies do not conduct their activities in isolation. They must be alert not only to exterior needs for their data, but also to potential exterior sources of data and of

improved methods. An effective statistical agency will also be alert to occasions in which it can provide technical assistance to others.”

The guidance further suggests the use of “joint arrangements”—one agency contracting with another to conduct a survey, compile special tabulations, or develop models. The NAS guidance calling for cooperation with data users is closely related to the guidance on coordination because of the interagency dependence on one another’s data on the foreign-born.

Independence, Capacity, and Coordination of Statistical Efforts Varied

According to agency officials and experts with whom we spoke, the two agencies’ independence, capacity to produce information, and coordination with statistical agencies and data users varied depending on the nature of the agency—its mission, structure, and output—and whether it was considered to be a statistical agency. OMB has identified and categorized the federal agencies that produce statistical information.¹³ According to OMB’s characterization, the Census Bureau is the largest of the 10 “principal” statistical agencies whose sole mission is to collect and disseminate statistical information. INS’ Statistics Branch is part of a grouping of about 60 agencies that are not considered to be principal statistical agencies.

The Census Bureau’s organizational structure was established by statute. Further, the Bureau’s director is appointed by the president and confirmed by the Senate. The Census Bureau’s adherence to the NAS guidance was documented in our 1995 report on statistical agencies.¹⁴ In that report, we said Census is well-recognized as the largest multipurpose agency in the federal statistical system. In contrast, INS’ Statistics Branch is a self-described data compilation and analysis unit that primarily provides program support for INS operations.¹⁵ The Statistics Branch was not established by statute as an independent entity, and it is headed by a career civil servant. The branch is working to develop the capacity of its demographic statistics section in order to provide for more policy-related information, and it is continuing to coordinate with other agencies that

¹³OMB’s annual report, *Statistical Programs of the United States Government*, lists about 70 units, each of which spends over \$500,000 annually on statistical activities. Ten of these are recognized by OMB as “principal statistical agencies” because they collect, analyze, and produce statistics as their primary mission.

¹⁴GAO/GGD-95-65, Aug. 9, 1995.

¹⁵Although INS tried to establish a Bureau of Immigration Statistics in its fiscal year 1996 budget, the request for 10 additional positions and \$10 million for salaries and expenses was eliminated in committee without comment.

develop information on the foreign-born, as discussed in the following sections.

Three other organizations produce statistical information on the foreign-born, but they are primarily program support units that produce specialized statistical information (e.g., numbers of refugees and visa applications) for the agencies in which they are located. These three organizations—HHS' Office of Refugee Resettlement and State's Immigrant Visa Control and Reporting Division and State's Population, Refugees, and Migration Bureau—are not considered to be statistical agencies.

Independence

Although INS' Statistics Branch does exhibit some elements of independence—it has authority over the scope of the data it collects, authority over its staff, and tries to maintain a distinction between its data and the policy interpretation by others—it is not independent as NAS defines the term. The branch was not established by statute as a separate entity, is headed by a career civil servant, cannot release data without approval from its Office of Policy and Planning, and has no predetermined schedules for releasing data. Further, the branch's chief has not served as a witness at congressional hearings.

In contrast, Census' legislative mandates and organizational placement within the Department of Commerce afford the bureau a higher degree of independence.¹⁶ Census is organizationally distinct from its department's enforcement and policy-making activities. Census' director is appointed by the president and confirmed by the Senate.

Congress is a major user of the statistics produced by the Census Bureau. The director testifies before congressional committees about the results of statistical activities and to outline the agency's budget requests. The director also appears regularly at user conferences, which have been attended by Members of Congress and congressional staff, to discuss aspects of statistical programs.

As the NAS guidance on independence indicates, one of the ways in which a federal statistical agency can guard against the perception of political interference is by carefully controlling the release of important statistical data. As an example, the release of economic statistical data produced by Census is governed by OMB Statistical Policy Directive No. 3, which

¹⁶As noted by NAS, most statistical agencies have broad authority over their programs, but that authority can be limited by budgetary constraints, departmental interests, OMB review, and congressional mandates.

provides guidance to federal statistical agencies on the compilation, release, and evaluation of principal federal economic indicators. The directive establishes the authority of affected agencies to release economic statistical information without prior clearance or policy interpretations. Procedures established by this directive were designed to ensure that key economic data that are the basis for government and private sector actions and plans are released promptly and on a regular schedule, that no one benefits from “inside” access to the data before they are available to the public, and that the public has confidence in the integrity of the data. Also, the directive does not limit the authority of the agencies over the scope, content, and frequency of economic data collected, compiled, or published.

Another important element of independence, according to NAS, is adherence to predetermined schedules in public release of important data, an element intended to prevent manipulation of release dates for political purposes. INS officials said they are working on developing such predetermined schedules. Census follows procedures outlined in OMB’s guidance for developing approaches to releasing information. For example, Census develops release schedules annually and provides them to OMB, and the schedules are available on the Internet.

Capacity

Regarding the capacity of INS’ Statistics Branch to produce statistical information, INS officials said the branch meets aspects of the NAS guidance, such as strong staff expertise, a relationship within the profession (e.g., membership in professional organizations), and accepted standards in reports and data releases. From our interviews with branch statisticians, it appears that the branch has made progress in increasing its capacity in recent years. Experts on immigration statistics also credit the branch for making improvements in its capacity to produce statistical information. However, as mentioned earlier, NAS guidance suggests that when specific requirements for statistical information are called for in law, meeting these requirements is a measure of an agency’s capacity to produce statistics.

INS’ capacity is limited because it does not report on all of the data elements called for in 8 U.S.C. 1103(d). The act requires the Commissioner of INS to “provide for a system for collection and dissemination, to Congress and the public, of information . . . useful in evaluating the social, economic, environmental, and demographic impact of immigration laws.” The law also specifies that the information system provide for the

collection and dissemination of information not less often than annually.¹⁷ Table 1 lists the data elements and identifies those that INS officials said have and have not been reported annually.

Table 1: INS' Annual Reporting Requirements Under 8 U.S.C. 1103(d)

Data element	Does INS report?	
	Yes	No
The alien population in the United States		X
Rates of naturalization of resident aliens	X	
Rates of emigration of resident aliens		X
Aliens who have been		
Admitted	X	
Paroled	X	
Granted asylum	X	
Nonimmigrants in the United States, information on their		
Occupation		X
Basis for admission	X	
Duration of stay		X
Aliens who have not been admitted to the United States	X	
Aliens who have been removed from the United States	X	
The number of applications filed for cancellation of removal		X
The number of applications granted for cancellation of removal	X	
The number of aliens estimated to be present unlawfully in the United States in each fiscal year	X ^a	
Applications for naturalization, number and rate of administratively denied by		
INS district office		X
National origin		X
Total	9	7

^aThis data element is revised periodically. It was reported for three points in time—October 1988, October 1992, and October 1996.

Source: INS officials.

As previously noted, the ability to comply with legislative mandates is part of the mission requirements for a statistical organization and relates to the organization's capacity to produce statistical information. However, INS has provided reasons—which we did not analyze—for not complying with some of the requirements. For example, officials said the agency does not report the alien population of the United States because the term "alien

¹⁷INS is also responsible for providing information under other laws requiring data on the foreign-born, as discussed in a companion report on immigration statistics to be issued shortly.

population” is not clear. They explained that INS has internal estimates of foreign-born entrants and the legal resident population. Other elements, such as rates of emigration of resident aliens, are difficult to develop, the officials said. Another rationale for not complying with the 1990 law was contained in INS’ 1996 and 1998 budget submissions, which said, “. . . INS will be unable to meet its reporting mandates as stipulated in the [law] . . .” unless the agency’s funding is increased.

INS, as well as other organizations and experts, has recognized concerns about the quality of immigration statistics. In 1985 and 1996, NAS issued reports that recommended improvements in the quality of immigration statistics. INS has started implementing over half of the recommendations directed to it. In our report responding to the first objective of your request, we provided the implementation status of these recommendations.¹⁸ Of eight major recommendations directed to INS, five were substantially or partially implemented. Further, we assessed the quality of current federal demographic information on the foreign-born population, which is discussed in a separate report to be issued shortly.

Although INS’ Statistical Branch officials said they are improving their unit’s commitment to quality and professional standards, they recognized that they could make further improvements, including

- undertaking ongoing quality assurance programs to improve (1) data validity and reliability and (2) the processes of gathering, compiling, editing, and analyzing data; and
- publishing statistical standards for modern statistical theory and sound statistical practice to guide the technical work of professionals in the agency as well as external users.

Further, as noted on page 10 of our June 1998 report, NAS recommended that INS increase its capacity, saying

“INS should establish an advisory committee composed of experts in the use and production of immigration-related data, to advise the associate commissioner and the proposed Division of Immigration Statistics of needs for new or different types of data; to review existing data and data collection methodology; and to provide the Service with independent evaluation of its statistical products, plans, and performance.”

¹⁸GAO/GGD-98-119, June 9, 1998.

In that report, we noted that

“the Statistics Branch does not have a standing advisory committee but has brought in advisers several times to review existing data systems and to comment on current products Groups of outside experts have also provided comments on current methodologies, such as the estimates of the illegal immigrant population. INS plans to continue to use outside experts on an ad hoc basis rather than through a standing committee [which it believes] will better address the variety of data specialties and methodologies used to make estimates.”

INS considers that it has partially implemented this recommendation. We reported that, “[i]n our opinion, using advisers on an ad hoc basis is not a substitute for a standing advisory committee.”

In its operations, the Census Bureau incorporated more of the guidance’s elements of capacity than INS did. Census has authority over the scope, content, and frequency of data collection, compilation, or publication. However, this authority is limited by budgetary constraints and federal laws, such as those intended to reduce paperwork burdens on businesses and individuals. The Census Director also has primary authority for selection and promotion of professional staff. In addition, as discussed in the following section, Population Division officials said that in fiscal years 1996 and 1997, they carried out Census’ contractual obligations to INS regarding the provision of information on the foreign-born. However, as we note in our forthcoming report on data quality, questions have been raised regarding the quality of this information. In that report, we note that Census said it has no current plans or initiatives to improve its data on the foreign-born because its budget and mission do not support such work.

Coordination

INS officials told us that their primary coordination mechanism is through the INS-sponsored Federal Interagency Working Group on Immigration Statistics. This group’s quarterly meetings were initiated in 1991 in response to several evaluations of immigration data needs—including one by NAS¹⁹—that concluded that the knowledge base in this area was deficient in providing the data needed to support agency operations and to serve in formulating and evaluating immigration policy. The meetings were also initiated as a response to the provisions of the Immigration Act of 1990, which required that the Commissioner of INS provide for a statistical information system useful in evaluating the impact of immigration laws.

¹⁹Immigration Statistics: A Story of Neglect (Washington, D.C.: National Academy Press, 1985).

The interagency working group has been attended by researchers and statisticians from other statistical agencies, NAS, the Commission on Immigration Reform, legislative branch offices, and others interested in immigration issues. This group identified the need for “country of birth” to be added to the monthly CPS, and as a result, beginning in 1994, several of the working group agencies provided funds to Census to collect country of birth data. The group also evaluated existing longitudinal studies involving significant immigrant populations, and participant agencies helped fund the New Immigrant Survey pilot test, which was designed to provide accurate data on immigrants and their families’ economic, social, and political adaptation to living in the United States.

The need for coordination among agencies that collect information on the foreign-born has been a long-standing issue, as discussed in our report on the two NAS reports that contain recommendations designed to streamline and strengthen the collection, analysis, and dissemination of immigration statistics.²⁰ In that report, we noted that while the interagency working group has resulted in improved coordination, NAS’ recommendations to INS have not been fully implemented. For example, NAS recommended that not only federal but state agencies also should participate in INS’ liaison efforts. We noted that although INS has established a liaison with federal agencies, no corresponding liaisons exist with state agencies. In its 1985 report, NAS noted that state and local governments are also involved in the collection and analysis of immigration- and emigration-related data that could be useful for INS’ statistical purposes.

Regarding Census’ coordination efforts, we noted in our prior work that (1) coordination with other federal agencies is particularly important for Census because of its role in collecting statistical data for agencies and (2) Census cooperates with data users in a variety of ways.²¹ For example, a Census representative is a member of the INS-sponsored interagency coordinating group. Further, the NAS guidance on coordination indicates that the most important aspect of coordination among federal agencies is the sharing of data. Census and other statistical agencies have been active in recommending and supporting efforts to enhance data sharing. For example, the Statistics 2000 task force—composed of members from Census and the other major statistical agencies—worked with OMB and

²⁰GAO/GGD-98-119, June 9, 1998.

²¹GAO/GGD-95-65, Aug. 9, 1995.

Congress in developing proposals for enhanced data sharing.²² However, it appears that the sharing of data on the foreign-born among federal agencies was limited by the provisions designed to protect the confidentiality of individual data providers. For example, one of the products of the INS-sponsored interagency working group addressed expanding the immigration database by using more administrative records. The group proposed linking information from various agencies to a specific individual by social security number. The group's paper noted the problems associated with access to such information because of privacy or confidentiality provisions.

The NAS guidance also suggests that federal agencies should, when possible and appropriate, cooperate with state, local, and international statistical agencies. Census officials said the agency had cooperated with other governments to the extent necessary to obtain the data on the foreign-born that was needed.

Census and INS have worked collaboratively on a wide variety of projects for a number of years, sharing data on the foreign-born. Currently, INS is providing part of the financial support for the monthly collection of nativity data in the CPS, a project that began in January 1994. INS decided in 1996 to expand the use, analysis, and dissemination of these data and requested the continued assistance of the Census Bureau in this expansion effort. Under this agreement, INS provides the specifications for the data files needed and collaborates with Census to support the work. Census' responsibilities under the agreement include providing the data, producing and publishing an annual report on the foreign-born, providing subject-matter consultants for special projects, and meeting with INS officials regarding issues and concerns about the foreign-born.

As we have said in an earlier report,²³ coordination is important because in its absence, it is unlikely that programs will efficiently supplement each other to meet both program improvement and policy-making information needs.

²²Statistical Agencies: Proposed Consolidation and Data Sharing Legislation (GAO/T-GGD-98-91, Mar. 26, 1998).

²³Program Evaluation: Agencies Challenged by New Demand for Information on Program Results (GAO/GGD-98-53, Apr. 24, 1998).

Agency Comments

OMB and INS provided oral comments on a draft of this report. Their comments were of a technical nature, or to clarify points. We considered all of their comments and have incorporated them where appropriate. The Department of Commerce had no comments on the report.

As agreed with your staffs, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from its issue date. At that time, we will send copies to the Chairmen and Ranking Minority Members of other committees with jurisdiction over immigration issues; the Attorney General; the Secretaries of Commerce, HHS, and State; and other interested parties. We will also make copies available to others upon request.

If you have questions concerning this report, please telephone me at (202) 512-7997. Major contributors to this report are listed in appendix III.



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Abbreviations

CPS	Current Population Survey
FTE	Full-time equivalent
HHS	Department of Health and Human Services
INS	Immigration and Naturalization Service
NAS	National Academy of Sciences
OIRA	Office of Information and Regulatory Affairs
OMB	Office of Management and Budget
PAS	Performance Analysis System

Scope and Methodology

To identify the federal guidance affecting the production of statistics on foreign-born residents and the principal agencies involved in the collection, analysis, and dissemination of statistics on the foreign-born, we talked to officials from OMB and INS and experts on immigration issues. On the basis of those discussions, we gathered information on relevant guidance by reviewing pertinent literature, laws, NAS reports on immigration, and NAS and OMB guidance for federal statistical agencies.

To determine the primary agencies responsible for producing statistics on the foreign-born, we synthesized literature reviews, agency documents, and testimonial evidence from agency officials and knowledgeable experts and identified the agencies that seemed to generate the statistical information germane to the request. We then verified this information with officials from OMB and from the agencies we selected: INS' Statistics Branch and the Census Bureau's Population Division.

These agencies are considered to be primary sources of demographic data on the foreign-born. In addition, we interviewed officials and reviewed relevant documents from HHS' Office of Refugee Resettlement, State Department's Immigrant Visa Control and Reporting Division, and State Department's Population, Refugees, and Migration Bureau, who collect program-specific information on the foreign-born. We also drew on other work being done in response to the first and second objectives of the request. Other agencies that did not engage in any primary data collection or analysis activities but only disseminated information on the foreign-born were not included in our work.

To provide information on the agencies' positions on independence, capacity to produce statistical information, and interagency coordination efforts, we compiled criteria for each of these areas from our review of federal guidance on how statistical agencies should operate. Using these criteria, we derived a set of indicators by which to compare the agencies' statistical operations against the elements in the NAS guidance regarding independence, capacity to produce statistical information, and interagency coordination.

Profiles of the Two Principal Agencies That Produce Statistics on Foreign-Born Residents

INS' Statistics Branch

INS' Statistics Branch is the largest producer of statistics on the foreign-born and currently has a staff of 24 full-time-equivalent positions. The branch is located within the Office of Policy and Planning, which was created in a major INS reorganization in 1994 to reinforce Servicewide planning and provide attention to macro-level immigration policy. As an executive-level office, Policy and Planning reports directly to the INS Commissioner. Its mission is to

- support INS leadership in policy development, strategic planning, program evaluation, and statistical analysis and reporting;
- act as a central clearinghouse for collecting, interpreting, and disseminating information about immigration policy; and
- act as a liaison between INS and nongovernmental organizations and interest groups that have a stake in national immigration policy.

The fiscal years 1994 through 1998 Statistics Branch budget allocations are shown in table II.1.

Table II.1 INS' Statistics Branch Budget and Staffing

Fiscal year	Dollars in millions	FTE's ^a
1994	1.2	24.1
1995	1.3	22.9
1996	1.3	22.5
1997	1.4	24.2
1998	1.4 ^b	24.0 ^b

^aFull-time-equivalent positions.

^bINS estimates.

Source: INS.

The Statistics Branch consists of two sections—Operational and Demographic. The two sections are responsible for preparing reports on operational and demographic statistics, respectively; monitoring the information system's reliability; and advising other INS offices on sampling and other statistical applications.

Operational Statistics Section

The Operational Statistics Section provides information on INS' operations (workload and resources) and develops models for estimating revenue to support budget requests. The staff manages INS' Performance Analysis

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System (PAS), which is a workload measurement system; produces reports of PAS data; responds to requests for information (usually from within INS); develops models for estimating revenue to support budget requests; and is to be the principal source of information to meet the requirements of the Government Performance and Results Act. The data originate from a variety of sources, including manual reporting systems, reports from automated mission systems, and electronic vehicle counters at U.S. borders. INS' Information Resources Management Office provides automation support for PAS through a contract with Electronic Data Systems, for which INS pays \$130,000 annually.

Until 1997, the Operational Statistics Section employed two statisticians—the section chief and a senior statistician. Two additional statisticians were recently hired, one who concentrates on analyses of enforcement data, and the other who concentrates on immigration services information. In March 1998, the section was authorized 13 FTEs, and 12 of these were filled. The employees' job titles and grade structure were as follows:

- 1 Supervisory Statistician, GS-14,
- 3 Statisticians, GS-13,
- 2 Management Analysts, GS-11,
- 2 Management Analysts, GS-9, and
- 4 Statistical Assistants, GS-6.

**Demographic Statistics
Section**

The Demographic Statistics Section produces reports on the size and characteristics of various alien populations and analyzes pertinent information collected by other agencies, such as the Census Bureau and the Bureau of Justice Statistics. To produce the reports, the section primarily uses extracts from INS' mission systems, which are developed and maintained by the Office of Policy and Planning.

The Demographic Statistics Section issues a number of products, many of which are available on the Internet. The Statistical Yearbook of the Immigration and Naturalization Service is published annually and is INS' primary statistical publication. The Yearbook has been published since 1892. Specific reporting requirements contained in recent Yearbooks are called for by the Immigration Act of 1990, codified at 8 U.S.C. 1103(d). Also published annually are the Commissioner's Fact Book and Immigration Advance Reports. Other publications include the following.

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- INS Fact Book (Mar. 1993): A summary of recent immigration data.
- Immigration to the United States in Fiscal Year 1996 (Apr. 1997): Information on legal immigration to the United States.
- Immigration Fact Sheet (Oct. 1997): A compilation of statistics and historical data on the national origin and residence of immigrants and the foreign-born population in the United States.
- Estimates of the Unauthorized Immigrant Population Residing in the United States: October 1996 (published periodically): Estimates as of October 1996 for the top 20 countries of origin and states of residence; includes text describing the estimation procedure, limitations, and discussion of estimate results.
- State Population Estimates: Legal Permanent Residents and Aliens Eligible to Apply for Naturalization (single publication): Estimates for each state as of April 1996; includes brief supporting text.
- Bulletins (on selected topics, published periodically).

In March 1998, the Demographics Statistics Section was allocated 11 FTES, one of which was vacant. The staff members' job titles and grades were as follows:

- 1 Supervisory Statistician, GS-14,
- 1 Statistician, GS-14,
- 3 Statisticians, GS-13,
- 1 Supervisory Information Specialist, GS-11,
- 2 Management Analysts, GS-11,
- 1 Presidential Management Intern, GS-11, and
- 1 Statistical Analyst, GS-7.

Census Bureau

The Census Bureau is responsible for collecting, tabulating, and publishing a variety of statistical data about the people and the economy of the United States. Census' responsibilities include the decennial census of population and housing; censuses of state and local governments and domestic industries; special censuses done at the request and expense of states and localities; and compilations of U.S. foreign trade statistics. Many other statistical agencies make use of Census' extensive field structure and data-gathering operations on a reimbursable basis.

Census' Population Division is the federal government's provider of regularly updated information on the population of the United States, including the foreign-born, and its demographic, geographic, and social characteristics. Through its subject-matter expertise, the division oversees

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the planning, collecting, processing, and distributing of population data obtained from censuses, surveys, and administrative records. Census has assigned two full-time demographers to collect and analyze information on the foreign-born and to implement an interagency agreement with INS for this type of information.

Two products of the Population Division represent a source of immigration information: estimates and projections and the Current Population Survey (CPS). The former provides a component of population change labeled “net international migration.” This component comprises (1) legal immigration from abroad, (2) net undocumented immigration, (3) emigration, and (4) net movement between Puerto Rico and the U.S. mainland. The CPS provides information on the foreign-born population in the United States and in selected states. Customers for this information include Congress, federal agencies, state and local governments, the private sector, the academic community, research organizations, libraries, and individuals. In addition, Census has published the 1996 Statistical Abstract of the United States and We the American Foreign Born, a special publication issued in September 1993.

Table II.2 shows the Population Division’s budgets for fiscal years 1994 through 1998.

Table II.2: Population Division Budget

Dollars in millions		
Fiscal year	Budget	INS reimbursement
1994	\$31	0
1995	24	0
1996	27	\$0.20
1997	27	0.27
1998	31	0

Source: Census Bureau.

Two professional staff members in the Population Division specialize in information on the foreign-born population. Both of these staff members have the job title statistician/demographer. One is a GS-12, and the other is a GS-9.

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Related GAO Products

Immigration Statistics: Status of the Implementation of National Academy of Sciences' Recommendations ([GAO/GGD-98-119](#), June 9, 1998).

Program Evaluation: Agencies Challenged by New Demand for Information on Program Results ([GAO/GGD-98-53](#), Apr. 24, 1998).

Statistical Agencies: Proposed Consolidation and Data Sharing Legislation ([GAO/T-GGD-98-91](#), Mar. 26, 1998).

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