

April 2003

HOMELAND SECURITY

Justice Department's Project to Interview Aliens after September 11, 2001





Highlights of [GAO-03-459](#), a report to Congressional Requesters

Why GAO Did This Study

As one response to the September 11 terrorist attacks, the Department of Justice (DOJ) initiated a project to interview aliens whose characteristics were similar to those responsible for the attacks. The purpose was to determine what knowledge the aliens might have of terrorists and terrorist activities. GAO was asked to determine

- the criteria DOJ used in compiling the list of aliens to be questioned,
- whether law enforcement complied with DOJ guidance for the project,
- the interview project's status, and
- what information resulted from it.

What GAO Recommends

Because there are indications that the government's antiterrorism efforts will continue to rely, in part, on conducting interview projects with aliens who reside in this country, GAO recommends that the Attorney General initiate a formal review of the project and report on lessons learned. In commenting on a draft of this report, DOJ was silent on GAO's findings, conclusions, and recommendation. DOJ provided technical comments, which GAO evaluated and incorporated, as appropriate. DOJ also expressed two specific concerns about the presentation of information that GAO responded to in the report.

www.gao.gov/cgi-bin/getrpt?GAO-03-459.

To view the full report, including the scope and methodology, click on the link above. For more information, contact Richard M. Stana at (202) 512-8777 or stanar@gao.gov.

HOMELAND SECURITY

Justice Department's Project to Interview Aliens after September 11, 2001

What GAO Found

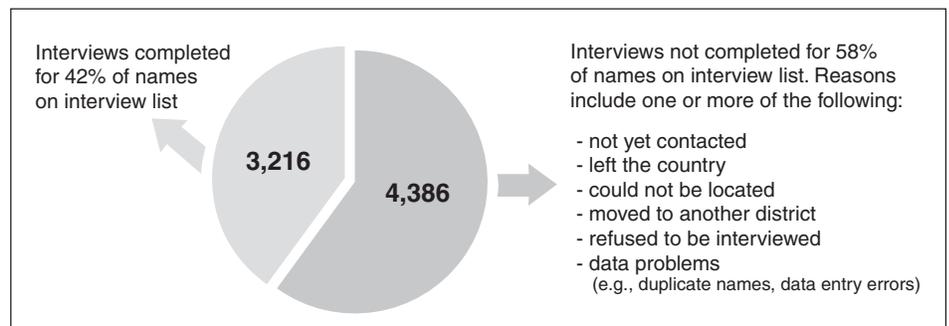
Between September 11 and November 9, 2001, the Immigration and Naturalization Service (INS) compiled a list of aliens whose characteristics were similar to those of the hijackers. DOJ searched its databases for aliens that fit certain characteristics relating to type of visa, gender, age, date of entry into the United States, and country that issued the passport, and identified 7,602 names for interview.

According to law enforcement officials, attorneys for interviewees, and immigration advocates in six U.S. Attorney districts, law enforcement officers who conducted the interviews adhered to DOJ guidelines for the project. The guidelines stressed that the project's objective was information gathering, not criminal investigation, and that participation was to be voluntary. Attorneys for interviewees and immigration advocates agreed that the law enforcement officers adhered to project guidelines, but expressed the view that interviewed aliens did not perceive the interviews to be truly voluntary. They noted that although aliens were not coerced to participate in the interviews, they worried about repercussions, such as future INS denials for visa extensions or permanent residency, if they refused to be interviewed.

Firm and complete information on the project's status is unavailable. As of March 2003, law enforcement officers had interviewed 3,216 aliens—about 42 percent of the names on the list (see figure). However, the list contained problems such as duplicate names and data entry errors, making it difficult to determine how many interviews remained to be completed.

DOJ asserted that the project netted intelligence information and had a disruptive effect on terrorists. But the results are difficult to measure, and DOJ has not fully analyzed all the data obtained from the interviews or how effectively the project was implemented.

Interviews Completed and Not Completed, as of March 2003, from INS's List of 7,602 Names



Source: GAO's analysis of Executive Office for U.S. Attorneys' interview project data.

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Abbreviations

ATTF	Anti-Terrorism Task Force
DOJ	Department of Justice
EOUSA	Executive Office for U.S. Attorneys
FBI	Federal Bureau of Investigations
FTTTF	Foreign Terrorist Tracking Task Force
INS	Immigration and Naturalization Service

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G A O

Accountability * Integrity * Reliability

United States General Accounting Office
Washington, DC 20548

April 11, 2003

The Honorable John Conyers, Jr.
Ranking Minority Member
Committee on the Judiciary
House of Representatives

The Honorable Russell D. Feingold
Ranking Minority Member
Subcommittee on the Constitution
Committee on the Judiciary
United States Senate

In response to the September 11, 2001, attacks on the World Trade Center and the Pentagon, the U.S. government moved on several fronts in an effort to thwart future terrorist attacks. For example, Congress passed the USA PATRIOT Act,¹ which, among other things, expanded the government's authority to conduct surveillance on suspected terrorists and increased the ability of law enforcement and intelligence agencies to share information. Congress also enacted legislation to form a new executive department, the Department of Homeland Security,² to enable the government to address the terrorist threat in a more coordinated manner. The Department of Defense imprisoned enemy combatants at Guantanamo Bay, Cuba, to interrogate them for information that might help prevent future attacks and catch other suspects. The Department of Justice (DOJ) detained aliens in this country whom they suspected of having knowledge of or involvement in terrorist activities. DOJ also initiated a project to interview about 7,600 nonimmigrant aliens³—about 4,800 in the first phase of interviews and about 2,800 in the second phase—whose characteristics were similar to those of the September 11 hijackers to try to determine, among other things, what knowledge they had of terrorists and planned terrorist activities.

¹P.L. 107-56 (2001).

²Homeland Security Act of 2002, P.L. 107-296 (2002).

³Nonimmigrants are foreign nationals, such as students, tourists, and certain types of workers, who enter the United States on temporary visas.

Scope and Methodology

In response to your request for information on the interview project,⁴ this report addresses the following objectives:

- the specific criteria DOJ used in compiling the list of nonimmigrant aliens to be questioned;
- whether law enforcement officers who conducted interviews complied with DOJ guidance on procedures for questioning aliens, including instructions, if any, on ensuring that the questioning was voluntary;
- the status of the interview project; and
- what information resulted from the interview project.

To determine the specific criteria DOJ used in compiling the list of nonimmigrant aliens to be questioned, we reviewed available documentation and interviewed officials from DOJ, including the Director of the Executive Office for U.S. Attorneys (EOUSA), and the Director of the Foreign Terrorist Tracking Task Force (FTTTF).

To determine whether law enforcement complied with the guidance, we reviewed the guidance that DOJ provided to the interviewing agencies on procedures for conducting the questioning. Specifically, we reviewed the Attorney General's directive on the project and the Deputy Attorney General's November 9, 2001, memorandum providing guidance, and the list of interview questions that EOUSA provided to the U.S. Attorney district offices. In addition, we interviewed officials from EOUSA, including the Director of EOUSA, as well as law enforcement officials, immigration rights advocates, and attorneys for interviewed aliens. Specifically, we interviewed 10 U.S. Attorneys and/or Assistant U.S. Attorneys; 47 federal, state, and local law enforcement officials who conducted the interviews; 8 attorneys who represented aliens that had been interviewed; and 22 immigration rights advocates. We conducted these interviews during visits to the following six U.S. Attorney districts:⁵

- Eastern Michigan (Detroit, Michigan);
- Northern Texas (Dallas, Texas);
- Central California (Los Angeles, California);
- Southern New York (New York City, New York);

⁴You have also raised issues regarding other antiterrorism measures implemented after September 11. We will be issuing reports to address your request for information on them.

⁵In addition to the U.S. Attorney districts visited where we met with 22 immigration rights advocates interviewed, we also went to Houston, Texas, and met with 8 immigration rights advocates.

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- Eastern New York (Long Island, New York); and
 - New Jersey (Newark, New Jersey).

To determine the status of the interview project and what information resulted from it, we interviewed DOJ officials, including the Director of EOUSA and the General Counsel of the Federal Bureau of Investigation (FBI), reviewed a February 2002 status report on the project's results, and reviewed statistics on project status that DOJ had compiled as of March 14, 2003. We also interviewed federal law enforcement officials from the FBI, the Immigration and Naturalization Service (INS), Internal Revenue Service, and U.S. Postal Service. In addition, we met with state and local law enforcement officials from the Michigan State Police; West Bloomfield Township, Michigan Police; Farmington Hills, Michigan Police; and the Suffolk County, New York Police. We did not interview state and local law enforcement officials in the other four U.S. Attorney districts because they did not have an active involvement in the project. In addition, we interviewed attorneys for interviewed aliens, and immigration rights advocates in the six U.S. Attorney districts we visited.

We visited the Eastern Michigan and Northern Texas districts because over 20 percent of the interviews in the first phase of the project were conducted in these two districts. We visited the Central California and the New York area districts for geographic dispersion. In total, the six U.S. Attorney district offices we visited accounted for slightly over 27 percent of the interviews during the project's first phase. The information that we collected from the six districts pertains only to those districts and cannot be generalized to all of the districts involved in the interview project. We did not attend any interviews or talk with any alien who was questioned as part of the interview project. According to the attorneys and immigration rights advocates with whom we spoke, these individuals did not feel comfortable meeting with us because we are government officials. We obtained data on the status of the interview project from EOUSA, although limitations in EOUSA's data, which we note in the report, precluded us from providing a firm and complete accounting of the project's status.

We conducted our review from April 2002 to March 2003 in accordance with generally accepted government auditing standards.

Background

Pursuant to the terrorist attacks of September 11, 2001, the Attorney General directed EOUSA to oversee an interview project that was intended to gather information on potential terrorism and help prevent any future terrorist attacks. In a November 9, 2001, memorandum to U.S.

Attorneys, the Attorney General provided the directive for the project and the Deputy Attorney General provided guidelines for the project. EOUSA later distributed the list of questions to be asked, which were based on the Deputy Attorney General's guidelines. The subjects of the interviews were certain nonimmigrant aliens, who were to be considered potential sources of information about terrorists or terrorist activities, rather than suspects, and their participation in the interview project was to be voluntary.

Several federal law enforcement entities contributed to the development and implementation of the interview project. These included FTTTF, INS, EOUSA, U.S. Attorney offices, Anti-Terrorism Task Force (ATTF)⁶ members, the FBI, and the Justice Management Division. The FTTTF developed the criteria for determining which nonimmigrant aliens should be interviewed. INS generated a list of prospective interview subjects and their addresses, and the address information was refined through a search of public databases. EOUSA implemented the project through its 94 U.S. Attorney district offices, which were to coordinate the interviews with ATTF members in each U.S. Attorney district. The Attorney General's memorandum on the project stated that ATTFs would be used for this project because "federal resources have their limits . . . and . . . there are many more people to be interviewed than there are federal agents to conduct the interviews."

The U.S. Attorneys were responsible for assigning the interviews to the various participating ATTF members, providing the written guidance issued by the Attorney General, collecting the reports of the interviews, and coordinating any follow-up investigations with FBI Special Agents-in-Charge. ATTF members were responsible for conducting the interviews in accordance with the guidance, drafting and submitting a written report of each interview, and participating in follow-up investigations, as they deemed appropriate.

Results in Brief

Demographic and visa information on the perpetrators of the September 11 attacks formed the criteria for compiling the list of nonimmigrant aliens

⁶ATTFs operate under the direction of the U.S. Attorneys and are comprised of federal, state, and local law enforcement officials. They are charged with implementing and coordinating the DOJ's antiterrorism plan, serving as a conduit for disseminating information about terrorists between federal and local agencies, and providing a standing organizational structure for a coordinated response to a terrorist incident in the district. ATTFs were established by the Attorney General shortly after September 11.

to be questioned. To identify individuals whose characteristics were similar to those of the perpetrators, FTTTF sought to identify from INS records the names and current addresses of aliens that (1) had certain types of visas and (2) fit certain characteristics relating to gender, age, date of entry into the United States, and country that issued passport. Due to concerns about the reliability of INS's address information,⁷ FTTTF supplemented INS's address information with public source data. The FTTTF used similar criteria in the two phases of interviews except that the aliens' age range, the range of their dates of entry into the country, and the number of countries covered were expanded for the second phase.

The law enforcement officers who conducted the interviews adhered to DOJ's guidance, according to the law enforcement officials, attorneys for interviewees, and immigration advocates with whom we spoke. The attorneys and advocates told us that interviews were conducted in a respectful and professional manner, and interviewees were not coerced to participate. They noted, however, that the interviewed aliens did not perceive the interviews to be truly voluntary because they worried about repercussions, such as future INS denials for visa extensions or permanent residency, if they refused. Further, although there was consensus on the voluntary nature of the interviews, more than half of the law enforcement officers we spoke with expressed concerns about the quality of the questions asked and the value of the responses obtained in the interview project.

Because of data limitations, EOUSA cannot provide firm and complete information on the current status of the interview project. EOUSA's data indicated that, as of March 2003, 3,216 nonimmigrant aliens had been interviewed during the two phases of the interview project. This is about 42 percent of 7,602 names sent to U.S. Attorney offices for interviewing. However, the list contained such problems as duplicate names and data entry errors, which limited EOUSA's ability to determine exactly how many unique individuals (1) the list represented, (2) had left the country, (3) could not be located, and (4) had moved to another district. Because of these problems, it is not possible to determine how many interviews remain to be completed. Although the interview project was to end in May

⁷In our recent report, U.S. General Accounting Office, *Homeland Security: INS Cannot Locate Many Aliens Because It Lacks Reliable Address Information*, [GAO-03-188](#) (Washington D.C.: November 21, 2002), we reported that INS alien address information could not be relied on to locate many aliens of interest to the United States, and recommended specific measures to improve INS's program for gathering the information.

2002, it was still ongoing in January 2003 and DOJ expected that it will be completed by March 1, 2003.

Information resulting from the interview project had not been analyzed as of March 2003; and the extent to which the interview project may have helped the government combat terrorism is hard to measure. According to DOJ officials, there are no specific plans to analyze the project data. DOJ has asserted that the project netted intelligence information and had a disruptive effect on terrorists. EOUSA's February 2002 status report to the Attorney General stated that the interview project resulted in useful leads, but it did not provide specific examples, citing the sensitivity of the leads. The report also stated that "fewer than" 20 interviewees were arrested, mostly due to immigration violations. The second phase of interviews, which was to have been completed in May 2002, was still ongoing in January 2003. Law enforcement representatives with whom we spoke expressed differing views on how the interview project affected community relations. Some said that the interview project was helpful in building ties to the community while others stated that it had a negative effect on relations between the Arab community and law enforcement personnel.

DOJ has not conducted an assessment of the interview project and as of January 2003, had no specific plans to do so, although EOUSA officials told us they thought such an assessment would be valuable. We recognize that DOJ acted quickly after the September 11 attacks to try to develop leads that could help deter another attack. National security, as opposed to interview project methodology and oversight, was rightfully paramount in importance. Because there are indications that the government's antiterrorism efforts will continue to rely, in part, on conducting interview projects with aliens who reside in this country, this report contains a recommendation to the Attorney General to initiate a review of the interview project that would address lessons learned. In commenting on a draft of this report, DOJ was silent on our findings, conclusions, and recommendation. DOJ provided technical comments, which we evaluated and incorporated, as appropriate. DOJ also expressed two concerns—one relating to the objective of the interview project and the other relating to our presentation of data—which we respond to in the Agency Comments and Evaluation section of the report.

Demographic and Visa Information Used in Compiling the List of Nonimmigrant Aliens to Be Questioned

Selected characteristics of the perpetrators of the September 11 attacks formed the criteria for compiling the list of nonimmigrant aliens to be questioned. To identify individuals whose characteristics were similar to those of the perpetrators, FTTTF obtained a dataset of 336,330 records on nonimmigrant aliens who had entered the United States or were issued a visa between January 1, 1999, and September 5, 2001. Because travelers could have entered, departed, and reentered the country several times, the dataset could have contained multiple records for a single alien. Of the 336,300 names that FTTTF received for the first phase of the interview project, it selected 5,146 names with public source addresses who

- entered the United States after January 1, 2000;
- claimed citizenship from any of 15 countries in which intelligence indicated that there was an al Qaeda terrorist presence or activity; and
- were males born between January 1968 and December 1983;

According to DOJ's February 2002 status report, FTTTF's rationale in selecting these characteristics was that their demographic similarity to the terrorists would make them more likely to reside in the same communities or be members of the same social groups and, therefore, more likely to be aware of suspicious activity.

INS obtained the name and address information from its Nonimmigrant Information System, an automated database that contains address and identity information on nonimmigrant aliens who were inspected upon their entry into the United States. Because FTTTF considered INS's address information to be of questionable reliability, it consulted public source databases and supplemented INS's information to attempt to provide the most current address information for these aliens to the U.S. Attorneys.⁸ The individuals selected for interview were identified as having a U.S. street address listed in commercially available public source records.

In March 2002, the Attorney General stated that the interview project produced valuable sources of information and started a second phase of interviews. Using criteria similar to those in the first phase of the project, FTTTF compiled a list of 3,189 names of nonimmigrant aliens for the second phase. The change in criteria included broadening the age range,

⁸[GAO-03-188](#).

date of entry, and number of countries of citizenship of the nonimmigrant aliens to those who

- were males born between January 1955 and December 1984;
- entered the United States between January 1 and February 27, 2002; and
- claimed citizenship from any of 26 countries in which intelligence indicated that there was an al Qaeda terrorist presence or activity.

FTTTF sent 8,335 nonimmigrant alien names to districts for interviewing during the two phases of the interview project. After eliminating some, but not all of the duplicate names, the districts had 7,602 names on their interview lists as of March 14, 2003.

Interviewers Complied with DOJ Guidance; Project Implemented Differently by Districts

The interview guidelines, including the questions that law enforcement officers were to ask the nonimmigrant aliens, were distributed to 94 U.S. Attorney districts.⁹ The guidelines stated the interviews were to be voluntary, and both law enforcement officers and nonimmigrant aliens' representatives with whom we spoke confirmed that the interviewers followed the guidelines for obtaining voluntary participation. There was some variation among districts about how the interview project was implemented.

Interviewers Complied with DOJ's Guidelines for Obtaining Voluntary Participation

In all the districts we visited, officials from the U.S. Attorney offices told us they stressed that the questioning would be voluntary, and they distributed the guidance to the federal, state, and local law enforcement officials who would be conducting the interviews. The law enforcement officials we met with also stated that they followed the guidelines for obtaining voluntary participation.

In the three districts we visited where we were told that immigration rights advocates and attorneys sat in on interviews, we were told that interviews were conducted in a respectful and professional manner, and that the interviewees were not coerced to participate. However, they also reported that aliens told them that they did not feel the interviews were truly

⁹EOUSA distributed the guidance to all 94 U.S. Attorney districts even though not every district was given a list of nonimmigrant aliens to interview. EOUSA wanted all districts to be aware of the project and its guidelines in case they were asked to conduct interviews at a later point in time.

voluntary. This was because the aliens feared there could be repercussions to them for declining to participate. For example, interviewees were reportedly afraid that future requests for visa extensions or permanent residency would be denied if they did not agree to be interviewed. Some aliens also reported to their attorneys and advocates that they felt they were being singled out because of their ethnicity or religious beliefs.

DOJ Provided Guidance Package and Questionnaire to Interviewing Agencies

The Deputy Attorney General provided EOUSA with guidance that consisted of a two-page Attorney General's directive on the interview project and an eight-page memorandum describing the topics that the interview was to cover and interviewing tips. EOUSA distributed these guidelines, as well as a list of interview questions based on the topics listed in the guidance, to its 94 district offices. EOUSA held a telephone conference with all U.S. Attorney district offices on November 9, 2001, to review the guidelines and reinforce the fact that the interviews were to be voluntary. The guidelines stated the following:

- The objective of the project was information gathering.
- The persons to be interviewed were not suspected of involvement in criminal activity; therefore, the interviews would be consensual, and every interview subject was free to decline answering questions.
- While the primary purpose of the interviews was not to ascertain the legality of the individuals' immigration status, the federal responsibility to enforce the immigration laws was an important one.
- The persons to be interviewed would not be asked about their religious beliefs or practices.
- Investigators should feel free to ask about any topic that would elicit information that could reasonably assist in the effort to learn about those who support, commit, or associate with persons who commit terrorism.

The interview topics included personal information about the alien, such as birthplace and country of citizenship; address and phone numbers, including those of family members and close associates; employment and sources of income; and education, including professional licenses or scientific expertise. Other topics covered the alien's foreign travel, involvement in armed conflicts, reaction to terrorism, knowledge of terrorism or the financing of terrorism, and knowledge of any criminal activity. (See app. I for the complete list of interview questions.) Of the 33 questions on the interview form, 21 were in a "yes/no" format. The following are examples of questions asked:

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- “Has the person ever visited Afghanistan? Yes or no. If yes, when and for what reason?”
 - “Does the person know anyone capable [of] or willing to carry out acts of terrorism? Yes or No. If yes, please explain.”
 - “Does the person have any knowledge of involvement in advocating, planning, supporting, or committing terrorist activities? Yes or No. If yes, please explain.” and
 - “Is the person aware of any persons or groups in his homeland who might be planning or advocating terrorist acts against the U.S.? Yes or No. If yes, please explain.”

More than half of the law enforcement officers we interviewed raised concerns about the quality of the questions or the value of the responses. For example, they noted that the questions were redundant, did not produce complete answers, had limited value, and elicited responses that aliens thought would help them avoid attracting further attention from law enforcement.

Project Implementation Varied by District

During our visits to U.S. Attorney districts, we learned of several differences in how the districts implemented the interview project. For example, there were differences among districts in training for the interviews, procedures for contacting interviewees, and agencies involved in conducting the interviews. In all of the districts we visited, law enforcement officials told us they received no formal complaints regarding the project.

Some Districts Held Mandatory Training Sessions, While Others Did Not

In all six districts we visited, we were told that the interview guidelines were provided to the interviewers and that the voluntary nature of the interviews was stressed. Three districts (Eastern District of Michigan, Northern District of Texas, and New Jersey) held mandatory training sessions on how law enforcement officers were to conduct the interviews, and three districts did not. Each district that offered mandatory training required attendance by all personnel who were to conduct the interviews. These districts also offered additional training. For example, one of these districts conducted a session on how to identify fraudulent immigration documents, and the other two districts conducted sessions on Middle Eastern cultural awareness. At one district where mandatory training was held, law enforcement officials told us that the U.S. Attorney in that district instructed them not to deviate from the questions on the interview instrument. In this district, the interview data may be more limited because from a methodological standpoint, open-ended questions in which respondents are asked to express and explain their perceptions and

experiences are more likely to elicit information of a substantive nature. The three districts that did not have mandatory training sessions still provided training to some, but not all, interviewers. For example, officials from the U.S. Attorneys office in the Central District of California stated that supervisors received training.

Different Methods Were Used to Contact Interviewees

The districts we visited used different methods for notifying aliens about the interview project. In five of the districts we visited, the district let the law enforcement agent conducting the interview decide whether to contact the person by phone or by visiting their residence without prior notification. In general, agents told us that they used the contact method they thought would have the most success in producing an interview.

Two of the 94 districts—the Northern District of Illinois and the Eastern District of Michigan—sent letters to aliens notifying them of the interview project. Officials in the U.S. Attorneys office in the Eastern District of Michigan told us they sent a letter that described the project and provided time for the aliens to find counsel, if desired, and prepare for the interview. The letter explained the purpose of the project and stated that participation in the project was voluntary. After receiving the letter, aliens could either call to schedule the interview time and place or decline to be interviewed. We were told that agents would only conduct unannounced visits to aliens’ residences if they did not respond to the letter. Almost all of the attorneys and immigration rights advocates we interviewed in the Eastern District of Michigan thought this approach was optimal for the project. The main criticism expressed about the Eastern District of Michigan’s letter was that there was no mention in the letter that a person could bring an attorney to the interview. (See app. II for a copy of the letter.)

Federal and Local Law Enforcement Involvement Varied in the Project

The involvement of INS, FBI, and local law enforcement agencies in the interview project varied across districts. Table 1 shows which agencies were and were not involved in conducting interviews in the six districts we visited.

Table 1: Branches of Law Enforcement Participating in Project, by District

District	Agencies involved	Agencies generally not involved	Reason cited for generally not involving agency
Eastern Michigan	<ul style="list-style-type: none"> FBI Bureau of Alcohol, Tobacco, Firearms, and Explosives Drug Enforcement Administration Internal Revenue Service U.S. Postal Service U.S. Secret Service State and local law enforcement 	<ul style="list-style-type: none"> INS 	Afraid INS would intimidate people who agreed to be interviewed.
Northern Texas	<ul style="list-style-type: none"> FBI^a INS 	<ul style="list-style-type: none"> Local law enforcement 	Notified when in its jurisdiction, but it did not participate often.
Central California	<ul style="list-style-type: none"> FBI^a 	<ul style="list-style-type: none"> INS Local law enforcement 	<p>Afraid INS would intimidate people who agreed to be interviewed.</p> <p>Notified when in its jurisdiction, but it did not participate often.</p>
Southern New York	<ul style="list-style-type: none"> INS Local law enforcement 	<ul style="list-style-type: none"> FBI 	FBI's local resources stretched too thin due to the September 11 investigation.
Eastern New York	<ul style="list-style-type: none"> Local law enforcement U.S. Attorney Criminal Investigators 	<ul style="list-style-type: none"> INS FBI^b 	<p>INS was understaffed.</p> <p>FBI's local resources stretched too thin due to the September 11 investigation.</p>
New Jersey	<ul style="list-style-type: none"> FBI^a Local law enforcement 	<ul style="list-style-type: none"> INS 	Afraid INS would intimidate people who agreed to be interviewed.

Source: GAO analyses based on site visits.

^aLead interviewing agency.

^bNot involved in first phase of interviews, but involved in second phase.

As shown in table 1, the FBI served as the lead interviewing agency in three districts, and as a participating agency in one district. Four districts opted not to have INS agents conduct any interviews because they felt it would intimidate the interviewees or was understaffed. Local law enforcement was generally involved in conducting interviews in four districts, and minimally involved in two districts. According to DOJ's February 2002 status report, local police departments in a handful of jurisdictions refused to conduct interviews, citing concerns about racial profiling and local laws or regulations that restricted their participation in the enforcement of federal immigration laws.

Complete Information Lacking on Status

It is not possible to provide complete information on the current status of the interview project because of limitations in EOUSA's data.

On February 26, 2002, DOJ reported some aggregate information on the first phase of interviews. Out of 4,793 potential interviews, DOJ reported that

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- 4,112 individuals were in the country, and 681 had left the country;
 - 2,261 interviews were conducted;
 - 1,097 individuals—about 27 percent of the 4,112 individuals who remained in the country—were not located;
 - 785 individuals had relocated to another district; and
 - small percentage of individuals declined to be interviewed.¹⁰

DOJ reported that fewer than 20 people were arrested,¹¹ mostly on immigration violations charges. Most of these arrests occurred when people who had agreed to be interviewed were found to have immigration violations. Three individuals were arrested on criminal charges—none of them appeared to have any connection to terrorism.

Since February 2002, EOUSA did not collect data on the status of the first phase of interviews. Therefore, of the 4,112 individuals who were determined to be in the country, we do not know how many were interviewed in addition to the 2,261 who had already been interviewed as of February 2002. For example, EOUSA did not have follow-up data on the status of the interviews of the 785 individuals who relocated to another district. In these instances, the ATTF in the district to which the individual had moved was tasked with completing the interview. EOUSA also did not have data on the total number of aliens who declined to be interviewed, although it reported that 8 out of 313 individuals in the Eastern District of Michigan, 1 out of 69 individuals in Oregon, and 1 out of 59 individuals in Minnesota refused to be interviewed.

EOUSA's data indicated that, as of March 2003, 3,216 nonimmigrant aliens had been interviewed during the two phases of the interview project. This is about 42 percent of 7,602 names sent to U.S. Attorney offices for interviewing. However, according to EOUSA officials, the following data problems make it difficult to determine the status of the project:

- The names of aliens to be interviewed were not “scrubbed for duplicates” before being sent to the U.S. Attorney offices.
- Arabic names consist of four distinct parts, while American databases were traditionally designed to accommodate three-part names.

¹⁰Except for reporting on a few districts, DOJ did not report the number of people who declined to be interviewed.

¹¹DOJ did not report the exact number of people arrested.

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- Variations in the spelling of traditional Arabic names and in the Arabic vs. American format for recording birth dates may have resulted in data entry errors.

These data problems limited EOUSA's ability to determine exactly how many unique individuals (1) the list represented, (2) had left the country, (3) could not be located, and (4) had moved to another district. Because there were duplicate names on the interview list, however, we can deduce that the number of individuals who were to be interviewed was fewer than 7,602, and the interview completion rate may have been higher than 42 percent. Problems with the data also mean that EOUSA has not been able to determine how many interviews remain to be completed. (See app. III for data on the number of intended interview subjects and the number of people interviewed by district.)

As of January 2003, EOUSA's senior officials responsible for the project did not know the extent to which the interviews had been completed. Out of 94 U.S. Attorney districts, 26 districts had not conducted any interviews as part of the second phase of the project. The second phase was to begin in March 2002 and end in May 2002. EOUSA officials provided us the following information about the 26 districts that had not conducted any interviews during the second phase:

- Four districts did not receive any names for the first or second phase.
- Six districts did not receive any new names for the second phase.
- Seven districts determined that the individuals they were to interview for the second phase had left the country, transferred to another district, or could not be located.
- One district reported that all of the names provided for the second phase were duplicates from the first phase.
- EOUSA had no information on why the remaining 8 districts had not conducted any interviews during the second phase.

EOUSA officials told us that the interview project was a priority for DOJ because the directive to undertake the project came from the Attorney General. They noted, however, that they were asking law enforcement agents to interview people who were not under investigation. Therefore, at the field level, investigative needs may have shifted the priority assigned to conducting the interviews. Nonetheless, officials at EOUSA told us that the interview project was ongoing, and they expected it to be completed by March 1, 2003.

EOUSA officials told us that they have not done an assessment of the interview project to determine “lessons learned” in the event that a similar effort should be undertaken in the future. As of January 2003, EOUSA officials said they had no specific plans to conduct an assessment of their interview project. In response to our inquiries about what improvements, if any, could be made if such a project were undertaken again, they noted that information on project status could be more complete and reliable if several steps are taken when preparing for the project. For example, they said that it would be helpful to eliminate duplicate names from the interview list before disseminating the list to U.S. Attorney offices. They also said that a technical specialist should be involved in designing the project to ensure that the database can be readily updated. This would eliminate the need for EOUSA to query the districts individually to ascertain the status of the project. In addition, they noted that data consistency could be improved if districts were given guidance on how to interpret and report information (for example, what evidence would be needed to conclude that an individual had left the country). Finally, they stated that it might be useful to obtain feedback from federal, state, and local law enforcement on the interview instrument that was used in the project to ascertain what improvements could be made.

Project Results Not Analyzed and Hard to Measure

The data gathered from the interview project had not been analyzed as of March 2003, according to senior EOUSA officials. These data have been maintained by the Justice Management Division in a centralized database. According to DOJ officials, there are no specific plans to analyze the project data. Further, it is difficult to measure the value and results of investigative leads obtained from the interview project. Law enforcement representatives with whom we spoke expressed differing views on how the interview project affected community relations.

EOUSA instructed the districts to forward to them any potential leads developed from the interviews. How and to what extent the interview project—including investigative leads and the increased presence of law enforcement in communities—helped the government combat terrorism is hard to measure. DOJ has asserted that the project netted intelligence information and had a disruptive effect on terrorists. DOJ also stated that the interview project strengthened relationships between law enforcement and Arab communities. Some law enforcement officials and representatives for aliens held the opposite view.

In its February 26, 2002, report to the Attorney General, DOJ officials stated that the project was helpful in disrupting potential terrorist

activities. According to DOJ's report, "These contacts, combined with the widespread media attention the project received, ensured that potential terrorists sheltering themselves within our communities were aware that law enforcement was on the job in their neighborhoods."¹² The report also stated that the project led to meaningful investigative leads—for example, to persons manufacturing fraudulent documents—though it did not specify how many or where because DOJ considered the information too sensitive to divulge. None of the law enforcement officials with whom we spoke could provide examples of investigative leads that resulted from the project. However, nine of the officials offered the opinion that if the interviews provided just one lead that helped prevent a terrorist attack, the project would have been worthwhile.

Law enforcement officials differed on whether the interview project was helpful in building ties to the community. DOJ stated in its report that the project contributed to community building by forging stronger ties between the law enforcement and Arab communities. Law enforcement officials who conducted interviews in 4 of the 6 districts visited expressed similar views to us. They said that the project gave them an opportunity to present a friendly law enforcement presence, obtain information (including on potential hate crimes directed against the interviewees), and leave a business card so the interviewee could contact them at a later time, if necessary. They also noted that the interviewed aliens were generally cooperative and appeared willing to help. Nine of the 47 law enforcement officials with whom we spoke reported that aliens offered to work as linguists to help them with their investigation. In contrast, federal law enforcement officials at the Central California and Eastern New York districts we visited expressed the view that the interview project had a negative effect on relations between the Arab community and law enforcement personnel.

In the 3 districts we visited where we were told that immigration rights advocates and attorneys sat in on interviews, they expressed the view that the project had a chilling effect on relations between the Arab community and law enforcement, even though the interviewers were professional and unthreatening. Attorneys and advocates told us that interviewed aliens told them they felt they were being singled out and investigated because of their ethnicity or religious beliefs. Moreover, as noted earlier, aliens reportedly feared repercussions from INS if they did not agree to the

¹²*Final Report of Interview Project*, DOJ, EOUSA (February 26, 2002).

interview. According to the attorneys, this may have been the reason many of the interviewees offered their linguistic services in support of the government's efforts to combat terrorism.

Conclusions

The terrorist attacks of September 11, 2001, quickly set in motion a number of government measures intended to combat terrorism. One of these was a project designed to gather information on terrorists and terrorist activities from selected nonimmigrant aliens who were to voluntarily agree to participate in interviews with law enforcement agents. Our review found that the project's intent of obtaining aliens' voluntary compliance with the interview project was met. However, the results of the project—in terms of how many, what types, and the value of investigative leads obtained from the interviews—are unknown because DOJ considers the information too sensitive to divulge. Views about the impact of the project on community relations were mixed, with some law enforcement officials indicating that the project helped build ties between law enforcement and the Arab community, while others indicated that the project had a negative effect on such relations. Further, 9 months after the interview project was scheduled to end, it was still ongoing. DOJ did not know what the status of the project was, and it had no specific plans for conducting a comprehensive assessment of lessons learned from the project. This makes oversight of the project difficult, and it does not capitalize on experience so that future interview projects could be implemented more efficiently and effectively.

We recognize that in initiating the interview project after the September 11 attacks, DOJ acted quickly in an effort to develop leads that could help deter another attack. National security, as opposed to interview project methodology and oversight, was rightfully paramount in importance. It is also the case that national security concerns may impel the government to conduct additional interview projects (for example, interviews with Iraqi nationals residing in the United States) such as the one discussed in this report. We believe that lessons that can assist similar future efforts can be gleaned from DOJ's experience conducting the two-phased interview project discussed in this report. In undertaking the interview project, DOJ encountered a host of issues that may provide useful input to implementing an interview project in the future. For example, EOUSA officials told us that the status of the interview project could have been tracked more smoothly if there had been more up-front planning in certain areas, such as eliminating duplicate names from lists and setting up a mechanism for tracking case status. However, DOJ has not conducted a systematic, comprehensive assessment of the interview project to obtain

feedback on what worked well and what could have been improved in implementing it. In discussions with EOUSA officials, they agreed that such an assessment would be valuable.

Recommendation for Executive Action

Because there are indications that the government's antiterrorism efforts will continue to rely, in part, on conducting interview projects with aliens who reside in this country, we believe that the interview project affords an opportunity to build a knowledge base that could assist future efforts to collect interview data and monitor project status. Accordingly, we recommend that the Attorney General, upon completion of the interview project, initiate a formal review of the project and report on the lessons learned. The issues that such a review might address include methods for identifying and locating aliens, constructing effective interview questions, designing a database for maintaining the data collected, issuing guidance on interview methods and inputting data into the database, conducting the interviews, obtaining state and local support for the project, overseeing project status, and analyzing the data. The review should include input from participating law enforcement officials on what aspects of the project were effective and how the objectives of the project might have been better or more efficiently met.

Agency Comments and Our Evaluation

Our draft report was reviewed by representatives of the Office of the Deputy Attorney General, Executive Office for United States Attorneys, Federal Bureau of Investigation, and Immigration and Naturalization Service, now part of the Department of Homeland Security. DOJ provided us with written comments that were primarily technical in nature, and we incorporated them into the report as appropriate. DOJ was silent on our findings, conclusions, and recommendation.

DOJ made two substantive points concerning our draft report. In its first point, DOJ took issue with our focus on data limitations and EOUSA's resulting inability to have firm and complete information on the status of the interview project. DOJ stated that the project's primary purpose was not to measure the number of persons interviewed, but to deter and disrupt potential terrorist activities, gather intelligence, and facilitate community outreach. DOJ noted that none of these purposes can be measured meaningfully by raw data on the number of persons interviewed. We agree with DOJ and made this point ourselves in the report. We state in the Results in Brief and Conclusions sections that interview project methodology and oversight are not of paramount concern when national security is at stake. Nevertheless, we believe that timely, quality data (for

example, eliminating duplicate names from interview lists, maintaining current data on how many interviews were completed, and clearly tracking how many interviews could not be completed and why) serve an important function in terms of efficient project management and effective project oversight. Capitalizing on the lessons learned from how this interview project was designed and implemented can help future similar projects avoid potential pitfalls. That the government may have continuing interest in conducting interview projects with foreign nationals is evidenced by the FBI's current effort to conduct voluntary interviews with Iraqis to gather intelligence information to help with the war effort.

In its second point, DOJ took issue with how we present EOUSA data in two instances in the report. In one instance, DOJ stated that our graphical presentation of data on the Highlights page of the report does not provide an accurate picture of the project's accomplishments because it implies that interviews could have been completed with more effort. DOJ noted specifically that the chart does not account for a large number of aliens who had left the country and, therefore, could not have been interviewed. We did not present data on the number of potential interviewees who had left the country because our interviews with EOUSA officials had indicated the data were not reliable. For example, there may have been duplicate entries on the list of individuals who were thought to have left the country, or an individual may have been classified both as "unable to locate" and "left the United States." Because of limitations in the data, it was not possible to determine how many distinct individuals the number reported as having left the country represented. The chart on the Highlights page is intended as a summary of the most reliable information available on project status. In presenting the information, we attach no value judgment regarding DOJ's performance.

In the second instance, DOJ stated that the table in appendix III does not provide a complete and accurate representation of the project because we present less than half of the data provided by EOUSA. In appendix III, we present information, by judicial district, on the number of names sent to the district for interview, and the number of interviews conducted. We limit the information to these three variables because our discussions with EOUSA officials suggested that the data are reliable. We do not present other numbers provided by EOUSA—specifically, on people referred to another district, transferred out of a district, left the United States, and unable to locate—because our discussions with EOUSA officials indicated that the data are not reliable for a variety of reasons. For example, in addition to the types of problems cited above, some districts may have double counted individuals who were referred into their district and then

transferred out of the district. We added a footnote to the table in appendix III that makes explicit what additional information EOUSA provided us, and why we decided not to present it.

As agreed with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution of it until 30 days from the date of this report. We will then send copies of the report to the Chairman and Ranking Minority Member of the Senate Committee on the Judiciary; the Chairman of the House Committee on the Judiciary; the Chairman and Ranking Minority Member of the Subcommittee on Immigration, Senate Committee on the Judiciary; the Chairman and Ranking Minority Member of the Subcommittee on Immigration, Border Security, and Claims, House Committee on the Judiciary; the Attorney General; the Director of the FBI; the Director of the Foreign Terrorist Tracking Task Force; the Director of the Office of Management and Budget; the Secretary of the Department of Homeland Security, the Under Secretary for Border and Transportation Security, the Director of the Bureau of Immigration and Customs Enforcement, and the Director of the Bureau of Customs and Border Protection, Department of Homeland Security; and other interested parties. We will also make copies available to others upon request. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staffs have any questions about this report, please contact Evi Rezmovic or me at (202) 512-8777. Key contributors to this report are listed in appendix IV.



Richard M. Stana
Director, Homeland Security
and Justice

Appendix I: List of Questions Used in Interviews

ATTF - Suggested Topics for Interviews

The list of suggested questions below corresponds with the list of suggested topics included within the Guidelines for the Interviews Regarding International Terrorism, issued by the Deputy Attorney General on November 9, 2001, as well as the format of the Computerized Reporting System for this project. This document is provided to assist investigators in organizing the information they obtain and turn in to the ATTF Coordinator. Please feel free to distribute this document to the investigators, so that they can have it with them when they conduct interviews.

The list of suggested topics is intended as a guideline for the questioning. It should not be viewed as a mandatory checklist in which each suggested question has to be asked in order. You may wish to discuss with the investigators different interviewing strategies that best fit the circumstances of each interview. Depending on the tone of the interview, the investigators should be encouraged to adopt varying strategies to obtain the information that we are seeking. Investigators should feel free to ask about any topic that would elicit information that could reasonably assist in the effort to learn about those who support, commit or associate with persons who commit terrorism.

1. Name and date of birth of the person interviewed.

2. Did you locate the person on the list? Yes or No

3. Did you interview the person? Yes or No

4. Country of Origin?
Citizenship?
Residence?
Visa Type?

5. What forms of identification were provided?
State driver's permit
Student ID
Visa
Foreign ID

Appendix I: List of Questions Used in Interviews

6. Does the person still have possession of a passport? Yes or No

If yes, what country?

If no, any explanation provided?

7. Any aliases or different spellings of person's name.

8. Current residence and previous addresses.

Home Phone:

Work Phone:

Cell Phone:

Other Phone Numbers:

9. Employment or other sources of income?

Location of employment?

10. Highest Education Level.

11. Interview Date.
Interview Location.

12. Name of the investigators conducting the interview and name of all persons present for the interview. Please include the investigator's affiliation and any contact information for the investigator, including phone and pager numbers, and email address.

Appendix I: List of Questions Used in Interviews

13. Has the person ever visited Afghanistan? Yes or No
If yes, when and for what reason?
14. Has the person ever participated in any armed conflict? Yes or No
If yes, provide further information.
15. Reason for person's visit to United States
- a. Name of any school attending, studies, other activities, and future plans of person.
- b. If the person is a tourist, which cities has the person visited. What cities and landmarks does the person plan to visit?
- c. Purpose and destination of any trips the person has made outside of the U.S.
16. Have threats or violence been directed at the person? Yes or No
If yes, please explain.
17. Does the person have knowledge regarding the events of September 11, 2001?
Yes or No
If yes, please explain.
18. Is the person aware of anyone who reacted in a surprising way to the September 11 attacks? Yes or No
Please explain

Appendix I: List of Questions Used in Interviews

19. Does the person have any knowledge of involvement in advocating, planning, supporting or committing terrorist activities? Yes or No
If yes, please explain

20. Knowledge of terrorism:
a. Does the person know anyone capable or willing to carry out acts of terrorism? Yes or No
If yes, please explain

b. Is the person aware of any plans or discussion about the commission of terrorist acts in the future? Yes or No
If yes, please explain

c. Does the person have any ideas as to how future terrorism can be prevented?
Please explain

d. Did the person recognize the names of any suspects or targets in the September 11 attacks?
Yes or No
If yes, please explain

21. Financing of terrorism
a. Is the person aware of anyone raising money for terrorist activity? Yes or No
If yes, please explain

b. Has the person or anyone else contributed to an entity which the person knows or suspects to be a front for funding terrorism? Yes or No
If yes, please explain

Appendix I: List of Questions Used in Interviews

c. Is the person aware of anyone engaged in systematic activity to raise money, like drug trafficking or fraud schemes? Yes or No
If yes, please explain

22. Training for Terrorist Activities

a. Is the person aware of anyone receiving training at terrorist camps? Yes or No
If yes, please explain

b. Is the person aware of anyone receiving flight lessons? Yes or No
If yes, please explain

c. Is the person aware of anyone receiving terrorist training? Yes or No
If yes, please explain

23. Is the person aware of anyone who has sympathy for the September 11 hijackers or other terrorists? Yes or No
If yes, please explain

24. Advocates of violence:

a. Has the person heard of anyone recruiting individuals to engage in violent acts against the U.S. or its citizens? Yes or No
If yes, please explain

b. Does the person know anyone who is preaching violent “jihad” or urging others to overthrow or attack the U.S.? Yes or No
If yes, please explain

25. Knowledge of Weapons

a. Does the person have access to guns, explosives or harmful chemical compounds? Yes or No
If yes, please explain

Appendix I: List of Questions Used in Interviews

b. Does the person know of anyone who possesses or has tried to purchase guns, explosives or harmful chemical compounds? Yes or No
If Yes, please explain

c. Does the person know anyone who is capable of developing biological or chemical weapons such as anthrax? Yes or No
If Yes, please explain

26. Is the person aware of anyone who possesses or is involved in selling or supplying others with false identification documents (driver's permits, visas, social security cards and credit cards)? Yes or No
If Yes, please explain

27. Knowledge of Terrorists Overseas

a. Is the person aware of any persons or groups in his homeland who might be planning or advocating terrorist acts against the U.S.? Yes or No
If Yes, please explain

b. Does the person know anyone who could help the U.S. in its fight against terrorism? Yes or No
If Yes, please explain

28. Is the person aware of any suspicious activity in his neighborhood, community, or circle of acquaintances that might suggest the undertaking or support of terrorist activities? Yes or No
If Yes, please explain

29. Is the person aware of any other individuals who might have information about the above topics? Yes or No
If Yes, please explain

Appendix I: List of Questions Used in Interviews

30. Is the person aware of any criminal activity whatsoever, regardless of whether it is related to terrorism? Yes or No
If Yes, please explain

31. Summary of significant leads and information learned from the interview

32. Additional information obtained in the interview

33. Do you recommend any follow-up investigation? Yes or No
If Yes, please describe any recommended follow-up investigation

By: _____

Dated: _____, 2001

Appendix II: Notification Letter Sent in the Eastern District of Michigan



U.S. Department of Justice

*United States Attorney
Eastern District of Michigan*

*211 W. Fort Street
Suite 2000
Detroit, Michigan 48226*

*AUSA Robert Cares
Telephone: (313)226-9736
Facsimile: (313)226-2372*

November 26, 2001

Dear Mr.

As you know, law enforcement officers and federal agents have been acquiring information that may be helpful in determining the persons responsible for the September 11th attacks on the World Trade Center and the Pentagon. Furthermore, they are pursuing all leads that may assist in preventing any further attacks. I am asking that you assist us in this important investigation.

Your name was brought to our attention because, among other things, you came to Michigan on a visa from a country where there are groups that support, advocate, or finance international terrorism. **We have no reason to believe that you are, in any way, associated with terrorist activities.** Nevertheless, you may know something that could be helpful in our efforts. In fact, it is quite possible that you have information that may seem irrelevant to you but which may help us piece together this puzzle.

Please contact my office to set up an interview at a location, date, and time that is convenient for you. During this interview, you will be asked questions that could reasonably assist in the efforts to learn about those who support, commit, or associate with persons who commit terrorism.

While this interview is voluntary, it is crucial that the investigation be broad based and thorough, and the interview is important to achieve that goal. We need to hear from you as soon as possible - **by December 4**. Please call my office at (313) 226-9665 between 9:00 a.m. and 5:00 p.m. any day, including Saturday and Sunday. We will work with you to accommodate your schedule.

Yours truly,

JEFFREY COLLINS
United States Attorney

A handwritten signature in black ink that reads "Robert Cares".

ROBERT P. CARES
Assistant United States Attorney

Appendix III: March 2003 Data on the Interview Project, by District, First and Second Phases of Interviews Combined

Judicial district	Number of names assigned to districts	Number of interviews conducted
Alabama-Middle	1	1
Alabama-Northern	25	14
Alabama-Southern	7	4
Alaska	8	1
Arizona	109	54
Arkansas-Eastern	27	14
Arkansas-Western	18	12
California-Central	259	110
California-Eastern	39	18
California-Northern	126	63
California-Southern	42	16
Colorado	178	82
Connecticut	103	70
Delaware	15	9
District of Columbia	66	21
Florida-Middle	423	128
Florida-Northern	55	26
Florida-Southern	248	109
Georgia-Middle	4	2
Georgia-Northern	202	42
Georgia-Southern	6	3
Guam/Northern Mariana ^b	6	4
Hawaii	18	4
Idaho	4	0
Illinois-Central	55	29
Illinois-Northern	482	99
Illinois-Southern	10	6
Indiana-Northern	53	37
Indiana-Southern	39	19
Iowa-Northern	18	8
Iowa-Southern	141	69
Kansas	69	52
Kentucky-Eastern	25	14
Kentucky-Western	19	14
Louisiana-Eastern	60	26
Louisiana-Middle	24	12
Louisiana-Western	28	9
Maine	8	3
Maryland	157	53
Massachusetts	117	77
Michigan-Eastern	555	330
Michigan-Western	106	60

Appendix III: March 2003 Data on the Interview Project, by District, First and Second Phases of Interviews Combined

Judicial district	Number of names assigned to districts	Number of interviews conducted
Minnesota	188	77
Mississippi-Northern	6	3
Mississippi-Southern	7	5
Missouri-Eastern	53	32
Missouri-Western	66	44
Montana	5	4
Nebraska	16	11
Nevada	17	6
New Hampshire	15	8
New Jersey	220	106
New Mexico	28	20
New York-Eastern	246	65
New York-Northern	39	21
New York-Southern	134	49
New York-Western	46	7
North Carolina-Eastern	12	6
North Carolina-Middle	12	3
North Carolina-Western	25	11
North Dakota	6	4
Ohio-Northern	32	28
Ohio-Southern	51	20
Oklahoma-Eastern	0	0
Oklahoma-Northern	57	49
Oklahoma-Western	41	16
Oregon	209	83
Pennsylvania-Eastern	65	18
Pennsylvania-Middle	13	10
Pennsylvania-Western	35	21
Puerto Rico	0	0
Rhode Island	5	4
South Carolina	50	22
South Dakota	1	0
Tennessee-Eastern	15	5
Tennessee-Middle	17	6
Tennessee-Western	16	6
Texas-Eastern	89	45
Texas-Northern	364	196
Texas-Southern	660	148
Texas-Western	265	111
Utah	6	4
Vermont	5	2
Virgin Islands	0	0
Virginia-Eastern	212	83

Appendix III: March 2003 Data on the Interview Project, by District, First and Second Phases of Interviews Combined

Judicial district	Number of names assigned to districts	Number of interviews conducted
Virginia-Western	6	8
Washington-Eastern	21	14
Washington-Western	97	30
West Virginia-Northern	16	11
West Virginia-Southern	10	9
Wisconsin-Eastern	59	24
Wisconsin-Western	89	37
Wyoming	0	0
Total	7,602^a	3,216

Source: Executive Office for U.S. Attorneys.

Note: EOUSA also provided us the following data: number of people referred to a district, number of people transferred out of a district, number of people who left the United States, and number of people law enforcement was unable to locate. We are not presenting these data because EOUSA officials told us that the data were unreliable for a variety of reasons. One reason cited was lack of criteria for the categories. For example, if there was testimonial evidence that a person left the country, one district might classify that as "unable to locate" while another district might classify that as "left the United States." Additionally, some districts might have double-counted people in certain categories, such as people who might have transferred in and out of a district. Finally, except for number of interviews conducted, the other categories may have contained duplicate entries.

^aFTTTF sent 8,335 nonimmigrant alien names to districts for interviewing during the two phases of the interview project. After eliminating some of the duplicate names, the districts' lists of names totaled 7,602 as of March 14, 2003. There remains a degree of inaccuracy even in this number because, among other things, it contains duplicate names that were not always detected, as well as data entry errors.

^bGuam/Northern Mariana consists of two districts that are under one U.S. Attorney.

Appendix IV: GAO Contacts and Acknowledgments

GAO Contacts

Richard M. Stana (202) 512-8777
Evi L. Rezmovic (202) 512-8777

Acknowledgments

In addition to the above, Cheryl Dorfman, Sam Van Wagner, Mark Macauley, Keith Wandtke, David Alexander, Ann Finley, Jan Montgomery, and Amy Rosewarne made key contributions to this report.

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