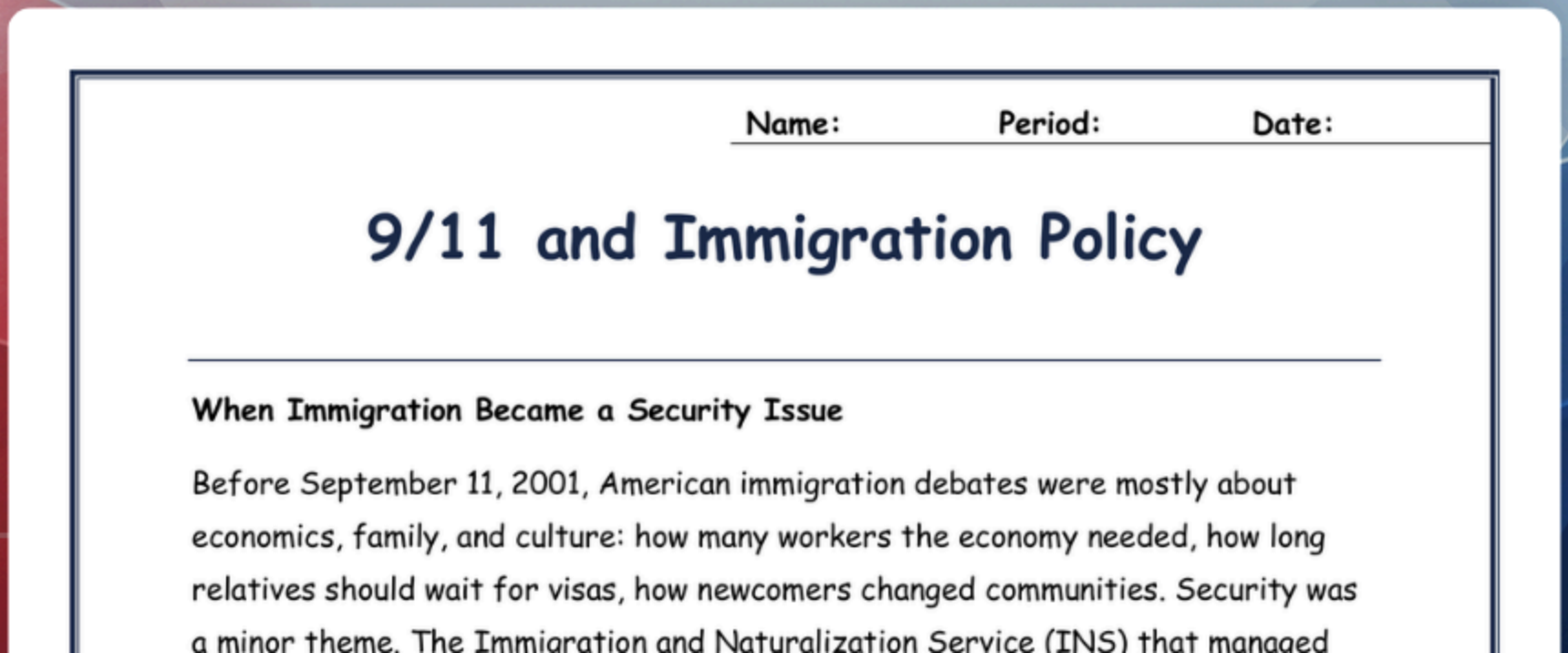
NO PREP

9/11 and Immigration Policy

When Immigration Became a Security Issue

Includes: Student reading, case study, differentiated questions, teacher key



Name: Period: Date:

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When Immigration Became a Security Issue

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When Immigration Became a Security Issue

Before September 11, 2001, American immigration debates were mostly about economics, family, and culture: how many workers the economy needed, how long relatives should wait for visas, how newcomers changed communities. Security was a minor theme. The Immigration and Naturalization Service (INS) that managed the system was criticized for slow paperwork, not for national defense failures. September 11 changed the frame overnight. All nineteen hijackers had entered the United States legally on tourist, business, or student visas — several had overstayed or violated their terms, and the system had never noticed. Six months after the attacks, in a painful symbol of the old system's failures, a Florida flight school received INS paperwork approving student visas for two of the dead hijackers. From that point forward, every immigration question in American politics carried a second question inside it: could this policy be exploited by someone planning an attack? The 9/11 Commission later documented how deep the blindness had run. The hijackers submitted twenty-three visa applications and twenty-two were approved, several containing false statements that closer scrutiny might have caught. Consular officers had been trained to screen applicants as potential illegal immigrants — people who might overstay and work — not as potential terrorists, and the State Department's terrorist watchlist was not systematically checked against visa applications. Information that might have stopped individual hijackers sat in separate databases at the CIA, FBI, and State Department that did not talk to each other. The Commission's blunt conclusion — that border security had never been treated as a counterterrorism tool — became the charter for everything that followed.

Tearing Down the INS, Building DHS

The structural response was the largest reorganization of the federal government since World War II. The Homeland Security Act of 2002 created the Department of Homeland Security, and in March 2003 the INS was abolished outright. Its duties were split among three new agencies inside DHS: U.S. Customs and Border Protection (CBP) to guard ports of entry and the borders between them, Immigration and Customs Enforcement (ICE) to investigate violations inside the country, and U.S. Citizenship and Immigration Services (USCIS) to process green cards, naturalizations, and other benefits. The split embodied the new philosophy: enforcement and benefits would no longer live in the same agency, and both would answer to a department whose first mission was preventing terrorism. Border Patrol staffing roughly doubled over the following decade, and immigration enforcement budgets grew faster than almost any other area of federal spending. The numbers tell the story of the transformation. The Border Patrol grew from roughly 9,800 agents in 2001 to more than 21,000 within a decade, while ICE built the largest immigration detention system in the world. The REAL ID Act of 2005 reached into every American's wallet, setting federal security standards for the driver's licenses used to board airplanes — a direct response to how easily the hijackers had obtained state identification. Programs deputizing local police to enforce immigration law expanded sharply. Immigration enforcement, once a modest administrative function, became one of the largest law enforcement enterprises in the federal government, with annual budgets eventually exceeding those of the FBI, DEA, Secret Service, and U.S. Marshals combined.

Visas, Biometrics, and Watching the Doors

Congress also rewired the visa system itself. The Enhanced Border Security and Visa Entry Reform Act of 2002 required tamper-resistant, machine-readable visas, deeper background checks, and real information-sharing between the State Department, the FBI, and intelligence agencies — agencies that before 9/11 had famously failed to compare notes. The US-VISIT program, launched in 2004, began

collecting fingerprints and photographs from foreign visitors at airports. The Student and Exchange Visitor Information System (SEVIS) required colleges to report whether foreign students actually enrolled and attended — closing the loophole that had let a hijacker hold a student visa for a school he never attended. Consular officers abroad became a first line of defense, trained to screen for security risks and not just paperwork problems. Immigration lawyers began describing a new reality to their clients: entering America was now a biometric event, recorded and databased. The watchlist system was rebuilt as well. In 2003 the government consolidated a dozen scattered lists into the Terrorist Screening Database, feeding both visa decisions and the new no-fly list — which grew from sixteen names before 9/11 to thousands after. The new machinery produced its own famous failures: Senator Edward Kennedy was stopped at airports repeatedly because his name resembled an alias on the list, and ordinary travelers spent years fighting misidentifications with no clear appeal process. Visa processing slowed dramatically as interviews became mandatory and background checks deepened; international student enrollment dipped in the years after 2001 as applicants chose Canada, Britain, and Australia instead — an early sign that security measures carry economic prices paid far from any border.

NSEERS and the Profiling Question

The most controversial post-9/11 program was the National Security Entry-Exit Registration System, launched in 2002. NSEERS required male visitors from a list of twenty-five countries — twenty-four of them majority-Muslim — to register with immigration authorities, submit fingerprints, and appear for regular check-ins. More than 80,000 men complied. The program produced deportation cases for visa violations but not a single terrorism conviction, and critics argued it amounted to religious and ethnic profiling that treated entire nationalities as suspects. Community trust in law enforcement, they said, was the real casualty: people afraid of registration stopped reporting crimes and cooperating with investigators. The government suspended NSEERS in 2011 and formally dismantled it in 2016. The program remains a standard case

study in the civil liberties cost of security policy — proof that a tool can be both understandable in origin and a failure in practice. The program's arithmetic became its indictment. More than 83,000 men came forward to register; roughly 13,000 of them were placed in deportation proceedings, almost entirely for civil visa violations like overstays — the same infractions millions of others committed without consequence. Families were separated and communities hollowed out in neighborhoods from Brooklyn to Los Angeles, while the men who complied concluded that honesty had been punished. Civil rights groups drew pointed comparisons to earlier chapters of American history when nationality alone had defined suspicion. When DHS finally dismantled the program, its own assessment was quietly devastating: modern biometric systems like US-VISIT had made NSEERS redundant years earlier, meaning the program's costs had continued long after any plausible security rationale had expired.

The Debate That Never Ended

Two decades later, 9/11 still shapes how America argues about immigration. Advocates of strict control point to the hijackers' legal entries as permanent proof that generosity can be exploited, and every proposed visa program is now stress-tested against security scenarios. Critics answer that the post-9/11 era shows how fear distorts policy: programs like NSEERS burdened thousands of innocent people while catching no terrorists, and America's reputation as a welcoming nation — itself a strategic asset — took lasting damage. Both sides are arguing about the same lesson from different directions. Security concerns can transform a policy area almost overnight, but the transformation is easier to build than to unbuild. For students of government, immigration after 9/11 shows how a single day rewired the permanent machinery of the state. The aftershocks kept coming for decades. Refugee admissions, capped near 70,000 annually before the attacks, collapsed to about 27,000 actually admitted in 2002 as new security vetting froze the pipeline — and every later debate over refugees, from Iraq to Syria, replayed the same security-versus-humanity script. Comprehensive immigration reform bills failed repeatedly in Congress, in part because any proposal

could be attacked as a security risk. Even the travel ban litigation of 2017 turned on questions first framed after 9/11: how much deference courts owe the executive when it claims national security requires excluding categories of foreigners. Students reading this are inheriting that unfinished argument, and the evidence from two decades of it is the starting point for judging what actually works.

Key Information: Immigration Policy After 9/11

Detail	Information
Hijackers' entry	All 19 entered legally; several overstayed or violated visas
Homeland Security Act	2002 law creating DHS; INS abolished March 2003
Successor agencies	CBP (borders), ICE (interior enforcement), USCIS (benefits)
Border Security Act 2002	Machine-readable visas, background checks, data sharing
US-VISIT (2004)	Fingerprints and photos collected from foreign visitors
SEVIS	Tracks whether foreign students actually enroll and attend
NSEERS (2002-2011)	Registration of men from 25 countries; zero terror convictions

Case Study: Tariq's Registration Day

Tariq Mahmood, 24, came to the United States from Pakistan on a student visa in 2001 to study civil engineering. In early 2003, a notice arrived: under NSEERS, he was required to report to a federal building, be fingerprinted and photographed, and answer questions about his courses, his roommates, and his bank account. Tariq had never missed a class or a rent payment. He waited seven hours in a hallway with hundreds of other men — cab drivers, graduate students, a heart surgeon. "I kept my transcript in my jacket like a shield," he later told his campus newspaper. "I wanted proof I was exactly who I said I was." Tariq was released with a stamp and a warning to report again in a year. Two of the men he met that day were detained for expired visas and eventually deported. Tariq finished his degree, but he stopped attending his mosque's public events, afraid that being visible was now a risk.

1. What does Tariq's experience suggest about how NSEERS treated compliance and suspicion?

_____

_____

2. How does Tariq's decision to avoid mosque events illustrate the trust costs critics attributed to NSEERS?

_____

_____

Multiple Choice

1. Which department absorbed immigration functions after the INS was abolished?
    a) Department of Justice — handles federal criminal cases
    b) Department of State — manages diplomatic affairs
    c) Department of Homeland Security
    d) Department of Defense — oversees armed forces

2. What security weakness did the 9/11 hijackers actually expose?
    a) They crossed the border without inspection or documentation
    b) They entered legally and violated visa terms unnoticed
    c) They used entirely forged American passports and false identities
    d) They bribed immigration officials for entry into the country

3. What was the final record of the NSEERS registration program?
    a) It convicted dozens of terrorists and disrupted major plots
    b) It was expanded to all foreign visitors to all U.S. airports
    c) It was declared unconstitutional in 2003 by the federal courts
    d) It produced no terrorism convictions and was dismantled

Matching

Write the letter of the correct definition on the line next to each term.

Term	Definition
1. ___ CBP	A) Required registration of male visitors from 25 listed countries
2. ___ ICE	B) Processes green cards, naturalization, and other benefits
3. ___ USCIS	C) Guards ports of entry and the borders between them
4. ___ SEVIS	D) Investigates immigration violations inside the country
5. ___ NSEERS	E) Tracks enrollment and attendance of foreign students

Fill-in-the-Blank

1. The Department of _____ Security absorbed immigration duties in 2003.

2. The US-VISIT program collected photographs and _____ from visitors.

3. Critics said NSEERS amounted to religious and ethnic _____.

Short Answer

Answer each question in 2-4 complete sentences.

1. Why did splitting the INS into three agencies reflect a new philosophy of immigration governance?

_____

_____

_____

2. Evaluate NSEERS: what was it designed to do, and why do most analysts judge it a failure?

_____

_____

_____

3. Should immigration policy be built primarily around security risks? Weigh the benefits and costs.

_____

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