

INSTRUCTIIONS TO ICE DUTY AGENTS RE FRAUDULENT DOCUMENTS MSG

On December 24, 2003, direction was provided to all Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) field offices regarding fraudulent document interceptions by CBP at all ports of entry. Specifically, CBP officers were instructed to exercise maximum coordinative efforts with ICE Investigations personnel in all cases involving fraudulent documents during the increased threat condition (Orange).

To effectively and efficiently support this initiative, ICE Duty Agents should consider each referral and gauge their response as it relates to a potential threat to the national security of the United States. Accordingly, the below criteria should be considered by the ICE Duty Agent upon receiving a referral from CBP officers, in order to determine whether it is a matter that can remain within the normal CBP protocol; or if it requires a Duty Agent interview for National Security purposes and, possibly, a notification of the JTTF program.

In making the determination concerning normal processing or agent response/JTTF notification, the Duty Agent should apply the following criteria, which are not intended to be exhaustive. Additional scrutiny should be given to the following applicants for admission:

Applicant for admission presenting evidence of prior travel through Special Interest Countries (SIC).

Applicants for admission claiming dual citizenship in one or more of the SIC countries.

Involved in the photo substitution of non-SIC identity documents, to include passports, visas, and other documents; which would alter the identity of the applicant.

Additional derogatory related to the applicant for admission exists.

Visa Waiver Pilot Program (VWPP) applicants.

The relationship between Fraudulent Documents and threats to National Security is a matter of special concern within DHS, BTS, CBP, and ICE. If, after applying the above criteria, the duty agent remains uncertain as to how to proceed on a particular referral, he or she should consult with appropriate local Investigations supervision for additional guidance.