

March 18, 2005

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
DIRECTOR, PRECLEARANCE OPERATIONS

FROM: Assistant Commissioner
Office of Field Operations

SUBJECT: Additional Guidance on Fraudulent Documents Processing

On December 24, 2004, I issued guidance on the processing of fraudulent documents and the establishment of the (b)(2) & (b)(7)(E) and on January 14, 2005, additional clarifying guidance was issued. Now that the new process has been in place for more than two months, additional direction and clarification are necessary to ensure consistent and universal implementation of these requirements. In particular, it is important that we ensure the proper handling of all terrorism related cases and that all requirements are being met at all locations. Specifically, all locations are asked to immediately adhere to the following:

1. All fraudulent documents used by or believed to be connected with actual or suspected terrorists must be forwarded to (b)(2) & (b)(7)(E). Where the document is required for prosecution or investigation by CBP or another Federal agency, a full copy of the travel document and any associated evidence shall be forwarded immediately to (b)(2) & (b)(7)(E). **There are no exceptions to this requirement.**
2. Individuals apprehended for use of a fraudulent travel document (including impostors) should be enrolled in (b)(2) & (b)(7)(E) and full document information included. Port Directors are responsible for ensuring that a quality control process is in place to ensure enrollment and to review and correct (b)(2) & (b)(7)(E) fraudulent document entries;
3. All Preclearance sites are reminded that all directives associated with fraudulent documents apply to those locations as well. In those cases where a travel document cannot be seized and will be returned to the host government, a full copy of the travel document and any associated evidence shall be forwarded immediately to (b)(2) & (b)(7)(E);
4. All CBP Officers assigned to Immigration Security Initiative sites overseas shall, to the greatest extent possible, attempt to obtain either original or copies of fraudulent travel documents and associated evidence. Where these are not released by the host governments, all available information shall be forwarded to (b)(2) & (b)(7)(E) in lieu of the actual document;

5. Valid documents found in mail or luggage may not be seized unless probable cause exists that the documents have been altered, are counterfeit, or are otherwise evidence of a crime, or the fruit or instrumentality of a crime; and
6. Altered, stolen, or counterfeit documents found in mail or luggage should be seized and shall be entered in the (b)(2) & (b)(7)(E) system and forwarded to the [REDACTED] along with a memorandum describing the circumstances of the seizure.

Please ensure compliance with this and that all CBP Officers are provided with the attached muster during the week of March 21, 2005. If you have any questions, please have a member of your staff contact (b)(6) & (b)(7)(C) at (b)(6) & (b)(7)(C) or [REDACTED] at (b)(6) & (b)(7)(C).

Jayson P. Ahern /S/

Attachments

cc: Executive Director, Border Security and Facilitation

Subject: Seized Documents

Date: 1/2/2005 12:26p

From: (b)(6) & (b)(7)(C)

Until further notice, when seizing counterfeit, altered or impostored documents, do not complete data entry into (b)(2) & (b)(7)(E), since we are awaiting further instructions and clarifications with respect to this function.

When a document is seized, officers should forward the seized document to SCBPO-Enf. (b)(6) & (b)(7)(C) at Terminal Four. Along with the seized document the following must be included:

- a copy of the document (not necessary to copy blank pages)
- a copy of form I-213
- a copy of form I-275
- a copy of the Single Journey Letter (a copy must be placed in the 'A' file as well).

Also, until further notice, we will NOT seize documents when the only document fraud for the case relates to a (b)(2) & (b)(7)(E).

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Subject: New INS Rule Governing Release of Detainee Information

Date: 4/24/2002 11:47a

From: (b)(6) & (b)(7)(C)

A recently published federal rule prohibits disclosure to the public, by any privately operated detention facility, of information relating to any detainee being held at that facility on behalf of the Service.

Such information shall be under control of the Service and shall be subject to disclosure only pursuant to the provisions of applicable federal laws, regulations and executive orders.

(Dated 09/28/06)

MEMORANDUM FOR: ALL CBP OFFICERS
SAN DIEGO FIELD OFFICE

FROM: Director, Field Operations
San Diego, California

SUBJECT: Performing Vigilant Primary Inspections

CBPOs assigned to the San Diego Field Office face the highest volume and threat environment and some of the most difficult working conditions our nation has to offer. From a national perspective, the San Diego Field Office performs █ percent of all inspections nationwide. In fact, █ percent of all POVs that enter the United States do so via a San Diego Field Office POE.

While these workload statistics are impressive, what is more astounding is the percentage of enforcement successes for which the San Diego Field Office accounts. Fiscal Year to Date statistics through July indicate that the San Diego Field Office seized █ percent of all marijuana, █ percent of all cocaine, and █ percent of all methamphetamine seized by the Office of Field Operations. Additionally, █ percent of all immigration apprehensions and █ percent of all NCIC arrests affected nationwide are executed by CBPOs in our Field Office. CBPOs are ramping up on pedestrian and vehicle name queries, and our Field Office name check has increased exponentially, to just over █ percent.

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b7E

Over the course of the past few weeks Field Office and Port Management have been placing significant emphasis on ensuring that CBP performs complete, thorough and vigilant primary inspections. In doing so, we are reiterating best practices that line officers must replicate in order to achieve success and vigilance on primary. We will continue to achieve this success by ensuring that all officers assigned to primary inspection positions follow the 10 steps outlined below. CBPOs on primary must:

1. Not Responsive/(b)(2) & (b)(7)(E) [REDACTED]
2. Verify and physically handling documents for all vehicle occupants.
3. Not Responsive/(b)(2) & (b)(7)(E) [REDACTED]
4. Not Responsive/(b)(2) & (b)(7)(E) [REDACTED]