



**U.S. Immigration  
and Customs  
Enforcement**

OCT 01 2004

MEMORANDUM FOR: All Special Agents in Charge

FROM: (b)(6); (b)(7)(c)  
Deputy Assistant Director, National Security Investigations

Division

SUBJECT: Policy and Procedures for Requesting Retroactive Revocation of  
Non-Immigrant Visas in Certain National Security Cases

This memorandum serves to notify the field of important new procedures related to national security investigations.

Background

The Department of Homeland Security (DHS) and the Department of State (State) have recently implemented procedures that under certain circumstances provides for the retroactive revocation of an aliens non-immigrant visa back to the date of visa issuance. These new procedures reflect an enhancement to State's visa revocation program. Previously, State revoked visas effective immediately if the visa holder is outside of the United States, whereas if the visa holder is in the United States, the revocation does not become effective until the alien departs. Under the new procedures, State has agreed to revoke, on a case-by-case basis, a non-immigrant visa retroactively to the date of issuance, rendering the subject inadmissible and, if present in the United States, with no valid immigration status.

The ICE National Security Law Division (NSLD) is currently working on a regulatory change that will establish a removal charge based on a non-immigrant visa revocation for national security reasons.

Procedures

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Please direct all questions and comments relating to this memorandum to (b)(6); (b)(7)(c),  
Acting Unit Chief, Compliance Enforcement Unit, at (202) 514-<sup>(b)(6); (b)(7)(c)</sup>