

## U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

### Policy Number 1016.2: Official Passport Processing

**Issue Date:** April 14, 2011  
**Effective Date:** April 14, 2011  
**Superseded:** ICE Directive 1-5.0, "Official Passport Processing for ICE Employees" (December 12, 2005), is hereby superseded, as are all other policies issued on this subject prior to the effective date of this Directive.

**Federal Enterprise Architecture Number:** 306-112-002b

1. **Purpose/Background.** This Directive establishes policy and implementing procedures for requesting and processing official U.S. passports for U.S. Immigration and Customs Enforcement (ICE) officials. This Directive applies to all ICE employees. This Directive does not address visa or diplomatic passport processing functions.
2. **Policy.** After obtaining supervisory approval, ICE employees, U.S. Government contractors, and Task Force officers may request issuance of an Official U.S. Passport for use while performing official duties during government-approved travel outside of the United States. ICE Directorates or Program Offices whose personnel require official passports shall designate a point of contact (POC) to manage the passport application process and recordkeeping for their personnel. If an employee ceases employment with ICE, he or she must immediately return the official passport to the Designated Program POC.
3. **Definitions.** The following definitions apply for purposes of this Directive only:
  - 3.1. **Designated Program POC.** An ICE employee designated to assist in the processing and administration of all applications for official passports for his or her Directorate or Program Office at Headquarters or in the field.
  - 3.2. **Field Responsible Officials.** ICE employees accountable for ICE operations within their area of responsibility (AOR) at ICE field locations. These officials include all Office of Homeland Security Investigations (HSI) and Office of Professional Responsibility (OPR) Special Agents in Charge, HSI Intelligence (INTEL) Field Intelligence Group Directors, HSI International Affairs Attachés, Office of Enforcement and Removal Operations (ERO) Field Office Directors, Office of the Principal Legal Advisor (OPLA) Chief Counsels, and other officials designated in writing by the ICE Director.
  - 3.3. **Headquarters POC.** An ICE employee serving as a Designated Program POC at the headquarters level who is responsible for providing assistance with the processing of official passports for his or her Directorate or Program Office. These officials also

communicate directly with the Department of State (DOS) on behalf of Designated Program POCs or Official Passport Holders.

- 3.4. **Headquarters Responsible Officials.** ICE employees accountable for all operations within their AOR at ICE Headquarters. These officials are the Deputy Director; the Executive Associate Directors of HSI, ERO, and Management and Administration; the Assistant Directors of OPR, the Office of State, Local and Tribal Coordination (OSLTC), the Office of Congressional Relations (OCR), and the Office of Public Affairs (OPA); and the Principal Legal Advisor.
- 3.5. **Local Execution Office.** A post office or municipal court with a Passport Acceptance Agent.
- 3.6. **Official Passport Applicant.** An ICE employee, U.S. Government contractor, or Task Force officer who has applied for an official passport.
- 3.7. **Official Passport Holder.** An ICE employee, U.S. Government contractor, or Task Force officer who holds a current official passport.
- 3.8. **Passport.** An internationally recognized travel document that verifies the identity and nationality of the bearer. A valid passport is required to enter and leave most foreign countries. Only DOS has the authority to grant, issue, or verify U.S. passports.
  - 1) **Diplomatic Passport.** A passport issued to a Foreign Service officer or to a person having diplomatic status or comparable status because he or she is traveling abroad to carry out diplomatic duties on behalf of the U.S. Government.
  - 2) **Official Passport.** A passport issued to an official or employee of the U.S. Government traveling abroad to carry out official duties. When authorized by DOS, an official passport may be issued to a U.S. Government contractor traveling abroad to carry out official duties on behalf of the U.S. Government.
  - 3) **Regular (Tourist/Business) Passport.** A passport issued to a national of the United States for personal, unofficial travel.
- 3.9. **Passport Acceptance Agent.** A person authorized by the DOS to sign and execute passport applications.
4. **Responsibilities.**
  - 4.1. **Field Responsible Officials** are responsible for selecting, in writing, a Designated Program POC who will process passport applications for employees in his or her AOR and maintaining records of ICE employees' official passports and applications in accordance with agency-established privacy and records management policies.

**4.2. Headquarters Responsible Officials** are responsible for selecting, in writing, a Headquarters Program POC who will process passport applications for headquarters employees in his or her AOR and maintaining records of ICE employee official passports and applications in accordance with agency-established privacy and records management policies.

**4.3. Designated Program POCs** are responsible for:

- 1) Serving as liaisons between their respective Directorate or Program Office and Headquarters Program POCs;
- 2) Assisting official passport applicants with the application process so they may obtain an official passport;
- 3) Maintaining records of official passport applicants'/holders' official passports and passport applications in accordance with agency-established privacy and records management policies;
- 4) Transferring the official passport applicants'/holders' official passport records/files to the appropriate Designated Program POC when an ICE employee transfers to another field office or ICE program and notifying the appropriate Headquarters Program POCs of the transfer; and
- 5) Forwarding all official passports collected from separated employees to the Headquarters Program POCs.

**4.4. Headquarters Program POCs** are responsible for:

- 1) Serving as liaisons between Designated Program POCs and DOS personnel;
- 2) Processing applications for official passports;
- 3) Maintaining a list of Designated Program POCs for their Directorate or Program Office at the headquarters and field office levels and notifying DOS of any changes in ICE personnel handling official passport processing;
- 4) Notifying the ICE Office of Policy when there is a change in Headquarters Program POC personnel in order to maintain an updated contact list; and
- 5) Fulfilling all other duties of a Designated Program POC for employees at the headquarters level.

**4.5. Official Passport Applicants/Holders** are responsible for:

- 1) Contacting their Designated Program POC for guidance on official passports and passport applications;

- 2) Properly completing all required forms and providing appropriate documents and passport photos;
- 3) Protecting the passport before, during, and after official travel;
- 4) Reporting a lost, stolen, destroyed, or found passport as soon as possible to their supervisor and Designated Program POC;
- 5) Initiating the renewal process for an official passport no later than 6 months prior to the expiration date of an official passport;
- 6) Notifying the Designated Program POC prior to transferring to another field office or ICE program; and
- 7) Returning the official passport to the Designated Program POC before ceasing employment with ICE.

## **5. Procedures.**

### **5.1. POC Lists.**

- 1) **Headquarters Program POC List.** The Headquarters Program POC must maintain a current list of Designated Program POCs and must notify DOS of any changes in ICE personnel handling official passport processing, in accordance with Attachment 1.
- 2) **Designated Program POC List.** Field Responsible Officials or their designees must submit the names of the Designated Program POCs to the Headquarters Program POC and update this list with the Headquarters Program POC as needed.

### **5.2. Record Keeping of Official Passport Applications and Issuances.**

- 1) In accordance with ICE-established privacy and records management policies, Designated Program POCs and Headquarters Program POCs shall maintain records of ICE employee official passport applications and issuances within their AOR for three years or until the employee ceases employment with ICE, whichever is sooner.
- 2) For issued passports, Designated Program POCs shall record the holder's date of birth; the passport number, expiration date, the date of issuance, and the date(s) the passport was returned to the Designated POC and to the Headquarters Program POC.
- 3) On a quarterly basis, Designated Program POCs shall update the Headquarters Program POC whenever a new employee is issued an official passport and provide a full list of current employees who have been issued official passports to the Headquarters Program POC.



- 4) The official passport applicant/holder must notify the Designated Program POC prior to transferring within ICE to a different field office or ICE program. The Designated Program POC will transfer the employee's official passport records/file to the Designated Program POC at the receiving office. The Designated Program POC will also notify the appropriate Headquarters Program POC(s) (from the originating and receiving office, if applicable) of the transfer. The Headquarters Program POC shall keep a record of the date the passport was returned to DOS.

### **5.3. Guidance for Current Holders of Regular or Diplomatic Passports.**

- 1) **Regular (Tourist/Business) Passports.** According to DOS, an employee may hold both an official passport and a regular passport at the same time. DOS advises employees who plan to take personal travel in addition to overseas official travel to take both types of passports. Employees may require appropriate visas in both the official and regular passports prior to departure.
- 2) **Diplomatic Passports.** According to DOS requirements, an employee cannot physically possess both a diplomatic passport and an official passport.

### **5.4. Procedures for Applicants with a Current Official, Diplomatic, or Regular Passport**

- 1) Official passport applicants with a U.S. passport of any type should complete DOS Form DS-82, *Application for a U.S. Passport by Mail*, which can be found on the DOS website.
- 2) Applicants must submit two passport photos to the Designated Program POC with the completed Form DS-82 and the current passport.
- 3) Headquarters Program POCs will prepare a passport request letter requesting issuance or renewal of an official passport as described in Section 5.7(1) and will photocopy the signed request letter and the complete application package for his or her records.
- 4) Headquarters Program POCs will send the completed Form DS-82, the passport photos, the signed passport request letter, and the current passport to the U.S. Passport Office.

### **5.5. Procedures for Applicants with a Current Official Passport Who Have Transferred to DHS/ICE from Another Federal Agency**

ICE employees who had an official passport issued prior to ICE employment while employed by another federal agency may be required to return that passport to their previous agencies before entering on duty at ICE. In some cases, DOS retains these passports. In order to retrieve an official passport from DOS (the official passport must not be within 6 months of expiration), the Official Passport Holder must complete Form DS-4085, *Application for Additional Visa Pages or Miscellaneous*

*Passport Services*, and return it to the Designated Program POC, who will prepare a passport request letter. See section 5.7 for more detailed instructions on the request letter preparation.

**5.6. Procedures for Applicants (1) Who Have Not Been Issued a Passport of Any Type Within the Previous 15 Years, (2) Who Were Last Issued a Passport Before the Age of 16, or (3) Whose Most Recent Passport Was Lost, Stolen, or Damaged.**

- 1) If the Official Passport Applicant has not been issued a passport of any type (regular, official, or diplomatic) within the previous 15 years, was last issued a passport before the age of 16, or if the applicant's most recent passport was lost, stolen, or damaged, the applicant must complete DOS Form DS-11, *Application for a U.S. Passport*, which can be found on the DOS website, and submit it to the Designated Program POC. Applicants whose most recent passport was lost, stolen, or damaged will also need to fill out Form DS-64, *Statement Regarding a Lost or Stolen Passport*, if they have not done so already (see Section 5.10).
- 2) The applicant must submit two passport photos to the Designated Program POC with the completed Form DS-11.
- 3) Unless the Designated Program POC is a DOS-qualified Passport Acceptance Agent, the Designated Program POC will draft and issue a passport witness request letter to the applicant when the applicant's application is complete. (See Attachment 3 for an example.)
- 4) Passport Execution
  - a) If the Designated Program POC is a DOS-qualified Passport Acceptance Agent, she or he may complete the processing of the application.
  - b) If the Designated Program POC is not a Passport Acceptance Agent, the Official Passport Applicant must take the completed Form DS-11, passport photos, and witness request letter to a Local Execution Office for additional processing. The applicant will also need to bring documentation to provide evidence of U.S. citizenship and identity. See the DOS website for details on applying for a passport in person using Form DS-11. An official passport is a "no-fee" document, so the applicant should not pay for processing. The Local Execution Office will expense DHS separately.
  - c) The applicant should ensure that the Local Execution Office's Passport Acceptance Agent signs and seals the application in an envelope, notes the applicant's name and date of birth on the cover, and hands the sealed envelope back to the applicant. The applicant must hand-deliver the application package to the Designated Program POC and ensure that the envelope is NOT opened.

- 5) The Designated Program POC will draft a passport request letter, as described in Section 5.7(1), and will photocopy the signed request letter and the outside of the sealed application envelope for his or her records. The Headquarters Program POC will send the completed, sealed applicant packet, with the passport request letter attached to the outside of the packet, to the U.S. Passport Office.

## **5.7. Procedures for all Official Passport Applications.**

### **1) Passport Request Letter.**

- a) For all applications, the Designated Program POC must prepare and submit a letter to the Headquarters Program POC requesting issuance of an official passport. The body of the official request letter should include:
  - 1) The Headquarters Program POC's name and phone number;
  - 2) The purpose, destinations, and dates of the applicant's foreign travel, if known; and
  - 3) The applicant's full name, social security number, title and grade, date of birth, departure date, and temporary duty location, if applicable.
- b) The Designated Program POC will ensure that the requesting employee's supervisor has approved and signed the employee's passport request letter prior to submitting the letter to the Headquarters Program POC. The approving supervisor's name, title, and office should be noted below the signature.
- c) The Headquarters Program POC must then prepare official correspondence requesting the issuance of an official passport for submission to the Director of Travel at the U.S. Passport Office or other person designated by DOS. (See Attachment 2 for an example).

### **2) Expedited Applications.**

- a) If the official passport application needs to be expedited, the Headquarters Program POC should write "EXPEDITE" in large, bold font at the top of the passport request letter.
- b) The Headquarters Program POC must explain why the passport needs to be expedited in the body of the passport request letter.

### **3) Passport Photos.**

- a) Applicants should follow DOS guidelines on acceptable passport photos. Applicants should wear proper business attire (rather than a uniform) for the passport photo.

- b) Applicants must pay the required fee for the passport photos. To be reimbursed, applicants must fill out and submit Form SF-1164, *Claim for Reimbursement for Expenditures on Official Business*, or otherwise comply with their Directorate or Program Office's reimbursement procedures. Before obtaining photos, applicants may want to consult with their respective administrative office, because it may have an established agreement with a local vendor who will accept payment for the photos with local purchase cards.
  - c) Applicants must submit the passport photos to the Designated Program POC along with the appropriate passport application.
- 4) Retrieving Official Passports.
- a) Headquarters Program POCs must maintain records of application submission dates and should determine expected completion dates. If any delay occurs in processing the application, the Headquarters Program POC should contact the Passport Office to inquire about the passport's processing status.
  - b) Once the passport has been processed, the Headquarters Program POC must make arrangements to retrieve the completed passport.
- 5) Upon issuance of an official passport, the Official Passport Holder must immediately inspect the passport for any errors and sign the property card (G-570). The holder must notify the Designated Program POC of any errors as soon as possible to initiate procedures to correct them (see Section 5.8).

#### **5.8. Procedures to Amend Data Errors and to Request Name Changes in Official Passports.**

- 1) Official Passport Holders should check their passports upon issuance for any errors. If an error (not relating to legal name changes after application) is found, the holder must notify the Designated Program POC as soon as possible so that the passport can be returned to DOS within 15 days of issuance.
- 2) If the error is detected within 15 days of issuance, the Designated Program POC should send, by overnight delivery, a package that includes the passport containing the error, documentation showing the correct information, and a new passport request letter describing the error and how the passport will be corrected to the Headquarters Program POC. The Headquarters Program POC should then send, by overnight delivery, the package with an official passport request letter explaining the error and how the passport will be corrected to the U.S. Passport Office (see Section 5.7(1) for the preparation of a passport request letter).
- 3) If the error is detected more than 15 days after the issuance of the passport, the Official Passport Holder must complete Form DS-5504, *Application for a U.S.*



*Passport: Name Change, Data Correction, and Limited Passport Book Replacement*, and submit it, two new passport photos, and the official passport containing the error to the Designated Program POC. The Designated Program POC should send, by overnight delivery, a package that includes the passport containing the error, documentation showing the correct information, a completed Form DS-5504, two new passport photos, and the new signed passport request letter to the Headquarters Program POC. The Headquarters Program POC should then, by overnight delivery, send the package and a new official passport request letter to the U.S. Passport Office (see Section 5.7(1) for the preparation of a passport request letter).

- 4) To request a name change, the Headquarters Program POC should send a completed Form DS-5504 application (and required attachments), two new passport photos, a signed passport request letter, and the valid passport to the U.S. Passport Office.
  - a) If the name change occurred within one (1) year from the date of original passport issuance, the passport holder must complete Form DS-5504 and submit it, along with two new passport photos, and evidence of the legal name change (such as a court order of name change or marriage/divorce decree), to the Designated Program POC, who will forward the information to the Headquarters Program POC.
  - b) If the name change occurred more than one (1) year from the date of original passport issuance, the passport holder must complete DS-82 and submit documentation of the legal name change along with other required documentation to the Designated Program POC, who will forward the information to the Headquarters Program POC.

**5.9. Procedures to Request Additional Visa Pages for a Current Official Passport.** An Official Passport Holder who has fewer than two to four visa pages remaining in his or her official passport may request additional visa pages for attachments to the existing passport by completing Form DS-4085. The passport holder must submit the completed form and current passport (and other documentation as required) to the Designated Program POC, who will follow the procedures for preparing a passport request letter in section 5.7(1).

**5.10. Lost or Stolen Official Passports.**

- 1) All Official Passport Holders must protect their passports and must immediately report lost, stolen, destroyed, or found passports to their supervisor and Designated Program POC. The Designated Program POC will update his or her records and inform the Headquarters Program POC.
- 2) The Headquarters Program POC will communicate with DOS on matters relating to lost or stolen official passports. If a passport reported lost or stolen is later found by the holder, the holder must return the passport to the Designated Program POC. The Designated Program POC will send the passport to the Headquarters Program POC, who will contact DOS to determine the appropriate procedures.

- 3) To request a replacement of an official passport after it has been lost, stolen, or destroyed, the passport holder must complete Forms DS-11 and DS-64, *Statement Regarding a Lost or Stolen Passport*.
- 4) Forms DS-11 and DS-64, as well as any necessary accompanying items, should be completed and processed in the same procedures described in Section 5.6.

#### **5.11. Ceasing Employment with ICE.**

- 1) Before an Official Passport Holder ceases employment with ICE, the holder must return the official passport to the Designated Program POC.
- 2) The Designated Program POC will promptly send the official passport to the Headquarters Program POC, who will send the passport to DOS with official correspondence that includes the employee's name, date of birth, and official passport number, and the nature of the employee's cessation (such as, "employee no longer employed by ICE" or "employee transferred to another agency").

#### **6. Authorities.**

- 6.1. Title 22 United States Code (U.S.C.) § 211a.
- 6.2. Title 22 U.S.C. § 213.
- 6.3. Title 22 Code of Federal Regulations (C.F.R.), Part 51, Passports.
- 6.4. Official Passport Application and Maintenance Records System of Records Notice (SORN), 76 FR 8755.
- 6.5. DOS Memorandum, "Implementation of No-Amendment Policy" dated September 6, 2005.
- 6.6. U.S. National Archives and Records Administration (NARA), General Records Schedule (GRS) 9, Transmittal No. 22, Section 5, April 2010, Travel and Transportation Records.

#### **7. Attachments.**

- 7.1. Attachment 1: Memorandum from Battie H. Stewart, Chief, Official Travel Branch, Department of State, (Feb. 12, 2007)
- 7.2. Attachment 2: Sample Passport Request Letter
- 7.3. Attachment 3: Sample Passport Witness Request Letter

8. **No Private Right Statement.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; contractors; or any other person.

A handwritten signature in black ink, appearing to read "John Morton", written over a horizontal line.

**John Morton**

**Director**

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