



U.S. Immigration
and Customs
Enforcement

APR 26 2007

MEMORANDUM FOR: ALL ASSISTANT DIRECTORS
ALL DEPUTY ASSISTANT DIRECTORS
ALL SPECIAL AGENTS IN CHARGE

FROM: Marcy M. Forman
Director

SUBJECT: National Security-Related Requests For Physical Review of Alien Files

(b)(6), (b)(7)(C)

Effective immediately, all FBI national security-related requests for physical review of immigration alien files will be routed through a designated ICE Office of Investigations (OI) representative, preferably an ICE special agent assigned to the local Joint Terrorism Task Force (JTTF). Every SAC is required to designate a point of contact for their entire area of responsibility, or multiple points of contact as needed for DSAC, ASAC and RAC offices, for FBI and Task Force Officers assigned to JTTFs when requesting alien file reviews for national security cases that have a demonstrable nexus to terrorism. This process will enable ICE to ensure the integrity of the file control process, appropriately interpret the contents of a requested alien file, and utilize ICE expertise to develop potential administrative and criminal violations.

Immigration status checks that do not require a physical file review will continue to be vetted locally, or through the ICE Law Enforcement Support Center (LESC) via NLETS.

The alien file is the official record of an alien's immigration history, and therefore it is critical that ICE maintain accountability of all requested alien files. Since the alien file frequently constitutes the evidentiary basis for ICE criminal violations, contents of the alien file must be preserved. This accountability will include documentation of the alien file transfer in the National File Control System. ICE field offices will enforce third-agency disclosure requirements when physical review of alien files is requested from the FBI.

A letter outlining the above-referenced ICE procedure related to JTTF national security-related requests for review of alien files has been sent from ICE Headquarters to FBI's National JTTF, for dissemination to local JTTFs.

By May 4, 2007, all SACs will designate a point of contact for their area of responsibility (including multiple points of contact as needed for DSAC, ASAC, and RAC offices, if deemed necessary) and coordinate with the local FBI JTTF to provide contact information and an overview of the procedure.

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The SAC office will provide their respective program manager at the Counter Terrorism Unit at ICE Headquarters the name and contact information of the designated points of contact.

Any questions concerning this policy should be directed to ICE HQ Counter Terrorism Unit Chief

(b)(6), (b)(7)(C)