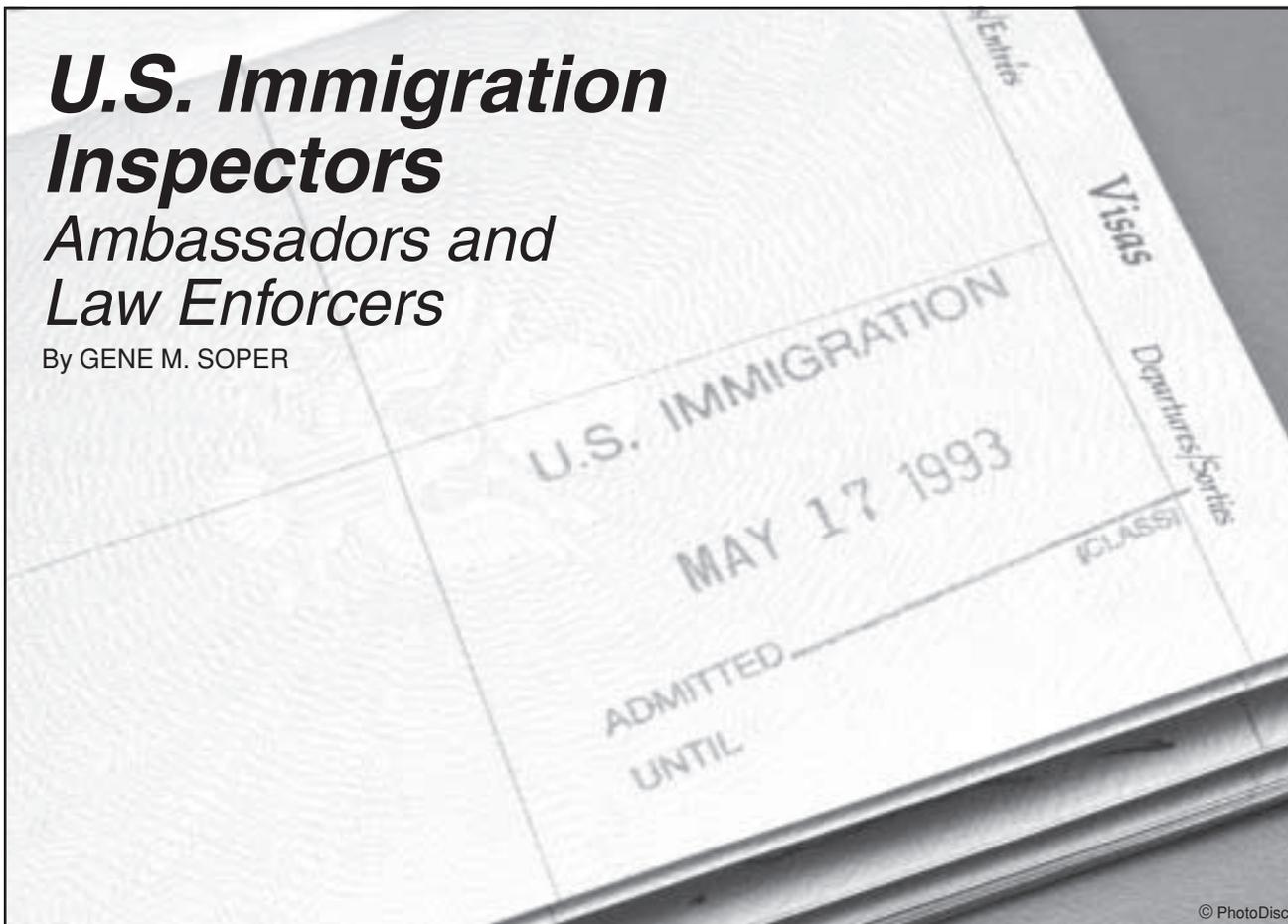


# ***U.S. Immigration Inspectors Ambassadors and Law Enforcers***

By GENE M. SOPER



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**T**he terrorist attacks of September 11, 2001, brought the importance of the U.S. Immigration and Naturalization Service (INS) to the forefront of the American public's attention. Prior to that date, a great portion of the general population had little knowledge of the brave men and women who protect U.S. borders.

Charged to, "in a timely and consistent manner, determine the admissibility of persons seeking entry; deny entry to inadmissible aliens; enforce criminal provisions against those who conspire to promote illegal entry and stay; and deter future illegal entry and stay in the United States,"<sup>1</sup> INS inspectors

not only enforce the nation's laws but also serve as the first Americans many foreigners encounter. They must determine the admissibility of all persons at air, sea, and land ports of entry. They intercept human and narcotic smugglers and can physically search, without warrant, applicants and their personal belongings. INS inspectors must ensure that foreign nationals enter the United States with proper documentation, verifying whether holders have authentic and current passports and visas. They interpret laws and clarify decisions to persons seeking entry into the country. They arrest, detain, parole, or deport persons according to laws, instructions, or

regulations. To accomplish these tasks, INS inspectors complete a rigorous 17-week training course that covers a variety of topics, such as legal procedures (e.g., constitutional law, conspiracy law, and U.S. Customs and U.S. Department of Agriculture laws), behavioral sciences, physical and firearm training, and nonlethal control techniques.

## **Organizational Overview**

The INS has many types of offices located in the United States and abroad.<sup>2</sup> It has 33 district offices in the United States and 3 overseas. District offices, each headed by a district director, enforce immigration laws and provide

certain immigration services and benefits to residents of their specific geographic jurisdiction. INS staff members collect applications, conduct interviews, and answer questions at these offices. Some district offices have suboffices and satellite offices determined, in part, by the needs of INS customers. In addition to these offices, the INS also divides the United States into Border Patrol sectors responsible for enforcing immigration laws.

Three regional offices oversee the work of the district offices and sectors. Three administrative centers, collocated with the regional offices, implement administrative policy and deliver direct service to their geographic areas. The INS established four service centers to handle mail, conduct data entry of information, and process applications. It also has eight asylum offices to help those individuals seeking shelter in the United States. To facilitate the application process, the INS uses application support centers at various locations.

All of these offices exist to support over 300 ports of entry in the United States, including international airports, land border ports, and seaports. As an example, the Paso del Norte port of entry in El Paso, Texas, will illustrate how the INS protects America's borders on a daily basis.

### **The Inspector's Role**

Nearly 250 INS inspectors are in the El Paso, Texas, district. During fiscal year 2000, these inspectors, along with U.S. Customs personnel, conducted over 68 million inspections in 9 ports of entry.<sup>3</sup>

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*Mr. Soper recently retired from the U.S. Immigration and Naturalization Service, where he served as an inspector, cares sustainment coordinator, and a member of the Paso del Norte Port of Entry Collateral Intelligence Team in El Paso, Texas.*

During the busiest days (Saturdays and holidays), more than 25,000 pedestrians applied for admission into the United States from Mexico at the Paso del Norte port of entry, part of the total for the year of nearly 8 million pedestrians for the entire district. The majority of these pedestrians entered the United States to shop in stores in El Paso, but others came with different agendas.

On the Southwest land border, INS inspectors encounter several different types of applicants throughout their normal tour of duty. Mexican nationals comprise the greater part of the applicants, but many other nationalities also apply for admittance, including U.S. citizens. With such large amounts of people applying for entry, inspectors have just a few seconds to establish the validity and genuineness of documents and presenters. INS and U.S. Customs inspectors must make quick, on-the-spot decisions pertaining to the admissibility of applicants. Scrutinizing facial features and actions of

applicants requires alertness and attention to detail. Most applicants have lawful intentions, but some pose as impostors and others present altered or counterfeit documents in their attempts to enter the United States. Because a need for unskilled laborers exists in the United States, many are lured by better-paying jobs. In addition, economical conditions, wars, and natural disasters cause many aliens to leave their homelands and seek refuge in safer surroundings.

INS inspectors divide their duty time among processing immigrant visas, issuing permits, and questioning aliens. Inspectors handle prosecution cases and, due to changes in the law, remove or deport certain aliens not admissible. Because several oppressive governments reign throughout the world, many people request political asylum at American ports of entry. These individuals fear that they will face jail, or worse, if forced to return to their homeland. In the El Paso district, the INS usually

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detains such applicants at its El Paso Processing Service Center until the individuals can speak with an asylum officer.

In the El Paso district during fiscal year 2000, over 60 million drivers and passengers crossed the border in their motor vehicles. With an emphasis on maintaining the flow of vehicular traffic north, inspectors must check all vehicle occupants and their documentation promptly and accurately. Although watchfulness proves important, law enforcement computer systems also assist INS inspectors in their daily efforts to protect America's borders.

#### **Technological Resources**

INS has several computer databases available to authorized personnel. The Central Index System, the master records management system, collects and distributes biographical information on aliens. It contains the physical status of alien files and is the foundation of information for many functions pertaining to the mission of the INS. The Interagency Border Inspection System (IBIS) represents the primary resource for apprehending criminal aliens. It resides on the Treasury Enforcement Communications System, provides law enforcement agencies access to the FBI's National Crime Information Center, and permits users to interface with all 50 states via the National Law Enforcement Telecommunications System. Besides the U.S. Customs Service, 19 other federal agencies use the IBIS.

Through its terminals, approved employees quickly can

check an individual's name and date of birth for any prior criminal history and also determine whether guns and vehicles are stolen. At pedestrian inspection lanes, an authorized person can log onto the IBIS and, together with a document reader, guide an individual's passport or alien card through the reader to check for any illegal activity. At vehicle inspection booths, INS inspectors can query an individual's name and date of birth or alien file

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number to check for any wanted notifications or criminal activity. At many land border entry points, INS has installed license plate readers, which speeds up the inspection process and gives advance warning to inspectors (e.g., an alert banner flashes to indicate a stolen vehicle). If the preliminary inspection warrants further checks, INS personnel scan the suspect's photograph and fingerprints into the Automated Biometric Fingerprint Identification System (IDENT), which searches two databases, Lookout and Recidivist, for a possible match. If the computer systems reveal nothing, then the inspectors

must rely on their investigative and interviewing skills to ascertain the truth.

#### **Criminal Profile**

The high volume of pedestrian traffic at major land ports of entry offer cover to aliens attempting illegal entry or reentry. Many criminal aliens have prior arrests or convictions for drug-related charges. INS inspectors generally intercept criminal aliens, as well as U.S. citizens, by using the IBIS card readers and the IDENT. Law enforcement agencies throughout the United States input wanted persons and juvenile runaways into these systems. INS inspectors at the Paso del Norte port of entry consistently apprehend persons wanted by various law enforcement agencies and detain these subjects to confirm their extradition. Once that occurs, the inspectors normally release the subjects into the custody of the El Paso Police Department.

Danger lurks in every encounter as some of these criminals are armed. In addition, individuals under the influence of alcohol or other drugs and people with mental illness can become uncooperative, argumentative, and sometimes violent. Inspectors have found weapons in vehicles and hidden on people attempting to enter the United States. Especially dangerous to inspectors and the general public are the desperate port runners who use their vehicles, usually loaded with illegal drugs, as lethal weapons to barge past inspectors. Bomb threats occur almost weekly and result in closing the bridges until bomb-sniffing dogs can examine

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the area. The El Paso Police Department or the nearby military installation, Fort Bliss, normally supply these hardworking dogs and their handlers.

### **Drug and Human Smugglers**

Like many other American cities, El Paso is a transportation hub. It is a major crossing for railroads and has several bus lines downtown. These means of transportation provide quick and easy passage for drug and human smugglers. The flow of illegal drugs into the United States persists. Traffickers will try any method to conceal the drugs and attempt any means to avoid apprehension. Inspectors seize marijuana most often. Although intercepting illegal drugs is a secondary function for INS inspectors, they commonly refer vehicles to U.S. Customs personnel. Conversely, not all drugs smuggled into this country arrive in vehicles. Inspectors find all sorts of illicit drugs taped to people's bodies. Some smugglers, known as body carriers, ingest drugs contained in protected pellets. Lured by the large potential profits, all sorts of people attempt to smuggle drugs into the United States. Some smugglers bring their families with them as cover, while others attempt entry alone. Faced with no readily identifiable portrait of a drug smuggler, INS inspectors must remain alert to the actions and reactions of every person applying for entry into this country.

Alien smuggling also represents a lucrative business venture. Some reports put the price at between \$30,000 and \$50,000 per person smuggled into the United States. In the El Paso district, family

members trying to help relatives attempt most of the alien smuggling. INS inspectors generally find people hiding in vehicles, behind truck seats, and in trunks, but, sometimes, they locate individuals in dashboards, gas tanks, under floorboards, and in specially built concealed compartments.

### **Document Fraud**

Many criminals, terrorists, or otherwise inadmissible subjects use fraudulent documents. INS inspectors encounter the illegitimate



sale and rental of immigration documents from Mexico and elsewhere. Fraudulent documents generally fall into two categories, counterfeit or altered.<sup>4</sup> Counterfeiting documents involves copying, forging, or imitating an original with the intent to deceive. Altering documents, on the other hand, entails changing one or more elements of a genuine legitimate document without destroying the original document, again with the intent to defraud. The quality of such documents varies greatly, from

high-quality documents that could pass a cursory inspection to poor-quality documents that contain obvious flaws. However, increased computer technology makes document duplication better and easier for counterfeiters.

The Internet offers bogus Social Security cards, passports, and law enforcement identification. People can use these documents for immigration purposes or as substantiating evidence to support claims of U.S. citizenship. In addition, Web sites advertise information on how to order birth certificate templates from all 50 states. The possibility of the Internet becoming a major document supplier soon may represent a real threat as people learn of its potential. Moreover, in the last few years, identity theft, or assuming another person's identity, has become more prevalent and greatly concerns the INS.<sup>5</sup> Obtaining a valid birth certificate represents the normal route to assuming someone's identity. Occasionally, INS inspectors intercept an individual who possesses several documents issued under the assumed name, usually as some type of identification bearing the subject's photograph and the assumed name. Many victims of identity theft have learned the hard way the importance of protecting their Social Security number and other pertinent personal data. Identity thieves damage credit ratings and cause financial hardships for their victims.

### **INS Intelligence**

Concerns about terrorism continue to demonstrate the need for immigration intelligence gathering and analysis. Without performing

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intelligence activities, the INS cannot compete with organized criminals and terrorists. As the primary collectors of information, INS collateral intelligence officers assigned to ports of entry collect and disseminate information that pertains to terrorists, criminal aliens, smugglers, and identity thieves. They produce alerts and distribute reports documenting significant incidents, such as bomb threats, port runners, and incidents involving weapons. They also compile quarterly threat assessments that provide INS managers with the clarity to formulate plans, policies, and guidance for the future. The collateral intelligence officers predict criminal activities and current and future trends, create alerts on wanted persons, and post advance warnings. They also conduct preliminary evaluations of information and assist other law enforcement agencies. For example, the officers disseminated a bulletin produced by the FBI that resulted in two INS inspectors at the Paso del Norte port apprehending a suspected bank robber. The intelligence officers also work closely with the local law enforcement community. Their assistance normally deals with alerts or posting “lookouts” of persons wanted by the local authorities. Intelligence officers assigned to the Paso del Norte port of entry meet with representatives from the El Paso Police Department intelligence unit, the El Paso County Sheriff’s Office, the FBI, the DEA, the Border Patrol, and the U.S. Customs. The officers also meet with representatives from the U.S. Marshals Service, the Secret Service, the Army’s Criminal

Investigations Division, and the New Mexico State Department of Safety. They attend these weekly and monthly meetings to discuss a variety of topics, including officer safety, bomb threats, smuggling, and gang activities.

Intelligence analysts evaluate the information gathered from the ports of entry for reliability and validity. They also review the information for trends and patterns to provide INS managers with the knowledge to make tactical, operational, and strategic decisions.

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### Conclusion

The U.S. Immigration and Naturalization Service has a long and distinguished history of welcoming tourists, business travelers, and other temporary visitors to America at a variety of land, sea, and air ports of entry. It also has the responsibility of administering benefits, such as naturalization and permanent resident status on those individuals lawfully applying to reside in this country. Conversely, the INS has the authority to apprehend and remove aliens who have entered illegally or violated the requirements of their stay.

This dual and often-conflicting responsibility can burden even the most dedicated employee; however, it also can provide a high-degree of job satisfaction, whether introducing a new arrival to the freedoms and opportunities in the United States or intercepting a large quantity of illegal drugs bound for a schoolyard. INS inspectors willingly face both to protect not only U.S. citizens but also foreign visitors and new immigrants eager to participate in the American experience. ♦

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*At the time of publication, the status of the INS remained unknown. However, because homeland security weighs heavily upon all of America’s law enforcement professionals, the FBI Law Enforcement Bulletin offers this article as a means of presenting the crucial role that the INS has played in the security of the United States and to honor those officers killed and assaulted while protecting this nation’s borders.*

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### Endnotes

<sup>1</sup> The INS mission statement, *Inspections Field Manual M-450*.

<sup>2</sup> For a complete description of the INS, access the agency’s Web site at <http://www.ins.usdoj.gov>.

<sup>3</sup> Annually, the INS compiles and publishes data in the *Statistical Yearbook of the Immigration and Naturalization Service*; view such reports at the agency’s Web site, <http://www.ins.usdoj.gov>.

<sup>4</sup> For additional information, see John M. Davis, “Passport Fraud,” *FBI Law Enforcement Bulletin*, July 1998, 9-13.

<sup>5</sup> For additional information, see Matthew L. Lease and Tod W. Burke, “Identity Theft: A Fast-Growing Crime,” *FBI Law Enforcement Bulletin*, August 2000, 8-13; and John Pollock and James May, “Authentication Technology: New Levels in the Fight Against Identity Theft and Account Takeover,” *FBI Law Enforcement Bulletin*, June 2002, 1-4.