

March 19, 2007

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
DIRECTOR, PRECLEARANCE

FROM: Executive Director
Admissibility Requirements and Migration Control
Office of Field Operations

SUBJECT: C1/D Crew Visa Fraud

Recent reports have highlighted the long-standing problem of C1/D crew visa fraud. Approximately 236,000 crew visas were issued in FY 2006. The highest volume Department of State issuing posts were Manila (57,000) and Mumbai (11,000).

Minimal statutory requirements for visa issuance and reciprocal agreements with foreign governments contribute to high rates of successful fraud in the issuance of crew visas. The most common scenarios involve the use of (b) (7)(E)

(b) (7)(E)

Several notable incidents and case studies emphasize the extent of this problem:

- (b) (7)(E)
- 122 C1/D visas issued to crew of (b) (6), (b) (7)(C) a yacht with maximum crew of 14.
- 227 visas were issued to crew of (b) (6), (b) (7)(C) reported scrapped in 2004.

- Shenyang Consulate case study (b) (6), (b) (7)(C) applicants, 2006)

- (b) (7)(E)
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While an interagency working group has been formed to develop long-term solutions to reduce C1/D visa fraud, immediate action by CBP is necessary to prevent admission of applicants with fraudulently obtained documents or illicit intent.

- (b) (7)(E)
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The requirement for alien applicants for admission to the United States to establish admissibility is clearly stated in the Code of Federal Regulations, 8 CFR 235.1(d). Inability to verify the existence or location of a vessel precludes meeting the minimum standard to satisfy this requirement. Under these circumstances an applicant is not clearly admissible.

- Where sufficient evidence exists to establish willful participation in fraud or intent to violate the terms of prospective admission, subjects should be processed for expeditious removal pursuant to Section 235(b)(1) of the Immigration and Nationality Act.

- (b) (7)(E)

Questions or concerns may be directed to (b) (6), (b) (7)(C) Office of Alien Smuggling Interdiction, Admissibility Requirements and Migration Control, at (b) (6), (b) (7)(C)

/s/
(b) (6), (b) (7)(C)