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FEDERAL BUREAU OF INVESTIGATION  
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

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Unclassified

TO

Name of Office:

YALE LAW School

Facsimile Number:

203-433-1426

Date:

5-4-07

Attn:

MICHAEL J. WISHNIE

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Telephone Number:

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FROM

Name of Office:

FBI

Number of Pages: (including cover)

10

Originator's Name:

PATRICIA C GRANT

Originator's Telephone Number:

202-324-9468

Originator's Facsimile Number:

202-324-3752

Approved:

DETAILS

Subject:

FREEDOM OF INFORMATION ACT REQUEST # 1061308-01  
SUBJECT: OPERATION FRONTLINE

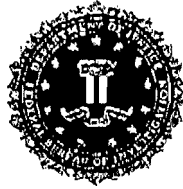
Special Handling Instructions:

Brief Description of Communication Faxed:

OPCA 16 & 5 page DOCUMENT

WARNING

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

PROFESSOR MICHAEL J WISHNIE
YALE UNIVERSITY
POST OFFICE BOX 209090
NEW HAVEN, CT 06529 9090

May 4, 2007

Subject: OPERATION FRONT LINE

FOIPA No. 1061308- 001

Dear Professor Wishnie:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552

Section 552a

- Exemption codes: (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (b)(6), (b)(7)(A-F), (b)(8), (b)(9), (d)(5), (j)(2), (k)(1-7)

5 page(s) were reviewed and 5 page(s) are being released.

Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

- referred to the OGA for review and direct response to you.
referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

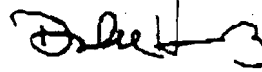
You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other

individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident. references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

M See additional information which follows.

Sincerely yours,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

For your information, there is an additional document currently being processed and will be sent to you the week of May 7, 2007.

**EXPLANATION OF EXEMPTIONS****SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could be reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could be reasonably expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

**SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a**

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FBI/DOJ

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**U.S. Citizenship and Immigration Services/  
Fraud Detection and National Security Unit  
Automated Systems**

"The 9/11 Commission Report, in its recommendations section entitled "What to do? A Global Strategy", recognizes the significance of "terrorist travel" as "More than 500 million people annually cross U.S. borders at legal entry points, about 330 million of them non-citizens. Another 500,000 or more enter illegally without inspection across America's thousands of miles of land borders or remain in the country past the expiration of their permitted stay. The challenge for national security in an age of terrorism is to prevent the very few people who pose overwhelming risks from entering or remaining in the United States undetected". The Commission stated that "Targeting travel is at least as powerful a weapon against terrorists as targeting the money" and that "The United States should combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility... Information systems able to authenticate travel documents and detect potential terrorist indicators should be used at consulates, at primary border inspection lines, in immigration services offices, and in intelligence and enforcement units".

In short, the Commission has recognized that our immigration system and laws were not a principal consideration in the nation's counterterrorism efforts prior to 9/11. Border and interior enforcement / service immigration bureaus will play an important role in any integrated effort to detect, deter and dismantle terrorist organizations and operations. The Office of Intelligence (OI) has forged ties with U.S. Citizenship and Immigration Services (CIS) through its Fraud Detection and National Security (FDNS) Unit to begin to address this issue. CIS is fully committed to all appropriate information sharing, in order to enhance the vital national security missions of the FBI. OI strongly encourages all agent and analyst personnel to familiarize themselves with the following information regarding CIS / DHS immigration components and how a working relationship with them can assist in the attainment of FBI missions.

With the stand-up of the Department of Homeland Security (DHS) in March of 2003, the legacy Immigration and Naturalization Service (INS) ceased to exist and was replaced by three distinct bureaus within DHS. The following will serve to clarify what immigration-related missions and functions are now located within those three bureaus as well as educate FBI personnel as to how certain tools afforded through U.S. Citizenship and Immigration Services (CIS) can greatly enhance the FBI missions of criminal investigations, counterterrorism and foreign counterintelligence.

On March 1, 2003, the responsibility for providing immigration-related services and benefits such as naturalization and work authorization were transferred from the INS to CIS. The USCIS website has more information on the policies, procedures, forms, and fees involved in immigrating to the U.S.

Investigative and enforcement responsibilities for enforcement of federal immigration laws, customs laws, and air security laws were transferred to U.S. Immigration and Customs Enforcement (ICE).

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The agencies that were either moved entirely or merged, in part, based upon law enforcement functions, included the investigative and intelligence resources of the United States Customs Service, the INS, the Federal Protective Service and, as of November 2003, the Federal Air Marshals Service. ICE is the investigative arm of the Border and Transportation Security Directorate (BTS), the operational directorate within the DHS tasked with securing the nation's borders and safeguarding its transportation infrastructure. ICE brings together more than 20,000 employees who focus on the enforcement of immigration and customs laws within the United States, the protection of specified Federal buildings, and air and marine enforcement.

The Bureau of Customs and Border Protection (CBP) assumed responsibilities for protecting our borders within DHS. CBP has unified the border agencies with one frontline officer position that integrates the work of approximately 18,000 inspectors who came together from three different agencies when CBP was formed on March 1, 2003. In addition, the Border Patrol, which was previously an enforcement component of the legacy INS, complements the inspectors at ports of entry in CBP's primary mission to prevent terrorists and terrorist weapons from entering the U.S. at and between the ports of entry. CBP is also responsible for apprehending individuals attempting to enter the United States illegally, stemming the flow of illegal drugs and other contraband.

The USCIS is responsible for the administration of immigration and naturalization adjudication functions and establishing immigration services, policies and priorities. These functions include adjudication of immigrant visa petitions, naturalization petitions, asylum and refugee applications, and all other adjudications formerly performed by the INS. Fifteen thousand federal employees and contractors working in approximately 250 Headquarters and field offices around the world comprise CIS.

CIS operates under a Congressional mandate to address significant national security concerns at the same time that it meets its mission to administer America's immigration system. In accordance, the CIS Director created the Office of Fraud Detection and National Security (FDNS) in recognition of the need to enhance the integrity of the legal immigration system and identify persons who pose a threat to national security and/or public safety. FDNS was created to address these concerns and enhance system integrity, bridging USCIS to ICE and to the larger law enforcement and intelligence community within and outside of DHS.

Traditionally, the Bureau interfaced with the service or benefit side of the legacy INS relative to needed immigration assistance.

In addition, limited FBI personnel were aware of the tremendous value added to their investigations through hard copy INS file information and/or their automated information systems. In fact, FBIHQ built the 9/11 investigation out, in part, from lead information found in the INS Nonimmigrant Information System (NIIS) once the identities and profiles of the nineteen terrorist hijackers had been established.

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Director Mueller has stated in the past, "We have the best investigators in the world in this institution and some of the best people here at Headquarters that carry me. The challenge is to get them the tools that they need to become even better. And that is what we are working on ..." As you know, the mission of the Intelligence Program is to optimally position the FBI to meet current and emerging national security and criminal threats by, in part, providing useful, appropriate, and timely information and analysis to the national security, homeland security and law enforcement communities.

FDNS, within USCIS, manages and/or has access to pertinent tools that speaks directly to Director Mueller's challenge. These tools, when properly understood and utilized, will benefit Bureau agents and analysts in completing their taskings and achieving their missions. With the increased security demands placed on our Nation, one of FDNS' immediate objectives is to proactively share time sensitive immigration information and systems to organizations such as the FBI, and ultimately protect our Homeland.

The formation of FDNS enhances the operations of well-established agencies, such as the Bureau, as a number of the automated systems currently utilized by USCIS provide proactive and real time data mining opportunities. The investigative insights that can be achieved as a result of the data mining efforts are significant and the information sharing is equally advantageous for such diverse missions as criminal investigations, counterterrorism and foreign counterintelligence.

A thumbnail sketch of a few of the representative automated systems follows, as well as some real-world examples of how those systems have made a substantial difference in past investigations conducted by this Agency and other law enforcement agencies. In addition to these representative information systems, FDNS will be devising a new proactive data mining tool or software that will identify suspected immigration benefit fraud and suspicious patterns or profiles but can similarly be adopted for use in various criminal and intelligence investigations. FDNS and CIS have a consistent goal to provide warranted systems access to the FBI, so that the Bureau can capitalize on this information for faster response times to national security threats or criminal activity.

**The Non-Immigrant Information System (NIIS):**

The NIIS is a mainframe system accessible to all USCIS offices. It stores arrival and departure records for non-immigrant foreign nationals and provides automation support for tracking their arrivals and departures.

**The Central Index System (CIS):**

CIS provides automated information regarding all legal permanent resident aliens (USPERs) and naturalized citizens as well as foreign nationals that have been arrested for a variety of immigration and criminal offenses and consequently placed into immigration removal proceedings. The database identifies the location of the alien's hardcopy immigration or A-file.



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**Computer-Linked Application Information Management System (CLAIMS):**

CLAIMS 3.0 was established as an umbrella system that incorporates casework-oriented processing of immigration benefits, including application receipt, adjudication and disposition. The system contains voluminous amounts of current and historical information regarding both immigration benefit applicants and beneficiaries as well as their authorized representatives in those filings. It is inclusive of those applying for temporary as well as permanent immigration benefits.

The following are actual anecdotes of casework in which immigration information and systems played a major role in bringing an investigation to a successful conclusion:

An identified fraternal group of university students from a hostile foreign nation operates as a cut out for that nation's intelligence service and performs a number of lower level taskings in furtherance of intelligence gathering. Certain FBI investigative techniques have disclosed that that service has directed a number of the students at several unidentified mid-western universities to alter their intended major to the hard sciences so that they can be utilized in the nation's prohibited nuclear arms program upon graduation. A sweep of the immigration databases with the defined parameters allows USG investigators to clearly pinpoint those student nationals that had changed major to the hard sciences at three different universities within the time frame established via the sensitive investigative technique. Subsequent investigation and collaboration with the American intelligence community resulted in a successful pitch to two of those students to assist the USG in exchange for permanent resident alien status in the U.S.

A criminal investigation by INS and FBI special agents into Asian Organized Crime in California determined that the PRC SUBJECTS were utilizing sophisticated immigration fraud schemes to smuggle in dozens of Chinese nationals at the cost of \$50,000 per. The targeted alien smuggling organization had created numerous shell companies in order to gain entry for the illicit aliens as L-1 intracompany transferees for start up businesses allegedly involved in information technology.

Preliminary investigation identified one particular apartment building as a commonality for several of the suspect companies in terms of a mailing address. A sweep of the immigration databases established that in excess of 100 shell companies had used this same mailing address for petitions submitted to INS on behalf of the smuggled aliens. Sophisticated pattern recognition software can be utilized today to proactively identify such criminal conspiracies.

A criminal investigation by INS and FBI special agents into Russian Organized Crime disclosed via data mining the INS automated systems that the same ethnic Russian nationals were offered interchangeably as corporate board members for shell companies formed to submit petitions on behalf of gang members attempting to enter the U.S. as L-1s and H-1B aliens allegedly coming to the U.S. to perform services in a specialty occupation. Investigation determined that the conspiracy was run out of Brighton Beach and the gang members were intended to further organized crime activities through work in auto chop shops.

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A member agency within the U.S. Intelligence Community provided cleared INS personnel with lead information regarding a hostile foreign power and its nationals that may have entered the United States. These subjects included intelligence officers and cooptees. A sweep of the immigration systems determined that a number of these individuals were gainfully employed as H-1B researchers on USG grants in furtherance of DARPA missile research.

Several JTTF investigations determined that the Religious Worker or R nonimmigrant visa is commonly misused by radical fundamentalist clergy to immigrate to the United States in furtherance of proselytizing and fundraising that amounts to material support. Lead information developed out of Guantanamo reveals a particular mosque to be of interest and the resulting immigration database sweep identifies eight "clergy" that entered the United States through that mosque and are now subject to full field investigation.

During the pre-invasion of Iraq, FDNS personnel pulled together over 130,000 immigration records which were the cornerstone for Operation Darkening Clouds (FBI) and Operation Liberty Shield (DHS). The 2004 Threat Task Force (FBI) and Operation Frontline (ICE) is utilizing the same methodology.

**CONTACT FDNS:**

To obtain additional information about FDNS or to find out how to gain access to these technologies, contact [REDACTED] the FDNS Law Enforcement Liaison, in Washington, D.C. at 202 353 [REDACTED] or via e-mail at [REDACTED]@dhs.gov. [REDACTED] is a retired INS Senior Special Agent and spent the last five years of his career in FBIHQ's International Terrorism Operations Section (ITOS). Agent [REDACTED] was the principal INS liaison to FBIHQ and worked on the 9/11 investigation from Headquarters.

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The FDNS website is accessible via the DHS network where available.