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DEPT FOR M/PRI

E.O. 12958: N/A  
TAGS: AODE, AMGT, KMRS, CMGT, KCOM  
SUBJECT: NSDD-38 DHS REQUEST TO ESTABLISH ICE PRESENCE IN  
JERUSALEM

REFS: A) STATE 5245; B) NSDD-38 CASE NUMBER DHS-HSBB-0002-2010; C)  
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1. Ref A relayed a Department of Homeland Security request to establish an ICE presence at Post to support DHS's Visa Security Program, consisting of two direct-hire ICE representatives and one local-hire investigator. Post management, as well as RSO and consular section management, met with visiting ICE representatives in May 2009 to discuss this proposal.
2. Post is strongly committed to the core objective of the proposed ICE presence, that of ensuring the integrity of the visa process. For the reasons elaborated below, Post believes the proposed new positions are not justifiable under the principles of rightsizing. The proposed new positions' functions will be performed both by other personnel at Post, as well as by U.S.-based and/or regionally-based personnel. Post therefore regrets being unable to approve this request at this time.
3. Post approved an NSDD-38 request from the Department's Bureau of Diplomatic Security for an Assistant Regional Security Officer-Investigator (ARSO-I) position (Ref C). It has also allocated office space for this position in the floor plan of its future consular facility, due to open in the next few months. This position will be dedicated to consular anti-fraud and law enforcement responsibilities. The ARSO-I will enjoy access to a wide range of law enforcement information, plus the ability to conduct investigations and follow up with other U.S. law enforcement agencies, including but not limited to ICE, to pursue cases in the United States. This ARSO-I position will be a significant boost to Post's ability to ensure further the integrity of the visa process.

4. As of February 15, Post will have transitioned to 100-percent use of the new paperless visa application (the all-electronic DS-160, accessed via the Internet at the Consular Electronic Application Center). As of that date, there will be no more paper visa application records to examine at Post. Post understands that most if not all of the work of the proposed ICE presence would involve electronic databases that can be accessed from the United States or regional offices elsewhere. This, combined with Post's transition to a paperless visa application, will make it possible for ICE to conduct targeted, in-depth vetting of Post's visa applications and applicants from the United States or a regional location.

5. Should there be significant changes in the factors elaborated above, Post will promptly review this proposal for additional personnel in the context of the new consular facility due to open in the next few months in Jerusalem and its space constraints.

6. Post would like to reiterate in the strongest terms its commitment to the common national security objectives on which this NSDD-38 request is based. It looks forward to working with the Department, DHS, and others to find the most appropriate means of attaining these objectives in a way that ensures that the addition of new overseas staffing reflects duties that cannot be performed by other personnel at Post or those based elsewhere.

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