



Homeland Security Investigations

Interim SOP for 274C Civil Document Fraud Penalties

HSI SOP 25-01 / March 24, 2025



U.S. Immigration
and Customs
Enforcement

AILA Doc. No. 25072800. (Posted 7/28/25)

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

Foreword

The Interim Standard Operating Procedure (SOP) for 274C Civil Document Fraud Penalties provides interim guidance for U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agents when imposing, or contemplating to impose, civil fines and penalties for document fraud violations under Section 274C of the Immigration and Nationality Act within the scope of their authorities. Oversight for this Interim SOP resides with the Unit Chief, Document, Benefit & Worksite Enforcement Unit (DBWSEU).

This SOP supersedes HSI SOP 18-01, Interim SOP for 274C Civil Document Fraud Penalties, dated October 23, 2018.

The Interim SOP for 274C Civil Document Fraud Penalties is an internal policy of HSI. It is not intended, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter, nor are any limitations hereby placed on otherwise lawful enforcement prerogatives of ICE. This Interim SOP is For Official Use Only (FOUO) – Law Enforcement Sensitive. It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information and the ICE Directive on Safeguarding Law Enforcement Sensitive Information. This information shall not be distributed beyond the original addressees without prior authorization of the originator. If disclosure of this Interim SOP or any portion of it is demanded in any judicial or administrative proceeding, the HSI Information Disclosure Unit, as well as the Office of the Principal Legal Advisor, should be consulted so that appropriate measures can be taken to invoke privileges against disclosure. This Interim SOP contains information which may be exempt from disclosure to the public under the Freedom of Information Act, Title 5, United States Code, Section 552(b), and protected from disclosure pursuant to the law enforcement privilege. Any further requests for disclosure of this Interim SOP or information contained herein should be referred to the HSI Information Disclosure Unit.

All suggested changes or updates to this Interim SOP should be submitted to DBWSEU.

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

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

Acting Executive Associate Director
Homeland Security Investigations

March 24, 2025

Date

**INTERIM SOP
FOR 274C CIVIL DOCUMENT FRAUD PENALTIES**

Table of Contents

Chapter 1. PURPOSE AND SCOPE.....	1
Chapter 2. BACKGROUND	1
Chapter 3. INVESTIGATIONS.....	2
• [REDACTED]	2
Chapter 4. PROCEDURE FOR ISSUING NOTICES OF INTENT TO FINE	3
• [REDACTED]	
Chapter 5. COLLECTION OF CIVIL MONEY PENALTIES	7
 APPENDICES	
[REDACTED]	[REDACTED]
Appendix C	Acronyms C-1

INTERIM SOP FOR 274C CIVIL DOCUMENT FRAUD PENALTIES

Chapter 1. PURPOSE AND SCOPE

The Interim Standard Operating Procedure (SOP) for 274C Civil Document Fraud Penalties provides guidance for U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agents (SAs) when imposing, or contemplating to impose, civil fines and penalties for document fraud violations under § 274C of the Immigration and Nationality Act (INA) within the scope of their authorities.

Chapter 2. BACKGROUND

INA § 274C, as amended, 8 U.S.C.A. § 1324c, authorizes ICE to initiate fine proceedings against persons or entities who violate § 274C by knowingly committing, or attempting to commit, document fraud to obtain a benefit under the INA. The law provides for serious consequences based on these proceedings. Persons or entities found to have violated this section are subject to a cease and desist order with a civil money penalty. Additionally, an alien receiving a final order under § 274C may be inadmissible and deportable from the United States pursuant to INA § 212(a)(6)(F), Title 8, United States Code (U.S.C.), Section 1182(a)(6)(F) and INA § 237(a)(3)(C), 8 U.S.C. § 1227(a)(3)(C). Used appropriately, § 274C can be an important tool in addressing document and benefit fraud.

[REDACTED]

[REDACTED]

This use of authority presents an opportunity to hold violators to account where federal prosecution is not accepted or is otherwise impractical. The civil money penalties, along with the grounds of inadmissibility and deportability, can be strong tools and resources brought to bear against both entities and individuals who violate U.S. laws.

[REDACTED]

Chapter 3. INVESTIGATIONS

3.1 Opportunities for 274C Civil Document Fraud Penalties

Persons or entities committing document fraud in violation of § 274C may be encountered in a variety of circumstances. [REDACTED]

[REDACTED] As § 274C provides for civil penalties, it can also be used in concert with state and local criminal investigations of document fraud where the underlying § 274C violations exist. [REDACTED]

- A. For cases where the focus of the investigation is document fraud, Case Category ^{(b) (7)(E)} will be used along with Project Code ^{(b) (7)(E)}
- B. For cases where § 274C will be employed against subjects of a non-document fraud-centric investigation, the Project Code ^{(b) (7)(E)} will be used in conjunction with the appropriate Case Category of the underlying investigation.

3.2 Unlawful Activity Subject to Civil Penalty Under Section 274C of the INA

A [REDACTED] will demonstrate that a person or entity knowingly committed violations in one or more of the following six categories as described in INA § 274C, 8 U.S.C. § 1324c:

- 1) forging, counterfeiting, altering, or falsely making a document for the purpose of satisfying a requirement or obtaining a benefit under the INA. INA § 274C(a)(1), 8 U.S.C. § 1324c(a)(1);
- 2) using, attempting to use, possessing, obtaining, accepting, receiving or providing a forged, counterfeit, altered, or falsely made document for the purpose of satisfying a requirement or obtaining a benefit under the INA. INA § 274C(a)(2), 8 U.S.C. § 1324c(a)(2);
- 3) using or attempting to use, providing or attempting to provide a document lawfully issued to or with respect to a person other than the possessor

(including a deceased individual) for the purpose of satisfying a requirement or obtaining a benefit under the INA. INA § 274C(a)(3), 8 U.S.C. § 1324c(a)(3);

- 4) accepting, receiving or providing a document lawfully issued to or with respect to a person other than the possessor (including a deceased individual) for the purpose of complying with INA § 274A(b); 8 U.S.C. § 1324a(b) or obtaining a benefit under the INA. INA § 274C(a)(4), 8 U.S.C. § 1324c(a)(4);
- 5) preparing, filing, or assisting another in preparing or filing, an application for benefits under the INA, or a document required by the INA, or a document submitted in connection with such application or document, with knowledge or in reckless disregard of the fact that such application or document was falsely made or, in whole or in part, does not relate to the person on whose behalf it was or is being submitted. INA § 274C(a)(5), 8 U.S.C. § 1324c(a)(5); and/or
- 6) presenting, before boarding a common carrier for the purpose of coming to the United States, a document which relates to the alien's eligibility to enter the United States and failing to present such document to an immigration officer upon arrival at a United States port of entry. INA § 274C(a)(6), 8 U.S.C. § 1324c(a)(6).

[REDACTED]

Chapter 4. PROCEDURE FOR ISSUING NOTICES OF INTENT TO FINE

4.1 Notice of Intent to Fine Under § 274C of the INA

Once evidence demonstrating violations of § 274C is established, [REDACTED]

[REDACTED] (b) (7)(E) [REDACTED]
[REDACTED] (b) (7)(E) [REDACTED]

- A. [REDACTED] SAs will mark the statutory provision(s) which the person or entity, referred to as "respondent," is alleged to have violated.

- B. [REDACTED]
[REDACTED] Fine amounts are adjusted annually for inflation..² [REDACTED]

² The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act) requires all agencies to adjust civil monetary penalties annually and is effective for violations which occurred after November 2, 2015. Sec. 701, Pub. L. 114-74, 129 Stat. 584, 599.

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

A. [REDACTED]

1) [REDACTED]

2) [REDACTED]

3) [REDACTED]

4) [REDACTED]

5) [REDACTED]

6) [REDACTED]

B. [REDACTED]

³ For associated violations which occurred prior to November 2, 2015, SAs should refer to Title 8, Code of Federal Regulations (C.F.R.), Section 270.3(b)(ii)(A), (B), (C), and (D) for fine structure guidance.

[REDACTED]

C. [REDACTED]

D. [REDACTED]

1) [REDACTED]

4.3 Service of the Notice of Intent to Fine

A NIF may be issued and signed by any officer authorized to issue a Notice to Appear (Department of Homeland Security (DHS) Form ^{(b) (7)(E)}), as defined in 8 C.F.R. § 239.1(a),

[REDACTED]

A. [REDACTED]

1) [REDACTED]

4 [REDACTED]

- [REDACTED]
- 2) [REDACTED]
- 3) [REDACTED]
- 4) [REDACTED]
- 5) [REDACTED]
- 6) [REDACTED]

B. [REDACTED]

4.4 Final Order to Cease Violations and Pay Fine

A. ICE Form^{(b) (7)(E)} Final Order to Cease Violations and Pay Fine, informs the respondent that ICE Form^{(b) (7)(E)} Civil Document Fraud – Notice of Intent to Fine Under Section 274C of the INA, has been served on the individual or entity and that the respondent has had the opportunity to request a Civil Document Fraud Hearing but failed to do so in a timely manner. A Final Order is also issued in all cases where the Office of the Chief Administrative Hearing Officer (OCAHO) issues a decision and order following such a hearing.

B. [REDACTED] ^{(b) (7)(E)} [REDACTED]

- 1) [REDACTED] ^{(b) (7)(E)} [REDACTED]
- 2) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (7)(E)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The form of a cashier's check, bank check, or money order made payable to "U.S. Immigration and Customs Enforcement," referencing the FSC-B invoice number, and sent to:

Financial Service Center – Burlington
Attn: Document Fraud Penalties
U.S. Immigration and Customs Enforcement
P.O. Box 5000
Williston, VT 05495

Appendix A

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Appendix B

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ACRONYMS

[illegible]