

# Protecting Your Company's Identity

Import Specialist Enforcement Team  
Office of Field Operations  
LA/LB Seaport and LAX



U.S. Customs and  
Border Protection

# Presentation Overview

- Identity Theft Victims
- Federal Statutes
- C-TPAT Importer Identity Information
- Resources to Increase Importer Awareness
- Increased customer and service provider awareness
- Smugglers' Goals
- CBP Approach



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# Identity Theft Victims

Importers  
Customhouse Brokers  
Highway Carriers  
Freight Forwarders  
Americans



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# Federal Statutes 18 USC 1028A

- **Identity Theft Statutes**
- **1. Identity Theft and Assumption Deterrence Act of 1998**  
[P.L. 105-318](#)  
Enacted [H.R. 4151](#), October 30, 1998  
112 Stat. 3007, codified at [18 U.S.C § 1028](#)
- The [Identity Theft and Assumption Deterrence Act of 1998](#) was the first piece of federal legislation to deal directly with identity theft. For the first time, ID Theft became a named federal crime, making it somewhat easier for law enforcement to prosecute. The Act established the Federal Trade Commission (FTC) as the government entity charged with establishing “procedures to ... log and acknowledge the receipt of complaints by individuals”, as well as educate and assist potential victims. The term “means of identification” is described as a person’s “name, social security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number.” (18 U.S.C. § 1028(d)(7)). The U.S. Sentencing Commission is directed to incorporate the crime of ID theft into the United States Sentencing Guidelines Manual (United States Sentencing Commission, [Identity Theft: Final Report](#))



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# Federal Statutes 18 USC 1028A

- **2. Identity Theft Penalty Enhancement Act**

[P.L. 108-275](#)

Enacted [H.R. 1731](#) / S.153, July 15, 2004

118 Stat. 831, Added 18 U.S.C. § 1028A

- The [Identity Theft Penalty Enhancement Act](#), passed in July 2004, established penalties for aggravated identity theft. This includes instances when identity theft has been used as one step in a process of more serious crimes, such as terrorist acts, immigration violations, and firearms offenses. The Act directs the U.S. Sentencing Commission to amend the Federal sentencing guidelines so that individuals who gain access to the information used to commit identity theft at their place of employment face increased penalties. The amendments set fourth by the United States Sentencing Commission, implementing sections 2 and 5 of the Identity Theft Penalty Enhancement Act were published in the [May 11, 2005 Federal Register](#). The Fair and Accurate Credit Transactions Act of 2003.



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# C-TPAT Importer Identity Information

- Includes
  - Company Name
  - Company Importer Identification Number
  - Supply Chain (Suppliers, Manufacturers, Service Providers, Modes, and Nodes)
  - Purchase Orders, Invoices, Manifests, Transportation documents which include commodities and quantities



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# Resources to Increase Importer Awareness

- ACE Reports
- ITRAC Report
- C-TPAT Account Management Comm.
- Increased Vigilance and Awareness
  - Federal Trade Commission:  
<http://www.ftc.gov/bcp/edu/microsites/idtheft/>
- Communication with local CBP ISET



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# ITRAC Reports



U.S. DEPARTMENT OF HOMELAND SECURITY  
**CBP.gov**  
Securing America's Borders

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**FOIA**

Importer Trade Activity (ITRAC) Requests

Report Suspicious Activity to **1-800-BE-ALERT**

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## Importer Trade Activity (ITRAC) Requests

(11/30/2005)

For five years, the Office of Strategic Trade (OST) has provided import data to Importers of Record, to filers, and to their legal representatives, who have submitted requests to OST under the Freedom of Information Act (FOIA). This collection of information is called ITRAC - Importer Trade Activity. ITRAC is company-specific import data placed in an MS-Access 97 database, and provided on CD-Rom for a processing fee.

Please allow 6-8 weeks for processing of your data request. (Please note: This time frame is based on no problems occurring). At the completion of your request, you will receive a payment invoice by fax or email, so that you can comply with the Prompt Payment Act.

Approximate payment range is \$250.00 - \$300.00. All checks should be addressed to U.S. Customs and Border Protection. Checks drawn from foreign banks are not acceptable as payment for FOIA processing.

**Available ITRAC information includes the following:**

Country of Export	Est. Tax	Port of Lading/Unlading
Country of Origin	Exams	Related Party Status
Discrepancy Types	Export Date	Special Program Ind.
Entered Value	Filer	Ultimate Consignee
Entry Date	HTS Number/Desc.	
Entry Number	Liquidation Date	
Entry Type	Manuf. Id	
Est. Duty/Rate	Mode of Transport	

ITRAC requests under FOIA must be received either in writing, or by email. Email requests should be sent to: OST Automation Support

Written requests on company letterhead can be mailed to:

**U.S. Customs and Border Protection  
Office of International Trade  
Analytical Development Division**

**see also:**

- ▶ **in Importer Trade Activity (ITRAC) Requests :**  
[Sample Request \(doc - 26 KB.\)](#)
- ▶ **on cbp.gov:**  
[Sample Request \(doc - 26 KB.\)](#)

print



# Increased Customer and Service Provider Awareness

- Know your customers and service providers
  - Conduct Company Research
  - Validate Power of Attorney Signature
  - Look for Anomalies



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# Import Specialist Enforcement Teams

- ISET Los Angeles Long Beach Seaport  
– (562) 366-5749
- ISET Los Angeles International Airport  
– (310) 215-2435



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# Smugglers Goals

- Evade Detection
- Ship and obtain clearance of illegal goods
- Remain anonymous
- Deal in Cash and documentation that can not be traced
- Establish a smuggling supply chain that is untraceable



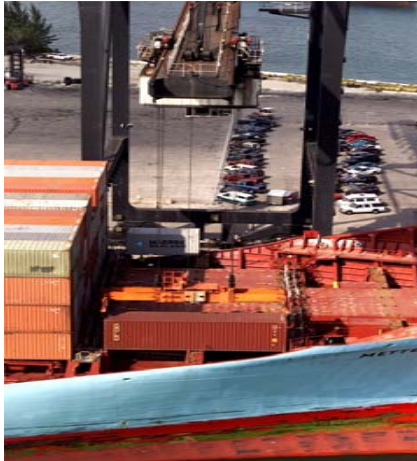
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# CBP Approach

- Use Automated Systems and Information for Targeting
- Look for patterns or trends
- Increase Communication and Partnerships



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# Thank you!

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