

**Port of Buffalo: Reference Request #1(a)****Muster**

**Date:** December 12, 2007

**Topic:** Muslims Performing Hajj (Pilgrims to Mecca)

**Headquarters POC:** (b)(6) & (b)(7)(C)

**Office:** Admissibility and Passenger Programs

Hajj, the pilgrimage to Mecca (in Saudi Arabia), is one of the most important religious obligations in Islam. Every adult Muslim physically and financially capable of doing so is required to perform Hajj at least once in his or her lifetime. More than two million pilgrims, including thousands of American Muslims, participate annually. We expect that upwards of 15,000 U.S. residents may plan to attend this year's Hajj.

This year Hajj will take place beginning December 18, 2007, through December 21, 2007, with most related travel occurring during the weeks immediately preceding and following these dates. CBP Officers should be prepared to encounter large numbers of travelers who have legitimately attended this major religious event.

- Pilgrims often wear very simple white clothing. Males may be clothed in an Ihram, a white robe required in Mecca.
- It is common for returning participants to perform prayers in public areas including airports and aircraft.
- Expect travelers to be carrying items of religious significance including the Qur'an and other Islamic literature, prayer beads, sand from the area around Mecca and water, considered sacred, from the Zamzam well. The attached fact sheet contains guidance regarding permissible and prohibited items.
- Some Muslims cut their hair or shave at the conclusion of the pilgrimage.
- Many attendees travel in groups. While these may be family or locally based, commercially arranged pre-packaged tour groups are common.
- Officers should be aware that the large influx of travelers during this time period may be used as cover by extremists and/or terrorists to enter the United States, (b)(2) & (b)(7)(E)
- Persons returning from the Hajj should be screened and processed using the same standards, procedures and care that would be afforded to any international traveler entering the United States.
- All existing directives, guidelines, operations and processes that normally apply to specific individuals and nationalities remain in effect.

No extraordinary or special enforcement measures have been or should be initiated based solely on the fact that a traveler is returning from a pilgrimage to Mecca. As in all

interactions with the public, the highest standard of professionalism is to be maintained at all times.

Port of Buffalo: Reference Request #2(b)(c)(d)

# CELLULAR PHONE FRAUD- CLONE PHONE

**LAWS:** 18 USC 1029, 18 USC 545, 19 USC 1595(a)(c)

**FORMS:** CBP FORM 6051S: CUSTODY RECEIPT SEIZED PROPERTY/EVIDENCE PROPERTY

- 1. Original copy (b) (2) [REDACTED]
- 2. 1 copy (b) (2) [REDACTED]
- 3. 1 copy (b) (2) [REDACTED]
- 4. 1 copy (b) (2) [REDACTED]

**NOTIFICATION:** (b) (2) & (b) (7)(E) ON ALL SUSPECTED CLONE PHONES OR CLONING DEVICES AND INSTRUMENTS.

**MITIGATION:** NONE.

**NOTES:** THE FOLLOWING INFORMATION WILL ASSIST YOU IN DETERMINING IF AN INDIVIDUAL WITH A CELLULAR TELEPHONE IS IN POSSESSION OF A CLONED PHONE.

**ASK THE RIGHT QUESTIONS:**

[REDACTED]

(b)(2) & (b)(7)(E)

IF THE INDIVIDUAL HAS TROUBLE WITH ANY OF THESE QUESTIONS, IT IS POSSIBLE THAT THEIR PHONE IS EITHER CLONED OR STOLEN.

**EXAMINE THE PHONE:**

- (b)(2) & (b)(7)(E) [REDACTED]

**EXAMPLES:**

**SEIZURE NUMBERS**

- (b) (2) [REDACTED] : CLONE PHONE SEIZURE
- (b) (2) [REDACTED] : CLONE PHONE SEIZURE
- (b) (2) [REDACTED] : CLONE PHONE SEIZURE
- (b) (2) [REDACTED] : CLONE PHONE SEIZURE

000194

**Port of Buffalo:** Reference Request #1(a) and 2(a)

**Weekly Muster**

**Week of Muster:** May 14, 2007

**Topic:** **Fraudulent Travel Documents**

**Port of Buffalo, POC:** (b)(6) & (b)(7)(C)

**Primary and Secondary Officers:**

Identification and Interdiction of travelers utilizing Fraudulent Documents remains a top priority of CBP. Close scrutiny is necessary to determine that all documents presented by travelers are unaltered, genuine, valid and belong to the bearer. CBP defines a fraudulent document as:

*Any travel document that in part or in whole has been altered, counterfeited, stolen, presented by someone other than the rightful holder, or was received because of misrepresentation.*

The single most successful method of identifying persons utilizing fraudulent documents remains speaking directly to each and every traveler during the course of the Primary Inspection.

Successful document and subject examination techniques include the following:

(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

Review of Secondary Identification and documents. (i.e. (b)(2) & (b)(7)(E) [Redacted], personal papers contained in baggage etc...)

(b)(2) & (b)(7)(E)

[Redacted]

Careful scrutiny and Inspection in the Secondary environment is required for all persons presenting documents where any level of suspicion exists that they may be fraudulent.

**Secondary Officers:**

There are a myriad of readily available existing resources for the Identification and Analysis of documents. Listed below are several basic sources all Officers should be familiar with. If you are unfamiliar with, or feel you require additional training in any of these areas, please contact your ADMIN or on duty Supervisor to arrange for additional training.

(b)(2) & (b)(7)(E)

CIA World Fact book (and other internet sources)

(b)(2) & (b)(7)(E)

U.S. Identification Manual

(2) & (b)(7)(E)

In ALL cases where a Fraudulent Document is intercepted, (b) notification is mandatory.

**UNDER NO CIRCUMSTANCES WILL A FRAUDULENT DOCUMENT BE RETURNED TO THE TRAVELER.**

All Fraudulent Documents Intercepted must be entered in (b)(2) & (b)(7)(E). An (b)(2) & (b)(7)(E) document entry Job Aid is attached.

Fraudulent Documents not presented by the traveler, but discovered by CBP in baggage etc... are also subject to mandatory seizure.

Detailed instructions for the disposition of intercepted documents are included in the Port of Buffalo checklist program. Basic principles applying to all scenarios include the following:

(b) (2)  
[Redacted]  
[Redacted]  
[Redacted]

Persons removed to Canada via Expedited Removal Order or 217 Removal fall within "refused entry/withdrawal", and corresponding Fraudulent Documents are to be forwarded to (b) (2) (b)(7)(E)

Document disposition will be either retention in service files ("A" or "Prosecution" file) or transfer to the (b) via the (b) (2). In a very limited number of cases document may be provided to (b) (2) to facilitate prosecution based on Chief Officer direction.

In some cases Documents will be further disposed at the end of CBP Prosecution or action by forwarding to (b)(2) & (b)(7)(E)

For those destined to the (b) (2) (b)(7)(E), Documents are to be placed in a (b) (2)

[Redacted]. Document Control Supervisors will retrieve on (b) basis and forward to the on-duty Document Control ADMIN Officer. (2) (b)(7)(E)

All Document Control ADMIN Officer Processing will be centralized at (b)(2) & (b)(7)(E). Per CBP SOP (b) (2) "Memorandum (November 1, 2005). All Travel Documents must be shipped to (b) within of system entry, and must be delivered to a (b) (2), may NOT be placed in (b) (2). E-Mail notifications regarding shipping and receipt will be exchanged between Port and (b). At the present time actual (b)(2) & (b)(7)(E) processing of documents in the automated system is limited to (b)(6) & (b)(7)(C). ADMIN Officers will ensure all Documents are centralized at the (b)(2) & (b)(7)(E), and an E-Mail message is sent to (b)(6) & (b)(7)(C) advising documents are pending. Documents must be secured in the (b)(2) & (b)(7)(E)

US Passports that have been reported Lost or Stolen are not valid for travel, and will be seized by CBP per the request of the Department of State. Detailed instructions for processing these cases, including mandatory (b)(2) & (b)(7)(E) processing, are contained within the Port of Buffalo (b) (2)

Proper disposition and recordation of these documents encountered by CBP is crucial. In all cases, CBP bears the burden to safeguard and protect these documents, and remains accountable for them at all times until received by the (b)

(2) & (b)(7)(E)

**Port of Buffalo:** Reference Request #1(a)

**Weekly Muster**

**Week of Muster:** June 4, 2007  
**Topic:** Impact of Decision  
**Reference Materials:** Inspector's Field Manual  
**Local POC:** (b)(6) & (b)(7)(C)

**IFM 17.15 Expedited Removals**

- **Impact of decision - once you have gathered all the facts, you will decide, in consultation with a supervisor, the best course of action. Depending on the circumstances, you may admit the alien, allow the alien to apply for any applicable waivers, defer the inspection or otherwise parole the alien, permit the alien to withdraw his or her application for admission, issue an expedited removal order, or refer the alien for a credible fear determination. Whatever decision is made, clearly advise the alien of the impact and consequences of the determination and record this in the sworn statement.**

**In an effort to comply with the requirements of IFM 17.15, when completing an I867 sworn statement for an approved expedited removal, questions explaining the impact of the decision of the action taken will be asked at the end of the statement. You will find examples below and in the checklist program.**

Q. You are being removed from the United States through the Expedited Removal process. You are not eligible to re-enter the United States for a period of 5(20 years if appropriate) years. Do you understand if you do attempt to re-enter the United States within the 5 years you can be charged criminally pursuant to 8 USC 1326.

A.

**Also add if the alien is being charged with 212(a)(6)(C)(I) or (II):**

Q. You are being removed pursuant to 212(a)(6)(C)(i) of the Immigration and Nationality Act (fraud and/or misrepresentation) or 6(C)(II) (false claim to U.S. citizenship). Do you understand that this is a lifetime bar and that you will be required to obtain permission to re-enter the United States even after 5 years has past?

A

**Prepared By:** (b)(6) & (b)(7)(C)

000198

**Date of Submission: May 30, 2007**



Port of Buffalo: Reference Request #1(a)  
Weekly Muster

**Week of Muster:** February 13, 2007

**Topic:** Discretionary Referrals

**POC:** (b)(6) & (b)(7)(C)

**Background:**

One of our MaxHR goals is to increase the numbers of discretionary referrals to baggage control. It has been determined that a discretionary referral is a referral by the primary officer and not a referral generated by (b)(2) & (b)(7)(E), ETC. Our discretionary referrals for FY06 averaged (b)(2) & (b)(7)(E). We need to raise that number without flooding our secondary enforcement team with substandard referrals.

**Message:**

Supervisors should motivate Officers assigned to their shift to send in that "border line" referral to baggage control. You will receive this muster along with several others to assist the primary Officer in his/her decision to refer a vehicle for a more thorough secondary examination. These musters will enable the Officer to more easily detect subjects that may be attempting to smuggle narcotics, and/or currency into the United States. Below are some examples of recent indicators that would assist primary officers in the referral process. These are basic concepts, the shift supervisor should interpret these EXAMPLES so the newer officer will not flood baggage control secondary.

▪ (b)(2) & (b)(7)(E) are an excellent indicator.

▪ (b)(2) & (b)(7)(E)

▪ (b)(2) & (b)(7)(E)

▪ (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

▪ (b)(2) & (b)(7)(E)

(b)(2)  
(b)(7)(E)

**Prepared by:** (b)(6) & (b)(7)(C)

**Date:** February 13, 2007

Port of Buffalo: Reference Request #1(c)

Weekly Muster

**Week of Muster:** January 30,2006

**Topic:** Crewmember Violators

**Local POC:** (b)(6) & (b)(7)(C)  
SCBPO, Port of Buffalo

**Message: Crewmembers are not admitted, they are permitted to land. Crewmember violators are processed according to the date of their arrival.**

**Crewmembers apprehended for violations of status fall into four categories:**

- A crewmember that has remained in the U.S. beyond 29 days without extension granted by the Service.
- An overstay crewmember whose vessel or aircraft has departed but who has not been paid off or discharged in accordance with section 252(a)(2) of the Act.
- A crewmember whose ship is still in port but who has engaged in activities inconsistent with the terms of the landing permit.
- A crewmember who has been refused a landing permit or whose landing permit was revoked, but who left the vessel in violation of section 252(b) of the Act.

**Definitions of violators:**

- An **Abscondee** is a crewmember that has been refused a landing permit and ordered detained on board and who departs the vessel without permission.
- A **Deserter** is a crewmember who has been granted D-1 or D-2 status and a landing permit and who does not depart when required.

**The key date for determining the processing of Crewmen cases is April 1,1997.**

**Crewmembers arriving prior to April 1,1997:** Such crewmember who is apprehended in violation of status and whose vessel has departed must be placed into removal proceedings under Section 240 of the Act. If the crewmember was granted landing privileges then he or she is deportable pursuant to section 237(a)(1)(C)(i)- Nonimmigrant Violator of Status or Condition of Entry. If the crewmember was not

granted landing privileges then he or she should be charged under Section 212(a)(6) (A)(i)- Alien present without being admitted.

**Crewmembers arriving on or after April 1, 1997:** Such crewmembers are not entitled to any hearing before an immigration judge, except for the purpose of resolving an asylum claim. These individuals will be turned over to Detention and Removal with a form I213. If an asylum claim is made a form I863 Referral to Immigration Judge will be necessary.

The following codes should be used in (b)(2) & (b)(7)(C) to capture these events:

**Immigration Status:**

Crewmember Deserter  
Crewmember Absconder  
Stowaway



**Prepared By:**

(b)(6) & (b)(7)(C)  
**Office of Training Operations**

000202

**Date of Submission: January 30, 2006**

**Port of Buffalo:** Reference Request #2(a)(b)(c)(d)

# **Customs & Border Protection**

# **Port of Buffalo**

# **CBP FORM 6051 Procedures**

The purpose of these instructions is to establish procedures for issuance, use, and control of those forms utilized for the purpose of processing evidence, or property that is seized, detained, or otherwise held. Strict adherence to this SOP will insure continuity throughout our Port.

The chain of custody receipt form (CBP FROM 6051 - see pg. 85) is the written record of all individuals who have maintained control over the detained or seized property since its acquisition by a CBP officer. The chain of custody starts when an item is collected and maintained until final disposition. The chain of custody ensures continuous accountability and if not maintained correctly, the item may be inadmissible in court. ALL individuals named in the chain of custody are responsible for the care, safekeeping and preservation of the evidence while it is under their control. When a vehicle is seized the shift Supervisory CBP Officer MUST sign the 6051s.

## **DEFINITIONS**

**Seizure** – When an officer takes custody of an item to enforce a violation of law, for evidence, for forfeiture, or both.

**Detention** – When CBP requires more information to make an appropriate determination regarding an importation or exportation to release merchandise.

**Accountability** – The ability to account for a seized item by providing a complete audit trail for the transactions from the chain of custody to the final disposition.

**Seizing Officer** – The CBP officer whom first collects or receives seized property and introduces it in to the chain of custody.

## **PROCEDURES**

Four versions of the CBP FORM 6051 and their use are provided for in the following guidelines. A sample of each is provided including in-depth instructions for the proper completion of these documents. Officers must account for ANY property seized and insure that the appropriate form is completed and signed when there is a change in custody.

Upon making a seizure, the applicable information shall be entered into the appropriate report within (b) (2) in order to obtain the necessary tracking numbers. Subsequently, the responsible supervisor will approve the within (b) (2) after completion.

(b)(2) & (b)(7)(E)

The seizing officer will sign the CBP FORM 6051, documenting their involvement in the seizure of the property. The original 6051 will (b) (2)

[REDACTED] . A copy of the 6051 will (b) (2)  
[REDACTED] A copy of the 6051 will (b) (2)

Please ensure that (b) (2)  
[REDACTED] . When property is turned over to another Agency, CBP will (b) (2)

### **CBP FORM 6051D – Detention Notice and Custody Receipt for Detained Property**

This form will be utilized when there is a question whether the property can be legally admitted into or exported out of the United States (i.e., other Agency requirements, visa/quota, intellectual property rights, etc.). This includes, but is not limited to; property for export in which there is a question as to whether the property requires a license or permit. The use of CBP FORM 6051D allows personnel additional time to make a determination on whether a violation is present or to determine the admissibility of the property in question. A COPY OF THE CBP FORM 6051D LISTING THE PROPERTY BEING DETAINED WILL BE PROVIDED TO THE RESPONSIBLE PARTY.

When a detention becomes a seizure, (b) (2)  
[REDACTED] . The CBP FORM 6051D becomes (b) (2)  
[REDACTED] . Insure that a copy of the CBP FORM 6051D (b) (2)  
[REDACTED] . If the custodian is an outside agency, a copy of the CBP FORM 6051D (b) (2)

### **Instructions for Completing CBP FORM 6051D**

#### **Block #1 – Held for other Agency**

(b) (2)  
[REDACTED]

#### **Block #2 – Certified Mail Number**

(b) (2)  
[REDACTED]

#### **Block #3 – Investigative Case Number**

(b) (2)  
[REDACTED]

**Block #4 – General Order Number**

(b) (2) [REDACTED]

**Block #5 – Exodus Command Center**

(b) (2) [REDACTED]

**Block #6 – Port Code**

(b) (2) [REDACTED]

**Block #7 – Date of Detention**

(b) (2) [REDACTED]

**Block #8 – Time**

(b) (2) [REDACTED]

**Block #9 – Entry Number**

(b) (2) [REDACTED]

**Block #10 – Detained From**

(b) (2) [REDACTED]

**Block #11 – Seal or other ID Number**

(b) (2) [REDACTED]

**Block #12 – Misc. Number**

(b) (2) [REDACTED]

**Block #13 – Remarks**

(b) (2) [REDACTED]



**Block #14 – FPF Case Number**

(b) (2)

**Block #15 – Point of Contact Information**

(b) (2)

**Block #16 – Additional Information**

(b) (2)

**Block #17 – Reason for Detention**

(b) (2)

**Block #18 – Tests or Inquires to be Conducted**

(b) (2)

**Block #19 – Property**

(b) (2)

**Block #19a – Line Item Number**

(b) (2)

**Block #19b – Description**

(b) (2)

**Block #19c – Packages**

(b) (2)

**Block #19d – Measurement**

(b) (2)

**Block #19e – Estimated Domestic Value**

(b) (2) [Redacted]

**Block #19f – Samples Sent to Lab**

(b) (2) [Redacted]

**Block #20 – Detaining Officer Name**

(b) (2) [Redacted]

**Block #21 – Acceptance/Chain of Custody**

(b) (2) [Redacted]

**Block #21a – Line Item Number**

(b) (2) [Redacted]

**Block #21b – Description**

(b) (2) [Redacted]

**Block #21c – Print Name**

(b) (2) [Redacted]

**Block #21d – Signature**

(b) (2) [Redacted]

**Block #21e – Date**

(b) (2) [Redacted]

## **CBP FORM 6051S - Custody Receipt for Seized Property and Evidence**

The CBP FORM 6051S will be utilized when the property cannot be legally admitted into or out of the United States (i.e., narcotics, other Agency restrictions, detained property determined to be inadmissible, etc.) or is seized for evidentiary use in an investigation. The 6051S will be used for the processing of seized property or evidence. The 6051S will demonstrate the chain of custody of such property from seizure to lab analysis (where applicable), storage, utilization in court proceedings (where applicable) and disposition of property.

High-risk items, (narcotics, monetary instruments, and weapons), Drug Enforcement Administration samples, and evidence to be used in court (b) (2)

(b) (2) . A separate CBP FORM 6051S should be completed (b) (2) . In addition, forfeitable and non-forfeitable seized property (b) (2) . Multiple forfeitable items (b) (2) . Multiple non-forfeitable items (b) (2) . When initiating a separate CBP FORM 6051S, (b) (2)

If property had been detained prior to effecting seizure, (b) (2)

The original CBP FORM 6051S should (b) (2)

(b) (2) The original CBP FORM 6051S (b) (2) . A copy of the CBP FORM 6051S (b) (2)

e. If the property has been turned over to another agency, CBP will (b) (2) . A copy of the CBP FORM 6051S (b) (2)

**Instruction for Completing CBP FORM 6051S**

**Block #1 – FPF Number**

(b) (2) [REDACTED]

**Block #2 – Incident Number**

(b) (2) [REDACTED]

**Block #3 – Investigative Number**

(b) (2) [REDACTED]

**Block #4 – (b) (2)**

(b) (2) [REDACTED]

**Block #5 – Detention**

(b) (2) [REDACTED]

**Block #6 – Date**

(b) (2) [REDACTED]

**Block #7 – Time**

(b) (2) [REDACTED]

**Block #8 – FDIN/MISC Number**

(b) (2) [REDACTED]

**Block #9 – Seized From**

(b) (2) [Redacted]

**Block #10 – Entry Number**

(b) (2) [Redacted]

**Block #11 – Seal or Other ID Number**

(b) (2) [Redacted]

**Block #12 – Remarks**

(b) (2) [Redacted]

**Block #13 – Send Correspondence To**

(b) (2) [Redacted]

**Block #14 – Property**

(b) (2) [Redacted]

**Block #14a – Line Item Number**

(b) (2) [Redacted]

**Block #14b – Description**

(b) (2) [Redacted]

**Block #14c – Number & Type of Packages**

(b) (2) [Redacted]

**Block #14d – Quantity and Unit of Measurement**

(b) (2) [Redacted]

(b) (2)

**Block #14e – Estimated Domestic Value**

(b) (2)

**Block #15 – Seizing Officer**

(b) (2)

**Block #16 – Acceptance Chain of Custody**

See 16a – 16e

**Block #16a – Line Item Number**

(b) (2)

**Block #16b – Description**

(b) (2)

**Block #16c – Print Name**

(b) (2)

**Block 16d – Signature**

(b) (2)

**Block #16e – Date**

(b) (2)

## **CBP FORM 6051A – Custody Receipt for Detained or Seized Property**

- **Continuation Sheet**

The Custody Receipt for Detained or Seized Property form (CBP FORM 6051A) is also known as the Continuation Sheet. Whether property is detained on a CBP FORM 6051D or seized on a CBP 6051S and the initial form requires additional entries on the Block designated as PROPERTY or ACCEPTANCE/CHAIN OF CUSTODY, the appropriate section(s) of the form (CBP FORM 6051A) will be completed to reflect the required additional entries. When utilizing the Continuation Sheet for the Acceptance/Chain of Custody (b) (2)

[Redacted]

(b) (2) [Redacted]

**NOTE:** Narcotics, currency, monetary instruments, DEA samples, and evidence to be used in court must (b) (2) . (b) (2) . When initiating a separate CBP FORM 6051S or D, ensure that (b) (2)

## **CBP FORM 6051R – Receipt for Property**

The Receipt for Property (CBP FORM 6051R) is completed for the purpose of returning items that will not be detained and/or are no longer needed as evidentiary items. This form may also be utilized as a receipt to document the movement of any property or item(s), such as the return of personal effects, jewelry, etc., that is (are) not identified on an Incident Report or have a Fines, Penalties, & Forfeiture case number.

On the CBP FORM 6051R, Block number 1 is identified as the Reference Number. (b) (2)

[REDACTED]

The original CBP FORM 6051R (b) (2)  
A copy of this form will (b) (2)

[REDACTED]

When completing this form, ensure that the (b) (2)

[REDACTED]

[REDACTED] e.

### **Instructions for Completing CBP FORM 6051R**

#### **Block #1 – Reference Number**

(b) (2)

[REDACTED]

#### **Block #2 – Received By**

(b) (2)

[REDACTED]

#### **Block #3 – Received From**



(b) (2) [Redacted]

**Block #4 – FPF Case Number**

(b) (2) [Redacted]

**Block #5 – Property**

See items 5a – 5d

**Block #5a – Line Item Number**

(b) (2) [Redacted]

**Block #5b – CBP FORM 6051 Number**

(b) (2) [Redacted]

**Block #5c – Description of Items**

(b) (2) [Redacted]

**Block 5d – Amount or Quantity**

(b) (2) [Redacted]

**Block 6a – Received By**

(b) (2) [Redacted]

**Block #6b – Date**

(b) (2) [Redacted]

**Block #6c – Name/Title/Organization (Received by)**

(b) (2) [Redacted]

**Block #7a – Received From**

(b) (2) [Redacted]

**Block #7b – Date**

(b) (2)

**Block #7c – Name/Title/Organization (Received from)**

(b) (2)

**Block #8a – Witness**

(b) (2)

**Block #8b – Date**

(b) (2)

**Block #8c – Name/Title/Organization (Witness)**

(b) (2)

**Port of Buffalo:** Reference Request #2(a)

**Weekly Muster**

**Week of Muster:** January 22, 2006

**Topic:** **Seizing Fraudulent Travel Documents**

**Port of Buffalo, POC:** (b)(6) & (b)(7)(C)

**Office:** Office of Training Operations

The term "travel document" means any document listed in 8CFR as fulfilling a documentary requirement for entry to the United States. Examples are passports, visas, Permanent Resident Cards and Mexican Border Crossing Cards.

The term "fraudulent document" means any travel document that in part or in whole has been altered, counterfeited, stolen, presented by someone other than the rightful holder or who received it by legitimate means but through misrepresentation. A fraudulent document is NOT one that has expired, contains the wrong visa classification, lacks a required visa, or has a limitation the traveler has disregarded.

In the event that a "fraudulent travel document" is encountered, contact a Chief for action. The document will be seized and the following steps will be taken:

- The officer must photocopy the document (b)(2) & (b)(7)(E)
- (b)(2) & (b)(7)(E) the seized document to the Document Control Admin Officer on duty or (b)(2) & (b)(7)(E)
- (b)(2) & (b)(7)(E) (b)(6) & (b)(7)(C) . Include all of the related identifying information in the message.
- The Admin Officer will (b)(2) & (b)(7)(E)
- (b)(2) & (b)(7)(E)
- (b)(2) & (b)(7)(E)

Please refer to the (b) (2) under (b) (2) for additional directions and related information.

Date of submission: January 22, 2006

Submitted by: SCBPO (b)(6) & (b)(7)(C)

**Prepared By:**  
**Date of Submission:**

(b)(6) & (b)(7)(C)

**Port of Buffalo: Reference Request #2(a)**

Subject :  
Author : (b)(6) & (b)(7)(C) ants  
Date : PM

SCBPO's,

Please distribute and muster the following to all Document Control certified Officers ASAP.

Effective immediately and until further notice, the following documents relating to "R" non-immigrants encountered in secondary must be copied and forwarded to the (b) (2) Station Supervisor.

**This is a local initiative unrelated to any IDSO or other HQ directive.**

For travelers bearing a valid visa and admitted:

- Copy of Passport Bio Page
- Copy of Visa
- Copy of I-94
- (b)(2) & (b)(7)(E)

For travelers (Canadian) adjudicated and admitted:

- Copy of Passport, or identity and citizenship documents
- Copy of all documentation submitted in support of application
- Copy of I-94
- (b)(2) & (b)(7)(E)

For travelers refused or paroled:

- Copy of Passport, or identity and citizenship documents
- Copy of all documentation submitted in support of application
- Copy of I-512 or discretionary checklist
- Copy of I-160a
- (b)(2) & (b)(7)(E)

For travelers placed into proceedings:

- Complete copy of A-File including (b)(2) & (b)(7)(E)

Please ensure documents are (b) (2)

Thanks (b)(6) & (b)(7)(C)

Port of Buffalo: Reference Request #2 (a)(b)(c)

# PORNOGRAPHY

**LAWS:** 18 USC 2251, 18 USC 2252, 19 USC 1305

**FORMS:** CBP FORM 6051S: CUSTODY RECEIPT SEIZED PROPERTY/EVIDENCE PROPERTY

1. Original copy (b) (2)
2. 1 copy (b) (2)
3. 1 copy (b) (2)
4. 1 copy (b) (2)

**NOTIFICATION:** (b)(2) + (b)(7)(E)  
(ON ALL CHILD PORNOGRAPHY, VIOLENCE IN PORNOGRAPHY, AND BESTIALITY.

**MITIGATION:** NONE

**NOTES:**

**DEFINITIONS:**

- **CHILD PORNOGRAPHY:** MATERIALS DEPICTING PERSONS APPEARING TO BE UNDER THE AGE OF 18 ENGAGED IN SEXUAL INTERCOURSE, MASTURBATION, SEXUAL ACTIVITY, OR LASCIVIOUS EXHIBITION OF THE GENITALS OR PUBIC AREA.
- **VIOLENCE:** MATERIALS DEPICTING PERSONS OF ANY AGE INVOLVED IN SEXUAL ABUSE, ABUSIVE SEXUAL CONDUCT, OR SADOMASOCHISM CULMINATING IN SEXUAL ACTIVITY.
- **BESTIALITY:** MATERIALS DEPICTING PERSONS OF ANY AGE ENGAGED IN SEXUAL CONDUCT WITH ANIMALS.
- IF THE EXAMINING OFFICER SUSPECTS A VIOLATION IN ANY OF THE ABOVE THREE AREAS, HE SHOULD CONTACT (b) (2). IF PROSECUTION IS DECLINED, THE PORNOGRAPHIC ITEMS SHOULD BE IMMEDIATELY FORWARDED TO (b) (2) ON A CHAIN OF CUSTODY (CBP Form 6051S).
- **CBP DIRECTIVE: CD4410-001A**

**EXAMPLES:**

**SEIZURE NUMBER**

- (b) (2): 2 PORNOGRAPHIC TAPES



**Port of Buffalo:** Reference Request #2(d)

**STANDARD OPERATING PROCEDURES  
FOR  
PROCESSING LOST OR STOLEN PASSPORT INFORMATION**

**1. Introduction:**

The (b)(2) & (b)(7)(E) system is an integrated system that supports case processing functions and stores data in a single data repository. To date, there has been no standard procedure for processing and identifying with the current configuration of the (b)(2) & (b)(7)(E) module if a passport was the subject of a lost or stolen alert.

CBP issued a memorandum on February 2, 2005, instructing that all adverse actions be recorded in the (b)(2) & (b)(7)(E) system. However, a recent review identified there is a significant number of cases that are not being completed or documented within the (b)(2) & (b)(7)(E) module of the (b)(2) & (b)(7)(E) system. Furthermore, current procedures do not address how to record and articulate passport information in the (b)(2) & (b)(7)(E) module as lost or stolen.

**2. Purpose:**

The purpose of this document is to establish guidelines for the ports of entry to record information in (b)(2) & (b)(7)(E) as a result of an interdiction of a lost or stolen passport. All applicants, to include U.S. citizens, who present a lost or stolen passport at entry for admission will be enrolled into the (b)(2) & (b)(7)(E) system by the following procedure.

**3. Procedure:**

Reported lost or stolen U.S. passports that are presented by the rightful holders will be seized and recorded within the (b)(2) & (b)(7)(E) module in (b)(2) & (b)(7)(E) and forwarded to the (b)(2) & (b)(7)(E). CBP officers will inform the U.S. citizen that the State Department has requested that the passport be seized. All U.S. citizens whose passport is reported as lost or stolen and seized (b)(2) & (b)(7)(E)

All U.S. passports reported as lost or stolen and found in the possession of any applicant will be seized, recorded in (b)(2) & (b)(7)(E) and forwarded to the (b)(2) & (b)(7)(E).

Holders of foreign passports reported as lost or stolen and presented for admission by the rightful owner will (b)(2) & (b)(7)(E)

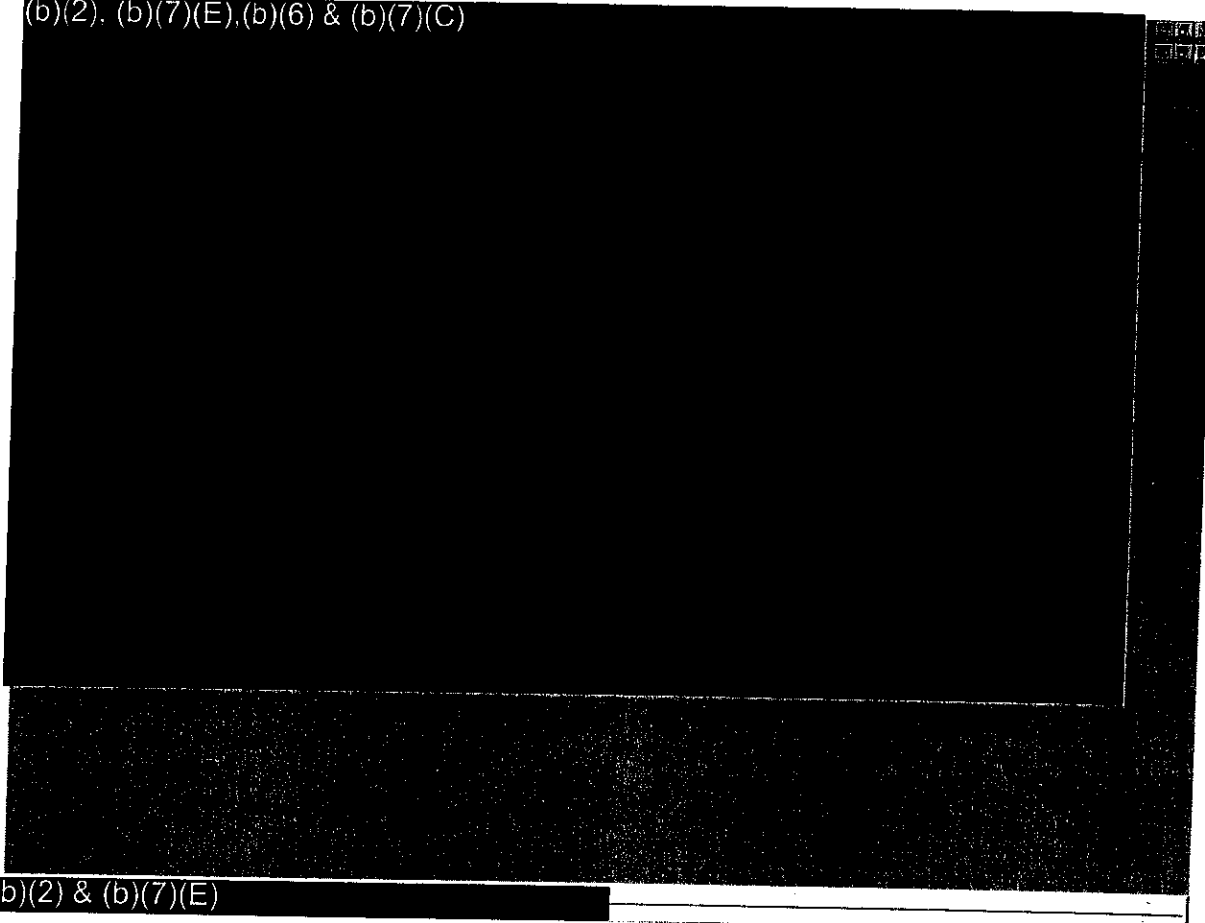


All applicants, including U.S. citizens who present fraudulent passports that have been reported lost or stolen will be processed and enrolled in (b)(2) & (b)(7)(E) as per existing policy. The passport shall be seized and forwarded to the [REDACTED].

In the event that there is an (b)(2) & (b)(7)(E) [REDACTED], the ports of entry will ensure that the biographical data is entered into (b)(2) & (b)(7)(E) [REDACTED]. Officers will also note in the comment section of the biographic page that the biometrics were [REDACTED] (b)(2) & (b)(7)(E)

Complete the biographic screen press the "(b)(2) & (b)(7)(E)" button.

(b)(2), (b)(7)(E), (b)(6) & (b)(7)(C)



(b)(2) & (b)(7)(E)

The passport information will be recorded in the passport area of the (b)(2) & (b)(7)(E) screen and also in the (b)(2) & (b)(7)(E) section. Select the (b)(2) & (b)(7)(E) button and record the passport information in the appropriate fields.

For U.S. passports the selection options for the codes in (b)(2) & (b)(7)(E) are:

(b)(2) & (b)(7)(E)

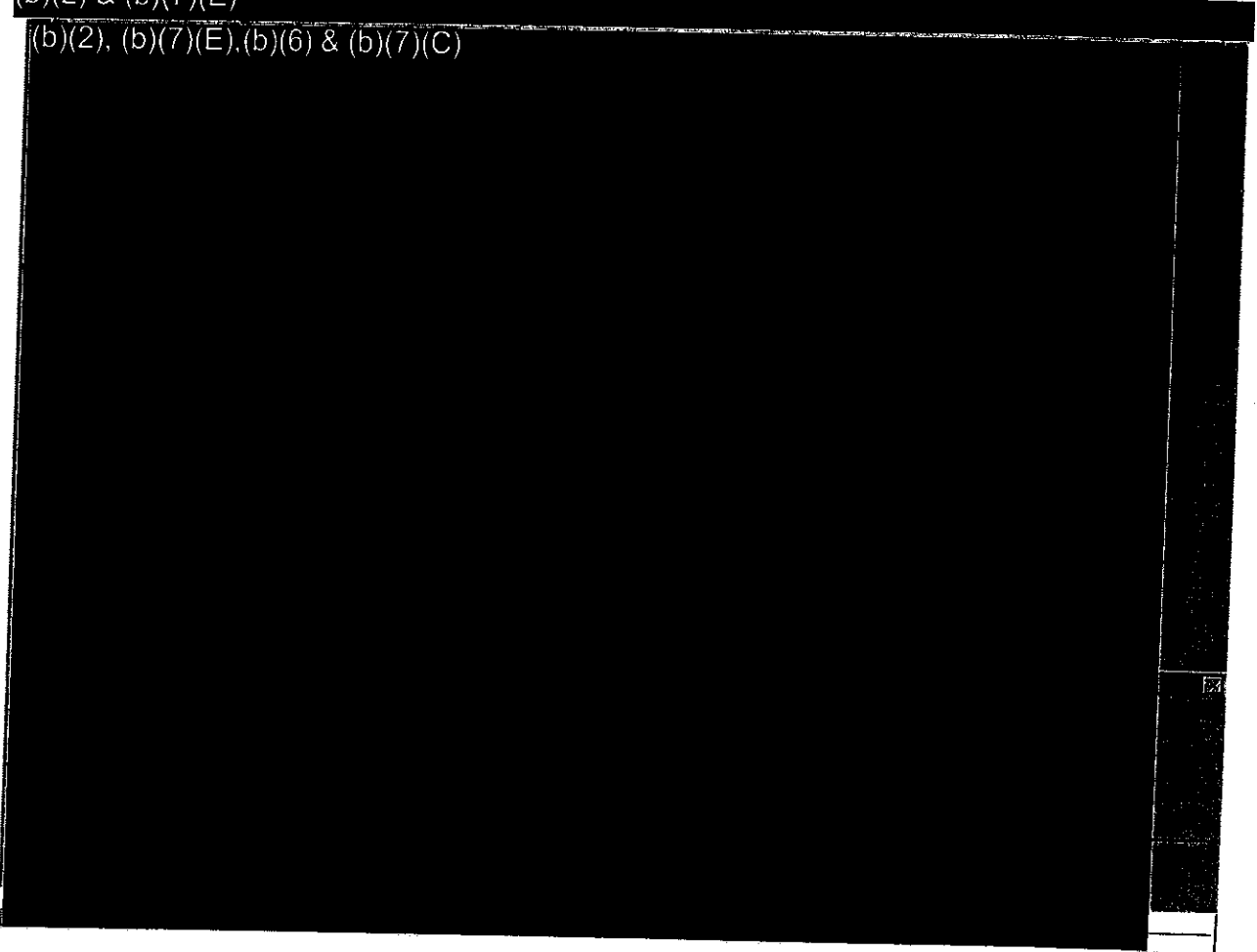
For Non-U.S. passports the selection options for the codes in (b)(2) & (b)(7)(E) are:

(b)(2) & (b)(7)(E)

In the (b)(2) & (b)(7)(E) field, enter the passport number ((b)(2) & (b)(7)(E)). Make sure the passport number in this field matches the passport number in the (b)(2) & (b)(7)(E) field of the (b)(2) & (b)(7)(E) screen. In the (b)(2) & (b)(7)(E) field, in upper case type either (b)(2) & (b)(7)(E) or (b)(2) & (b)(7)(E) without quotation marks and no spaces between the words.

(b)(2) & (b)(7)(E)

(b)(2), (b)(7)(E), (b)(6) & (b)(7)(C)



Complete the remainder of the casework accordingly to record the charges, narratives and so forth for non-U.S. citizens involved in immigration adverse actions. Questions regarding the procedure may be directed to (b)(6) & (b)(7)(C), Program Manager at [REDACTED].

(b)(6) & (b)(7)(C)

000226

Port of Buffalo WORKSHEET (7/18/07)

(a), 2(a-b,c)

# \_\_\_\_\_ Date/Time: \_\_\_\_\_  
Bridge encountered: \_\_\_\_\_ Officer: \_\_\_\_\_

**Subject Information:**

Name (L/M/F): \_\_\_\_\_ DOB: \_\_\_\_\_ COC: \_\_\_\_\_  
B: \_\_\_\_\_ Address: \_\_\_\_\_  
Level Companions: \_\_\_\_\_  
Origination/Destination Address: \_\_\_\_\_

(b)(2)  
(b)(7)(E)

Occupation \_\_\_\_\_  
Reason for \_\_\_\_\_ Secondary: Check as Appropriate:  
Primary \_\_\_\_\_ Primary \_\_\_\_\_ Sec \_\_\_\_\_ Sec \_\_\_\_\_ Officer Initiated \_\_\_\_\_

**Vehicle Information:**

License Plate: \_\_\_\_\_ Registered Owner: \_\_\_\_\_ Type: \_\_\_\_\_  
Rental agreement Info: \_\_\_\_\_

**Document Information:**

Passport # \_\_\_\_\_ Issuance Date/Country \_\_\_\_\_ A# \_\_\_\_\_  
Visa Issuance-Date/Country \_\_\_\_\_ Visa #/Type \_\_\_\_\_  
DL# \_\_\_\_\_ State \_\_\_\_\_ SS# \_\_\_\_\_ Other ID/# \_\_\_\_\_

exam: Questioned \_\_\_\_\_  
Results: \_\_\_\_\_ (circle one)  
Information: Started: \_\_\_\_\_ hrs. Ended: \_\_\_\_\_ hrs.

Conducted by officer: \_\_\_\_\_ SSN: \_\_\_\_\_ Witnessed by officer: \_\_\_\_\_  
Authorizing Supervisor: \_\_\_\_\_ SSN: \_\_\_\_\_ Results: \_\_\_\_\_

performed at: \_\_\_\_\_ hrs. U.S. Citizen (Yes/No) Reason: \_\_\_\_\_  
Conducted by officer: \_\_\_\_\_ Results: \_\_\_\_\_

number: \_\_\_\_\_

contacted at: \_\_\_\_\_ hrs. checks concluded at: \_\_\_\_\_ hrs.  
officers name: \_\_\_\_\_ LOG # \_\_\_\_\_ : yes/no Officer

results \_\_\_\_\_ Contacted: yes/no  
at: \_\_\_\_\_ hrs. name: \_\_\_\_\_

On site interview conducted/declined (circle)  
On site interview started at: \_\_\_\_\_ hrs. Interview ended at: \_\_\_\_\_ hrs.

names that conducted on site interview: \_\_\_\_\_  
contacted: yes/no agent name: \_\_\_\_\_

Results: \_\_\_\_\_

**Inspection:**

performed by: \_\_\_\_\_ Results: \_\_\_\_\_  
performed by: \_\_\_\_\_ Results: \_\_\_\_\_  
performed by: \_\_\_\_\_ Results: \_\_\_\_\_  
performed by: \_\_\_\_\_ Results: \_\_\_\_\_

**Admissibility Decision/Final disposition:**

Port Shopper Procedures Implemented: \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_ (b)(2)

Border Patrol: contacted at: \_\_\_\_\_ hrs. BP POC \_\_\_\_\_ (if \_\_\_\_\_ is refused entry) (b)(2) (b)(7)(E)  
6051D #: \_\_\_\_\_ Documents Received by: \_\_\_\_\_ Agency: \_\_\_\_\_

CBSA notified of refusal: Yes \_\_\_\_\_ No \_\_\_\_\_ Officers Name \_\_\_\_\_

**Other Information:**  
name: \_\_\_\_\_

On duty \_\_\_\_\_ contacted advised of situation and results at: \_\_\_\_\_ hrs. (b)(2)  
me of \_\_\_\_\_ that was contacted: (b)(2)

contacted at: \_\_\_\_\_ hrs. (b)(2) (b)(7)(E)  
POC (b)(2) (b)(7)(E)

A copy of this worksheet with the appropriate information should be forwarded to \_\_\_\_\_ along with attached copies of any relevant information. (b)(2) (b)(7)(E) (b)(2)

**Port of Buffalo (2a) (2d) (1a)**

**From:** (b)(6) & (b)(7)(C)  
**Sent:** Tuesday, May 15, 2007 10:46  
**Subject:** ACTION ITEM: (b) (2) CUBA Travel Regulations

**SCBPO's,**

Please review and forward to your admin list employees.

The is a reissuance of the Cuba Travel regulations and guidance that was issued in June 2004. Please review the attached memo carefully and keep on file in your OFAC Archive. The (b)(2) & (b)(7)(E) should always be contacted when inspecting US Residents returning from trips to Cuba. The attached questionnaire is required for all returning US residents. Normally, the (b)(2) & (b)(7)(E) will mail "Results of Interview" with copies of all supporting documentation (customs declaration, travel itinerary, airline ticket receipts and boarding passes for travel into or out of Cuba, receipts for Cuban merchandise, food, or lodging; Cuban visa and/or passport chopmarks; Cuban airport tax stamps; and traveler identification such as the first page of the traveler's passport, or drivers license), to the address below. If the (b)(2) & (b)(7)(E) copies of the completed questionnaire and all required documentation are to be forwarded via messenger mail to the (b)(2) & (b)(7)(E) for processing. (b)(2) & (b)(7)(E) who decide not to pursue criminal charges for violations of the CACR, are to forward the results of the interview, along with any Reports of Investigation, to OFAC for civil penalty consideration.

U.S. Department of the Treasury  
Office of Foreign Assets Control  
Attn: Enforcement Division  
1500 Pennsylvania Avenue, N.W. (Annex)  
Washington D.C. 20220

**Station SCBPO's,**

Ensure a copy of this email, memo and questionnaires are maintained in your station Cuba Travel File for easy reference by our officers.

Thank you,

(b)(6) & (b)(7)(C)  
Chief CBP Officer  
Buffalo, New York  
(b)(6) & (b)(7)(C)

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Subject: ACTION ITEM: (b) (2) CUBA Travel Regulations

Port Directors,

Attached memo provides guidance on changes to the Cuba Regulations issued by OFAC which became effective on June 30, 2004. The second attachment is a guide to assist CBP officers in examinations of travelers for possible violations.

Please disseminate to employees. Thank you.

██████████ (C)

Forward Header

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Subject: ACTION ITEM: (b) (2) ██████████

Author: (b)(6) & (b)(7)(C) ██████████

Date: 7/6/04 3:17 PM

Ladies and Gentlemen:

The attached is an action item issued today by the Assistant Commissioner, Office of Field Operation, for your immediate attention. ██████████

File Attachment: Cuba Regs Change Memo.doc (46080 bytes)

File Attachment: Cuba Travel Questionnaire for USCBP\_7.doc (45056 bytes)

U.S. Customs and  
Border Protection

JUL - 6 2004

ENF-3-OFO:IS(OB) [REDACTED] (7)(C)

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS

FROM: Assistant Commissioner  
Office of Field Operations

SUBJECT: Changes to the Cuba Travel Regulations  
(b) (2) [REDACTED]

The purpose of this memorandum is to provide guidance on the changes to the Cuba Regulations issued by the Office of Foreign Assets Control (OFAC) on June 16, 2004. The new regulations became effective on June 30, 2004.

The changes to the OFAC Cuba Travel regulations are listed below:

□ **Family Travel has changed:**

The general license that currently authorizes travel-related transactions once in any 12 month period for family visitation has been removed effective June 30, 2004. Specific licenses will be issued for family travel once every three years and allow visits to immediate family. Immediate family is defined as parents, spouses, siblings, children, grandparents, and grandchildren. The specific license will limit the traveler's stay to 14 days. The travel expenses authorized for family travelers has been changed from \$164 per day to \$50 per day in Cuba plus \$50 per trip for transportation costs while in Cuba plus not more than \$300 for a quarterly remittance to family members. Any excess currency is subject to seizure, except for currency claimed by the traveler for the purchase of informational materials.

There are several hundred individuals who have been issued specific licenses for family travel issued prior to June 30, 2004. Individuals traveling under either the general license for family travel or specific licenses for family travel were advised in the Federal Register notice, to complete their travel by June 30, 2004.

On June 29, 2004 OFAC provided additional guidance on the general license for family visits. OFAC authorized individuals, in Cuba on June 29, 2004, traveling on a general license for family visits to engage in all transaction ordinarily incidental to travel until 12:01 AM EST, on August 1, 2004.

- 2 -

- **General License for Amateur Athletics Travel is Removed.**  
Travel to Cuba for this purpose now requires a specific license.
- **Changes in Educational Travel Licenses**  
OFAC licenses for educational travel will be issued for periods of study equal to or greater than 10 weeks. The license will be issued to the undergraduate and graduate institutions or individuals. The licenses will not be issued to secondary schools and students will not be eligible to participate in programs sponsored by institutions other than their own schools.
- **Fully Hosted Travel Exception is Removed.**  
The general travel license for fully-hosted travel has been eliminated. Travelers who do not clearly qualify for a different general license or carry proof of a specific license should be processed as an unlicensed Cuba traveler.

On June 29, 2004, OFAC provided additional guidance that travelers in Cuba on June 29, 2004 as fully-hosted traveler were authorized to receive goods and services for personal use or consumption until 12:01 AM EST, August 1, 2004.

- **Cuban Merchandise Exemption has been eliminated.**  
The general license that authorized licensed travelers to import up to \$100 worth of Cuban merchandise has been removed. Travelers under specific or general licenses may not import Cuban merchandise except for information and informational materials unless authorized to do so by a specific license issued by OFAC. Information and Informational material includes books, magazines, films, tapes, CDs, records, and works of art. Blank tapes and CD's are not informational materials. These items must be properly declared. All other goods are subject to seizure pursuant to 31 C.F.R. Part 515.
- **Other Travelers to Cuba.**  
The general and specific license requirements for all other categories of Cuba travelers are unchanged.
- **Financial Remittances to Persons in Cuba are Reduced and Tightened.**  
By general license, remittances from persons in the United States may be sent once per quarter and not exceed \$300 to the household of the United States remitter's immediate family in Cuba. The term "member of the remitter's immediate family" is defined as a spouse, child, grandchild, parent, grandparent, or sibling of the remitter or that remitter's spouse, as well as any spouse, widow or widower of any of the above. The \$300 quarterly remittance cannot be made to certain government officials and member of the Cuban Communist Party.

In instances where violations of these new regulations result in seizures, the Fines, Penalties, and Forfeitures Office should continue to follow existing procedures,



- 3 -

forwarding a copy of the seizure case files, with the petitions for relief, to OFAC's Civil Penalties Division. These can be faxed to (b) (2) or scanned/mailed to (b) (2). An acknowledgement or referral will be forwarded within two weeks of receipt. Please call the Civil Penalties Division at (b) (2) with any questions concerning referrals.

Attached is a revised questionnaire for CBP officers processing and interviewing Cuba travelers. This questionnaire supersedes all prior versions previously issued to the field. All prior versions of the questionnaire should be replaced with copies of the new questionnaire. Use of the questionnaire greatly increases the chances of successful civil penalty action by OFAC for all travel cases referred by CBP. Passengers identified as being Cuba travelers without the proper authorization from OFAC under either a specific or general license or having imported Cuban merchandise should be direct to complete the revised questionnaire.

Customs and Border Protection (CBP) officers should photocopy all travel documents, for cases involving unlicensed travel to Cuba, including passports, for referral to OFAC. The original travel documents, including passports, should be returned to the passengers and a seizure record created for those travel documents under the passenger's name. Passengers denied boarding on aircraft because they do not possess a specific license or qualify for a general license should have their travel documents photocopied and input as seizures. The travel documents for passengers denied boarding should be forwarded to OFAC.

The removal of the general license for family travel and the new requirements for a specific license once every three years is expected to greatly increase the number of unlicensed family travelers using third country routes to travel to and from Cuba.

Referrals for unlicensed travel to Cuba and merchandise seizures should continue to be mailed to OFAC at the following address:

U.S. Department of the Treasury  
Office of Foreign Assets Control  
Attn: Enforcement Division  
1500 Pennsylvania Ave., N.W. (Annex)  
Washington, DC 20220

The following directives will be updated to reflect the new Cuba Travel regulations: 3310-010A, Noncommercial Importations of Products from Cuba, dated August 27, 2003 and 3310-007, Flights to and from Cuba, dated April 27, 2000. The revised directives will be issued to the field shortly.

Questions about the new regulations should be referred to the (b) (2) (b) (2) or may be directed to (b) (2)

If you have any questions please contact have a member of your staff contact (b)(6) & (b)(7)(C) Sr. Director, Interdiction and Security (Outbound) at

(b)(6) & (b)(7)(C) or (b)(6) & (b)(7)(C)

(b)(6) & (b)(7)(C)

Jayson P. Ahern

Attachments

**OFFICE OF FOREIGN ASSETS CONTROL**  
**INSTRUCTIONS FOR SUSPECTED CUBA TRAVEL VIOLATIONS**

The attached is a guide to assist Customs and Border Protection Inspectors and Bureau of Immigration and Customs Enforcement Special Agents in examinations of travelers for possible violations of the Cuban Assets Control Regulations, 31 C.F.R. Part 515 (the "CACR"), promulgated under the Trading with the Enemy Act, 50 U.S.C. App. §§ 1-44, and the Cuban Democracy Act of 1992, USC 6001-10. The U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") administers and enforces the U.S. embargo against Cuba. Criminal penalties for violations of the CACR range up to 10 years in prison, \$1,000,000 in corporate fines and \$250,000 in individual fines. Civil penalties range up to \$65,000 per count.

**Inspectors and Special Agents** please mail the attached "Results of Interview" with copies of all supporting documentation (customs declaration, travel itinerary, airline ticket receipts and boarding passes for travel into or out of Cuba, receipts for Cuban merchandise, food, or lodging; Cuban visa and/or passport chopmarks; Cuban airport tax stamps; and traveler identification such as the first page of the traveler's passport, or drivers license), to the address below. In cases involving pleasure craft returning from Cuban marinas, documentation may include receipts for Cuban merchandise, provisions, refueling, lodging, or land transportation; Cuban mooring, club membership, or departure fees; and Cuban cruising permits. Special Agents who decide not to pursue criminal charges for violations of the CACR, please (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E)

U.S. Department of the Treasury  
Office of Foreign Assets Control  
Attn: Enforcement Division  
1500 Pennsylvania Avenue, N.W. (Annex)  
Washington D.C. 20220

**Important Changes Effective June 30, 2004**

- **Rules for family travel have changed.** There is no longer a general license for travel to Cuba for family visitation. All family travel now requires a specific license from OFAC issued on or after June 30, 2004. Specific licenses for family travel issued by OFAC before that date are no longer valid. Specific licenses are granted only once every three years and allow visitation of immediate family only (parents, spouses, siblings, children, grandparents, and grandchildren). The length of stay in Cuba is limited to 14 days. Travel expenses authorized for family travelers is reduced to \$50 for each day spent in Cuba and an extra \$50 per trip for transportation within Cuba if needed. Family travelers may also carry one \$300 quarterly remittance for immediate family in Cuba.
- **Cuban cigars, rum and other Cuban goods are no longer authorized for importation as accompanied baggage.** Except for information and informational materials, no travelers (whether traveling legally under an OFAC license or traveling without a license) are authorized to import Cuban origin goods into the United States unless specifically licensed by OFAC to import such goods. The general license that formerly authorized licensed travelers

returning from Cuba to import up to \$100 worth of Cuban goods has been removed. Such goods should now be seized as imports contrary to law pursuant to 31 C.F.R. Part 515. Information and informational materials that are exempt by law to this prohibition include books, magazines, films, posters, photographs, microfilms, tapes, CDs, records, works of art, etc. (Blank tapes and CDs are not information materials and remain subject to seizure.)

- **The general license for travel to Cuba for amateur athletics has been removed.** This travel now requires a specific license.
- **Fully hosted travel is no longer an exception to the embargo.** Any traveler who does not qualify under a general license category—or carry proof of a specific license—should complete the attached questionnaire.

Information about the Cuba Embargo may be obtained from OFAC's fax-on-demand service at (b) (2) or our website at [www.treas.gov/ofac](http://www.treas.gov/ofac). You may also call OFAC's Enforcement Division at (b) (2)

**U.S. DEPARTMENT OF THE TREASURY  
OFFICE OF FOREIGN ASSETS CONTROL**

**Advisement to Traveler:**

The United States has an embargo against Cuba. Regulations of the U.S. Department of Treasury authorize certain travel-related transactions with Cuba. Travel is authorized under **general license**, for certain categories, for example, U.S. government employees on official business.

Travelers not authorized under a general license category must have a **specific license** issued by the Office of Foreign Assets Control (OFAC). If you are traveling with an organization that has been issued a specific OFAC license (for example for humanitarian, educational or religious activities), you should have in your possession an official letter from the organization authorizing you to travel to Cuba. You must show this letter to government officials on request.

<p>1. Did your most recent trip to Cuba qualify under a <b>general license</b>?</p> <p><input type="checkbox"/> Yes    General license category? _____</p> <p><input type="checkbox"/> No</p> <p>2. Do you have a <b>specific license</b>?</p> <p><input type="checkbox"/> Yes    License number? _____</p> <p><input type="checkbox"/> No</p>
--

**If OFAC authorization for travel is not certain, complete the following questionnaire:**

**RESULTS OF INTERVIEW OF RETURNING CUBA TRAVELER**

Date (m/d/y): \_\_\_\_\_ Time: \_\_\_\_\_

Port of entry (city & state, airport, or seaport): \_\_\_\_\_

Full name: \_\_\_\_\_

Date of birth (m/d/y): \_\_\_\_\_ Social security number: \_\_\_\_\_

Home address (street address, city, state, zip code):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Home telephone w/ area code: \_\_\_\_\_ Work: \_\_\_\_\_

Passport number: \_\_\_\_\_

Issuing country: \_\_\_\_\_

1. Date arrived in Cuba (m/d/yy): \_\_\_\_\_ date left Cuba (m/d/yy): \_\_\_\_\_
2. Destinations in Cuba? (Provide travel itinerary for inspection.)  
\_\_\_\_\_  
\_\_\_\_\_
3. Purpose of trip?  
\_\_\_\_\_  
\_\_\_\_\_
4. How did you travel to Cuba:  airline  private airplane  pleasure vessel
  - a. Name of airline \_\_\_\_\_  
or  
name, address and telephone number of private plane/vessel pilot or captain:  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Cost of ticket or passage: \$ \_\_\_\_\_
  - c. Do you have an airline (or other carrier) receipt for your travel to and from Cuba?  
Yes  No  Receipts attached? Yes  No
5. List the names and locations of all hotels or places of lodging where you stayed in Cuba.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. List the amount of money you spent in Cuba for the following:  
Food \$ \_\_\_\_\_ Hotel / lodging \$ \_\_\_\_\_ Merchandise \$ \_\_\_\_\_  
Services (rental car, taxis, buses, etc.) \$ \_\_\_\_\_ Entertainment \$ \_\_\_\_\_  
Other \$ \_\_\_\_\_
7. If you prepaid your Cuba travel transactions through a travel agency, how much did you pay? \$ \_\_\_\_\_  
Name and address of travel agency?  
\_\_\_\_\_  
\_\_\_\_\_

8. If someone else paid for or provided you any or all of the expenses above, list their name, address and describe what they paid for or provided to you:

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9. List all Cuban-origin merchandise you have in your possession today:

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10. Do you have receipts in your possession for payments made by you in Cuba?

Yes  No  Receipts attached? Yes  No

11. Have you traveled to Cuba before this trip during the past five years? If so, provide the date and purpose of each trip.

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\_\_\_\_\_  
Traveler's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Inspector / Special Agent signature

\_\_\_\_\_  
Date

**Standard Operating Procedures Port of Champlain New York  
(update 01/14/08)**

**CBP Directive Number: 3340-021A  
Responding to Potential Terrorists Seeking Entry into the United States  
(05/23/06 update)**

When terrorist or terrorist suspects are encountered at the ports of entry, inbound or outbound, CBP Directive 3340-021A "Responding to Potential Terrorists Seeking Entry into the United States" will be followed. The following SOP is a guide to be used in conjunction with this directive. These procedures apply to both inbound and outbound potential terrorists.

**Important Phone Numbers**

(b) (2)  
(b)(6) & (b)(7)(C)  
(b) (2)  
(b) (2)  
(b) (2)  
(b) (2)  
(b) (2)

**Makeup of the (b)(2) & (b)(7)(E)**

(b)(2)  
The Champlain (b)(2) & (b)(7)(E) will consist of all SCBPO's, (b)(2) & (b)(7)(E) officers and all members of the Champlain (b)(2) & (b)(7)(E) (b)(2) & (b)(7)(E). See attached list.

Whenever a terrorism suspect is encountered a member of the (b)(2) & (b)(7)(E) will be notified and assume control of the situation.

**Encounters with Terrorists or Possible Terrorists**

In addition to the definitions in Directive 3340-021A, terrorist or possible terrorists could include; (b)(2) & (b)(7)(E), anyone suspected of or associated with someone engaging in terrorist activities, anyone who due to travel or the results of inspection is suspected of terrorist activities, (b)(2) & (b)(7)(E) (b)(2) & (b)(7)(E), formerly (b)(2) & (b)(7)(E), or anyone whose identity is questionable especially if there are connections to parts of the world with terrorist activity.

When an individual is encountered, whom officers think may be involved or associated with terrorism, they will be (b)(2) & (b)(7)(E) (b)(2) & (b)(7)(E)

The (b)(2) & (b)(7)(E) will be immediately notified and take control of the case.



(b)(2) & (b)(7)(E)

The identified person's vehicle will be screened using (b)(2) & (b)(7)(E)

In all cases where someone is an alleged or suspected terrorist appropriate notifications will be made to (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E)

When a (b)(2) & (b)(7)(E) occurs on primary or the primary officer encounters someone they suspect of terrorist activity the person will (b)(2) & (b)(7)(E)

The primary officer should alert (b)(2) & (b)(7)(E)

All suspects (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E) is located at (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E) will be conducted in this area. (b)(2) & (b)(7)(E) take precedent over other secondaries in the area.

**Notifications**

(b)(2) & (b)(7)(E) will notify (b)(2) & (b)(7)(E) whenever a (b)(2) & (b)(7)(E) person, suspected terrorist, or anyone suspected of or associated with someone engaging in terrorist activities is identified.

(b)(2) & (b)(7)(E) will notify (b)(2), (b)(7)(E), (b)(6) & (b)(7)(C) and the (b)(2) & (b)(7)(E) whenever a (b)(2) & (b)(7)(E), suspected terrorist, or anyone suspected of or associated with someone engaging in terrorist activities is identified.

(b)(2) & (b)(7)(E) will contact (b)(2) & (b)(7)(E) directly to relay information and provide whatever assistance requested. If (b)(2) & (b)(7)(E) is not available then the duty supervisor will contact (b)(2) & (b)(7)(E) via (b)(2) & (b)(7)(E) (b) (2) which is staffed 24X7.

(b)(2) & (b)(7)(E) will be notified in cases where individuals are positively identified as being a terrorist or associated with terrorism. (b)(2) & (b)(7)(E) must also be notified of all (b)(2) & (b)(7)(E).

(b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E) concerns individuals who have suspicious links to terror. Therefore, procedures contained in this SOP apply to all (b)(2) & (b)(7)(E). Additionally, any decision regarding admissibility of a person who is the subject of (b)(2) & (b)(7)(E) must include (b)(2) & (b)(7)(E). (b)(2) & (b)(7)(E) will provide (b)(2) & (b)(7)(E) to the port with (b)(2) & (b)(7)(E). The final decision regarding admission rests with the port of entry, however, input from (b)(2) & (b)(7)(E) must also be considered.

(b)(2) & (b)(7)(E) must be maintained by the port of entry. **At Champlain the completed forms and all associated documentation will be forwarded to the (b)(2) & (b)(7)(E) for review and filed in the (b)(2) & (b)(7)(E).**

**Admissibility**

All decisions regarding the admissibility of someone who is a terrorist or potential terrorist will require the (b)(2) & (b)(7)(E) to consult and review the case with someone at the (b)(2) & (b)(7)(E) level at a minimum. Additionally, the (b)(2) & (b)(7)(E) should consult and review the admissibility decision before it is rendered. This consultation should include review of the (b)(2) & (b)(7)(E) and past refusal history if any.

Per the (b)(2) & (b)(7)(E) Strategy dated 9/2/04, if suspicion of involvement in terrorism or other criminality remains, or if there is a belief that the person remains a threat to the U.S, yet there is insufficient probable cause to arrest (after consultation with (b)(2) & (b)(7)(E)), then non-citizens shall be denied admission, provided there is a legal basis to do so under the INA. (b)(2) & (b)(7)(E)

[REDACTED]

Per memorandum from the Acting Executive Director dated February 2, 2007, if (b)(2) & (b)(7)(E) advises that there is not enough derogatory information to preclude the admission of a nonimmigrant but the port determines that the subject is inadmissible (b)(2) & (b)(7)(E) must be contacted prior to the aliens return.

**Notification on (b)(2) & (b)(7)(E)**

**The following must be done before the subject is physically returned!!!**

[REDACTED] must be notified of the disposition of the subject. A CBP POE [REDACTED] will notify a (b)(2) & (b)(7)(E) indicating that they are [REDACTED] (b)(2) & (b)(7)(E)

(b)(2) & (b)(7)(E) . Canadian authorities can get further information from (b)(2) & (b)(7)(E).

(b)(2) & (b)(7)(E) must be notified in any case where a or potential terrorist is refused admission and returned to Canada. Pertinent identifiers such as name, citizenship, DOB, vehicle make, model, color and license plate number must be provided so that local Border Patrol Agents can be advised of any potential threat.

**(b)(2) & (b)(7)(E) Encounters**

In the following instances where POE's are able to identify passengers who are (b)(2) & (b)(7)(E) and no advance information is available, the POE's are permitted to make a (b)(2) & (b)(7)(E) determination with the concurrence and approval of a (b)(2) & (b)(7)(E)

. The following are instances wherein a POE would be permitted to make a (b)(2) & (b)(7)(E) determination (b)(2) & (b)(7)(E) :

- (b)(2) & (b)(7)(E) [Redacted] Exam results will be documented as per existing policy.

- (b)(2) & (b)(7)(E) [Redacted] Exam results will be documented as per existing policy.

- (b)(2) & (b)(7)(E) [Redacted] Exam results will be documented as per existing policy.

- (b)(2) & (b)(7)(E) [Redacted] Exam results will be documented as per existing policy.

- (b)(2) & (b)(7)(E) [redacted] Exam results will be documented as per existing policy.

### Reports

In order to ensure that all aspects of processing have been covered the checklist must be completed. Blank copies of the checklist can be found in (b) (2) [redacted].

**This checklist must be completed and forwarded to (b)(2) & (b)(7)(E) [redacted] for review. The completed documentation will be maintained on file in the (b)(2) & (b)(7)(E) [redacted].**

When completing the checklist fill in all blanks. If a blank is not applicable fill it in with N/A. Due to the sensitive nature of how potential terrorists are handled it is critical that accurate and complete records are maintained for future reference.

All reports must be completed in a timely manner. At a minimum an (b)(2) & (b)(7)(E) [redacted] will be created to document the encounter.

Arrests or seizures shall be documented on a (b)(2) & (b)(7)(E) [redacted] Search, Arrest, and Seizure (SAS) report.

Secondary inspection records (b)(2) & (b)(7)(E) [redacted] will be updated accordingly.

Records on the disposition of aliens shall be created or updated as appropriate in (b)(2) & (b)(7)(E) [redacted].



U.S. Customs and Border Protection

# Standard Operating Procedure Passenger Processing, Chicago O'Hare

**Subject: RESPONDING TO POTENTIAL TERRORISTS SEEKING ENTRY INTO THE UNITED STATES**

Issued Date: 5/24/04

Revised Date: 6/28/07

RESPONDING TO POTENTIAL TERRORISTS SEEKING ENTRY INTO THE UNITED STATES

### DEFINITIONS.

CBP

Customs and Border Protection

[Redacted]

[Redacted]

(b)(2) & (b)(7)(E)

ICE

Immigration and Customs Enforcement

[Redacted]

[Redacted]

SA

Special Agent

(b)(2) & (b)(7)(E)

[Redacted]

**PURPOSE.** To provide local guidance and standard operating procedures for responding to known or suspected terrorists attempting to enter the United States.

1. Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]
2. Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]
3. When possible, meet with Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]
4. Proceed to the arrival gate Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]
5. Conduct your review Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

- 6. Not Responsive/(b)(2) & (b)(7)(E) [Redacted]
- 7. After identification has been made, Not Responsive/(b)(2) & (b)(7)(E) [Redacted]
- 8. After Passenger has been referred, Not Responsive/(b)(2) & (b)(7)(E) [Redacted]
- 9. Obtain a binding declaration (b)(2) & (b)(7)(E) [Redacted].
- 10. Conduct [Redacted] <sup>(E)</sup> bag exam, including carry-on, purses and wallets.
- 11. Set aside any information (b)(2) & (b)(7)(E) [Redacted] may wish to review and or copy. Current CBP policy allows an officer only to copy government-issued documents (i.e. Passport, Drivers Licenses, Birth Certificates).
- 12. Assist passenger with re-packing of their bags.
- 13. Get decision of CBP Supervisor to release passenger. [Redacted]
- 14. Prior to releasing the passenger make all requested notifications: [Redacted] (b)(2) & (b)(7)(E)
- 15. An [Redacted] <sup>(b)(2) & (b)(7)(E)</sup> must be completed for every passenger. Not Responsive/(b)(2) & (b)(7)(E) [Redacted]
- 16. Input an [Redacted] <sup>(b)(2) & (b)(7)(E)</sup> on the passenger. Sample text are provided below.
- 17. Notify Not Responsive/(b)(2) & (b)(7)(E) [Redacted].

**CLASSIFIED:** Law Enforcement Sensitive Not for Public Disclosure For Official Use Only

A review conducted by the Chicago Field Office reflects a considerable number of [REDACTED] processed in February 2007 to close out [REDACTED] by the Port of Chicago, did not include complete data as outlined by CBP Directive 3340-21B, Responding To Potential Terrorists Seeking Entry Into The United States (copy attached).

To ensure compliance with CBP guidelines, it is essential that all [REDACTED] processed to close out (b)(2) & (b)(7)(E) [REDACTED] include the following information:

[REDACTED]

In addition to the required items from CBP Directive 3340-021B above, the following information should be included in (b)(2) & (b)(7)(E) records as outlined in the (b)(2) & (b)(7)(E) Module of December 10, 2006 (attached).

- (b)(2) & (b)(7)(E) [REDACTED]

**Weekly Muster**

**Week of Muster:** December 10, 2006 to December 16, 2006

**Topic:** Closing Out (b)(2) & (b)(7)(E) [redacted]  
Secondaries

**Reference Materials:** CBP Directive 3340-021B

**Field Office POC:** Border Security Coordinator, (b) (2) [redacted]

**Message:** (b)(2) & (b)(7)(E) [redacted] Closing Out  
(b)(2) & (b)(7)(E) [redacted] Secondaries

NOT RESPONSIVE [redacted]

[redacted]

[redacted]

CBP Directive 3340-021B, *Responding to Potential Terrorists Seeking Entry into the United States*, mandates these reporting procedures for closing out [redacted] <sup>(E)</sup>secondaries:

6.9.1 The [redacted] <sup>(E)</sup>Officer shall be responsible for the inspection, questioning, and processing of suspect persons and any traveling companions.... At a minimum, the interview must establish and properly record the following:

b2 [redacted]  
b7E [redacted]



b2  
b7E

[REDACTED]

NOT RESPONSIVE  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT  
RESP  
ONSI  
VE

[REDACTED]

[REDACTED]

[REDACTED]



U.S. Customs and  
Border Protection

April 5, 2004

## Standard Operating Procedure Passenger Processing, Chicago O'Hare

### Subject: **SECURE DETENTION PROCEDURES**

Issued Date: 4/5/04

Revised Date: 6/23/07

#### SECURE DETENTION PROCEDURES AT PORTS OF ENTRY

**1 PURPOSE.** This Directive establishes local policy for the temporary detention of persons by U.S. Customs and Border Protection (CBP) in secure areas at the **Port of Chicago, Illinois.**

#### **2 POLICY.**

2.1 This policy shall pertain to the temporary detention of all persons who are detained in secure areas. This includes, but is not limited to, those persons suspected of terrorist activity, are under arrest, are awaiting confirmation on National Crime Information Center (NCIC) warrants, suspected as internal contraband carriers, aliens awaiting removal, transfer, or referral, or other processing involved in a secondary inspection.

#### **3 Authority.**

3.1 **General.** CBP Officers have the combined statutory authority under Title 8 United States Code [8 USC], the Immigration and Nationality Act (INA) and Title 19 United States Code [19 USC]. It allows CBP officers to search without a warrant, take sworn statements, and detain applicants for admission to determine their admissibility into the United States, detain persons suspected of violating the customs, agriculture or other laws of the United States that are enforced at the border. In cases where removal proceedings are being initiated, a decision relating to the detention of the applicant must be made. In some cases the detention needed is only of short duration (i.e., waiting for departure of flight, or preparation of case file, etc.) and transfer to a long-term detention facility is not practical. During an inspection at a port of entry (POE), detention begins when the traveler is referred into secondary and when processing is underway or subject is waiting processing.

#### **4 DEFINITIONS.**

4.1 **U.S. Customs and Border Protection Officer.** Includes all legacy agency inspectors and canine enforcement officers.

- 4.2 Secure Area. This refers to areas such as a detention cell, search room, interview room where an individual is detained for a temporary period of time out of public view and cannot flee.
- 4.3 Attended Area. This refers to a location where a person is constantly in the physical presence of an officer in a secure area.
- 4.4 Unattended Area. This refers to a detention cell, confinement area, or secure area where a detainee may be out of view of an officer.
- 4.5 Juvenile. A person who has not reached his/her 18<sup>th</sup> birthday.
- 4.6 Patdown Search. The term refers to the act of an officer searching for merchandise, including contraband, weapons, or documents hidden in the clothing a person is wearing or on their body.
- 4.7 POE Short-term Detention. The temporary detention of a person at a POE while a case is being processed administratively or prepared for presentation for prosecution; pending parole, release, departure from the United States, or transfer of custody to another branch or agency; or while CBP makes arrangements for longer term detention. Short-term detention begins with the subject being referred by an officer for further inspection and may take place in a secondary inspection area, POE hold room, or any other designated and/or assigned secure area for less than [REDACTED].
- 4.8 POE Hold Room. A confined area or secured room at a POE in which detained persons are temporarily held pending a secondary process, i.e., vehicle examination, adjudication, processing of documents, interviews, etc. Detention of a person in a POE hold room shall be for the least amount of time necessary. At [REDACTED] this would be the CBP (b)(2) & (b)(7)(E) Area. (b)(2) & (b)(7)(E)
- 4.9 POE Detention Cell. A room where a person is placed who must be physically separated from the primary and/or secondary inspection areas, awaiting transfer to another detention facility or other Law Enforcement Agency (LEA), when constant surveillance of the subject is not feasible, and/or for ensuring the safety of both the traveling public and officers.
- 4.10 POE Search Room. A private designated location that is designed for extensive search of a person and that prevents all but designated necessary personnel from viewing the subject. A POE search room may serve as a temporary hold room or detention cell should separation from others be required or extra room needed.

## 5 RESPONSIBILITIES.

5.3 The Port Director and supervisors are responsible for ensuring that all <sup>(b)(2) & (b)(7)(E)</sup> reports (b)(2) & (b)(7)(E), detention logs, and any other reports pertaining to detentions are completed and reviewed (see attached SOP). The reviews will determine the effectiveness of the procedures contained within this Directive, as well as, how well they are carried out.

5.4 Supervisors are responsible for ensuring that CBP officers under their direction are familiar with the guidelines set forth in this Directive.

5.5 The U.S. Customs and Border Protection Basic Inspector Training Academy is responsible for incorporating this Directive into the appropriate training programs.

5.6 The PDs are responsible for identifying and ensuring that CBP officers under their direction are familiar with the areas that have been designated as detention cells, search rooms, or holding rooms. Dual designation of a particular room is authorized, i.e., a detention cell may also be used as a search room.

**6 DETERMINATION TO DETAIN.**

6.1 Priority of Detention. Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

7 DURATION OF DETENTION.

NOT RESPONSIVE/ b2 = b7E

EXCEPTIONS TO SHORT-TERM DETENTION IN POE HOLD ROOMS.

Not Responsive/(b)(2) & (b)(7)(E)

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

NOT RESPONSIVE / b2 b7E

[Redacted]

8.3 To the extent possible, no one who is pregnant, on life sustaining or lifesaving medication, or who appears ill, shall be detained (b)(2) & (b)(7)(E)

[Redacted] Officers should ask the detainee whether medical treatment is necessary. If the detainee replies in the affirmative, or if medical treatment appears necessary, officers shall make appropriate arrangements. [See section 9.25 of this chapter regarding Medical Emergencies.]

NOT RESPONSIVE / b2 b7E

[Redacted]

[Redacted]

[Redacted]

9 PROCEDURES.


NOT RESPONSIVE / B2 B7E

[Redacted]

9.2 Detention Log. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

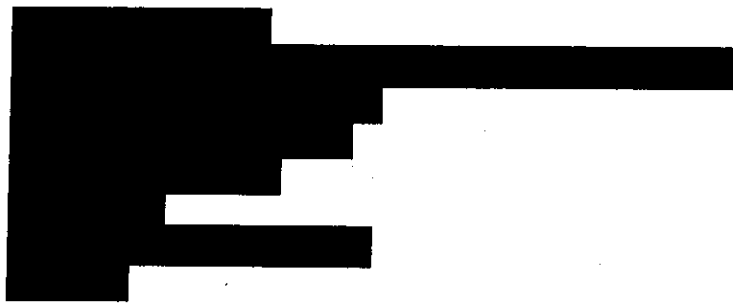
Not Responsive/(b)(2) & (b)(7)(E)



9.2 Detention Cell Monitoring. Not Responsive/(b)(2) & (b)(7)(E)



9.3 Individual Caution Sheet. Not Responsive/(b)(2) & (b)(7)(E)





Not Responsive/(b)(2) & (b)(7)(E)

9.4 Medical. Not Responsive/(b)(2) & (b)(7)(E)

9.4.1 All persons placed in an unattended secure area will be asked whether they have a medical problem or condition that may require some attention. If they are currently taking any prescribed medications the CBP officers will identify the type of prescribed medication, when it was last taken, and when the next dosage is needed.

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

9.5 Asylees. Not Responsive/(b)(2) & (b)(7)(E)

9.6 Meals. Not Responsive/(b)(2) & (b)(7)(E)

Not Responsive/(b)(2) & (b)(7)(E)

9.7 Drinking Water. Not Responsive/(b)(2) & (b)(7)(E)

9.8 Restrooms. Not Responsive/(b)(2) & (b)(7)(E)

9.9 Telephone. Officers shall notify every alien of his or her right to communicate by telephone with the consular or diplomatic officers of country of nationality in the United States when the removal of the alien cannot be accomplished immediately, and the alien must be placed in detention for longer than 24 hours.

9.9.1 In the cases of certain nationalities, if the alien is detained longer than 24 hours at the POE, existing treaties and CBP policy require that the service notify the appropriate consular or diplomatic officers about the alien's detention, even if the alien requests that this not be done. For the list of applicable countries, see 8 CFR 236.1(e).

9.9.2 Officers shall not mention any asylum claim or fear of persecution or torture expressed by the alien when contacting a consular official, nor shall they indicate the nature of the proceedings against the alien.

9.9.3 Dependent upon the length of detention and security risks, the Supervisor will determine whether or not the detainee will be allowed to communicate by telephone or in person with any other person, including consular officials. [See IFM chapter 17.15(b)(7) and 8 CFR 236.1(e).]

9.10 Detention Cells. Not Responsive/(b)(2) & (b)(7)(E)

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

9.11 Attended Area. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

9.12 Search Procedures. Searches may, under certain conditions, be necessary to meet enforcement and/or security, or safety concerns. Under section 287(c) of the INA, officers have the authority to conduct a search of the person and personal effects of a person seeking admission if the officer has reasonable ground to suspect that ground of inadmissibility exists that may be disclosed by the search. All searches of detainees in CBP custody shall be conducted in a manner that is safe, secure, humane, dignified and professional. **Note:** Officers conducting personal searches will be allowed to retain (b)(2) & (b)(7)(E)

9.12.1 All officers are to be aware of and comply with the enforcement standard on body searches and the CBP Personal Search Policy. Below are some of the policy guidelines and procedures for searches conducted at the border and functional equivalent of the border (POE) during the time of entry of a traveler for admission.

9.12.2 If a person is temporarily detained by CBP and must be placed in a secure area, CBP officers shall conduct a patdown in accordance with the guidelines established in Chapters 2 and 3 of the Personal Search Handbook and Chapter 43 of the Enforcement Handbook. **At a minimum, the following four questions will be incorporated into all CBP Immigration casework:**

1. You have the right to communicate by telephone with a consular officer or diplomatic officer from your country of nationality in the United States. Do you wish to do so?
2. Do you currently have any medical conditions?
3. Do you require or have any prescription medication?
4. Are you currently under a physician's care?

**CBP Officers shall not mention any asylum claim or fear of persecution or torture expressed by the alien when contacting/speaking to a consular official nor indicate the nature of the proceedings against the detainee.**

9.12.3 When a person has undergone a personal search in accordance with this Directive, the search shall be recorded in the appropriate [REDACTED] record using the Reason for Search code (b)(2) & (b)(7)(E). An [REDACTED] <sup>(E)</sup> will be completed for all personal searches that are a result of entry into the CBP (b)(2) & (b)(7)(E).

(b)(2)  
+  
(b)(7)(E)

The following statement is to be used in the [REDACTED] <sup>(E)</sup> Narrative field for detention searches related to inadmissibility: "(b)(2) & (b)(7)(E) [REDACTED]".

9.12.4 This Directive does not supersede the authority of a CBP Officer to conduct an immediate patdown or to secure a weapon if an officer suspects that a person may be armed.

9.12.5 This Directive does not supersede the authority of a CBP officer to conduct a lawful search incident to an arrest.

9.12.6 If an officer reasonably suspects merchandise or contraband is present as a result of the patdown search pursuant to paragraph 6.1, the CBP officer may conduct a more intrusive search to confirm or dispel suspicions, in accordance with the guidelines established in Chapter 4 of the Personal Search Handbook.

9.12.7 To ensure safety, prior to placing a person into a detention cell, officers shall empty the detainee's pockets of all sharp objects that may be used as weapons as well as all rope-like objects that the alien could use to injure him/herself. Examples of these things are:

(b)(2) & (b)(7)(E)  
[REDACTED]

(b)(2) & (b)(7)(E)

9.12.8 An officer may remove and examine (b)(2) & (b)(7)(E) to ensure there are no hidden items. The items shall be returned to the individual and may not be confiscated until probable cause for arrest exists. However, if there are indications or articulable facts that may lead an officer to believe that the individual may attempt to harm themselves while in an unsecured, unmonitored area, then (b)(2) & (b)(7)(E) may be removed.

9.13 Restraints Procedures. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

9.14 Escort Procedures. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

9.15 Transfer Procedures. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

9.16 Control and Safeguarding Detainee Personal Property. All detainee baggage and personal property will be examined unless extreme time constraints exist (i.e. (b)(2) & (b)(7)(E) [Redacted]). The control and safeguarding of detainee personal property

shall include the secure storage of funds, valuables, baggage and other personal property.

9.16.1 All property will be receipted on the appropriate form CBP-6051.

9.16.2 Initial and regularly scheduled inventories of all funds, valuables, and other property will be conducted and documented on a CBP-6051.

9.16.3 All items belonging to the detainee shall be placed in a properly marked plastic sealed bag, inventoried, and placed in a secure area.

9.16.4 A safe, secure designated storage area shall be assigned. [See Detention Standard on Accountability and Safeguarding of Detainee Funds and Personal Property.]

9.16.5 Officers shall use the following form:

(a) Form CBP-6051, Custody Receipt for Retained/Detained or Seized Property. Used when items or personal property are removed from a person and stored for safekeeping. CBP officers should turn over all items or evidentiary value with a CBP-6051 to the next person taking custody of the person, i.e., Special Agent or other federal, state or local law enforcement Officer. Guidelines for retaining personal effects/property from individuals that have been arrested are outlined in Customs memorandum, File: CO:TO:S:O SSJ, titled "Personal Effects," dated March 29, 1993.

(b) A logbook and inventory sheet will be maintained listing the detainee name, A-number if applicable, Form CBP-6051 number, date items were retained or seized, property description, name of officer(s) recording the property, and the date, time, officer(s) conducting the inventory.

**(c) A CBP-6051 will be completed anytime a detained alien's property is transferred to an outside agency.**

9.16.6 **(b)(2) & (b)(7)(E) will inspect all funds and property, including those items found in parcels, suitcases, bags, bundles and boxes, in the presence of the detainee to ensure officer safety and accountability.** This procedure will also be followed when property is returned to a traveler subsequent to his or her release. All PDs or other management officials accountable for POE operations must ensure that appropriate procedures are in place and in use.

9.17 **Fire, Building Evacuation and Medical Emergencies.** Not Responsive/  
(b)(2) & (b)(7)(E)

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

9.18 Special Notification Requirements. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

9.19 Juvenile Detention Procedures. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

10 REPORTING REQUIREMENTS.

NOT RESPONSIVE/B2 B7E

[Redacted]

[Redacted]

11 AUTHORITIES/REFERENCES. 19 U.S.C. §§ 482, 1461, 1581, 1582;

8 U.S.C. § 236; Title 8 Code of Federal Regulations 236.1(e) [8 CFR 236.1]; Personal Search Handbook (PSH), CIS HB 3300-04A revised November 1999; Physical Security Handbook CIS HB 1400-02A; Enforcement Handbook, Chapter 43, Detention, Arrest, and Handling Prisoners; Customs Directive 3340-028 (Physical Control of Suspects); Internal Operating Procedures Notification (IOPN), 00-19, "Accountability Requirements for Lost/Stolen Evidence, Drugs, Currency and Escaped Prisoners," dated April 26, 2000; Policy Memoranda dated April 11, 2003, April 25, 2003, May 13, 2003 relating to Severe Acute Respiratory Syndrome (SARS); Inspector's Field Manual, Chapter 17.

\* All boldface highlights indicate Port of Chicago additions to the national policy.



000265

**CLASSIFIED: Law Enforcement Sensitive Not for Public Disclosure For Official Use Only**

Not Responsive/(b)(2) & (b)(7)(E)

CBP  
Form 3501  
(03/04)

**CLASSIFIED: Law Enforcement Sensitive Not for Public Disclosure For Official Use Only**



Not Responsive/(b)(2) & (b)(7)(E)



CBP Form 3502 (03/04)

DEPARTMENT OF HOMELAND SECURITY  
**Bureau of Customs and Border Protection**

**CAUTION SHEET ON DETAINED INDIVIDUAL**

CD 3440-030A

[Redacted]		
[Redacted]	[Redacted]	[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

000268

**CLASSIFIED:** Law Enforcement Sensitive Not for Public Disclosure For Official Use Only

Not Responsive/(b)(2) & (b)(7)(E)

CBP Form 3503  
(03/04)

**CLASSIFIED:** Law Enforcement Sensitive Not for Public Disclosure For Official Use Only

Originating Office:  
Port of Dallas/Fort Worth

Distribution: Passenger Operations  
Mgmt, CBPOs, CBPASs

**PORT OF DALLAS/FORT WORTH  
STANDARD OPERATING PROCEDURES**

**NUMBER: DAL-ENF-##-##  
ISSUE DATE: SEPTEMBER 2006**

**SUBJECT: PROCEDURES FOR PROCESSING POTENTIAL TERRORISTS  
SEEKING ENTRY INTO THE UNITED STATES**

1. **PURPOSE:** To Establish a Policy and Procedure for Responding to Individuals who has Been Identified as Being or has the Potential of being a Terrorist attempting to enter the United States.

2. **BACKGROUND:** An Individual [Not Responsive/(b)(2) & (b)(7)(E)] is someone for whom there is Information, from a Reliable Source [i.e. [Not Responsive/(b)(2) & (b)(7)(E)]] Indicating an Arriving Passenger or Crewmember is, or may be, Involved in Terrorist-Related Activity.

3. **AUTHORITIES/REFERENCES:** CBP Directive No. 3340-021A dated February 23, 2004; TC #PO 02-1729; Assistant Commissioner, Office of Field Operations Memo Dated September 25, 2002. Immigration and Nationality Act (INA); TC# IPP-04-1254

4. **POLICY:** All persons who are [Not Responsive/(b)(2) & (b)(7)(E)] or who are suspected to have ties to terrorism will be interviewed by [Not Responsive/(b)(2) & (b)(7)(E)] and the appropriate notifications made when ties to terrorism are confirmed.

**5. PROCEDURES:**

**I. DEFINITIONS**

[Not Responsive/(b)(2) & (b)(7)(E)]

[Redacted]

[Redacted]

[Redacted]



Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



II. Not Responsive/(b)(2) & (b)(7)(E) [Redacted]

Not Responsive/(b)(2) & (b)(7)(E) [Redacted]

[Redacted]

[Redacted]

III. Not Responsive/(b)(2) & (b)(7)(E) [Redacted]

Not Responsive/(b)(2) & (b)(7)(E) [Redacted]

[Redacted]

IV. Not Responsive/(b)(2) & (b)(7)(E) [Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

V. Not Responsive/(b)(2) & (b)(7)(E)

Article I. Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

Article II. (E) B. If the (b)(2) & (b)(7)(E) occurs in advance of arrival of the person, a (E) officer shall be assigned to the case. The (b)(2) & (b)(7)(E) officer shall contact (b)(7)(E) to determine what instructions are contained in the (b)(2) & (b)(7)(E) record. If necessary, (b)(2) & (b)(7)(E)

In secondary, the (b)(2) & (b)(7)(E) officer shall comply with any lawful instructions in the (b)(2) & (b)(7)(E) record, such as a request to copy travel and/or identification documents. (b)(2) & (b)(7)(E)

C. The (b)(2) & (b)(7)(E) officer shall notify the Not Responsive/(b)(2) & (b)(7)(E) Supervisor. The (b)(2) & (b)(7)(E) Supervisor will notify the Duty Chief. The Duty Chief will notify the Assistant Port Directors for Passenger Operations and Tactical Enforcement about the (b)(2) & (b)(7)(E) prior to arrival.

Not Responsive b2/b7e

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

VII. [Redacted] Not Responsive (b)(2) & (b)(7)(E)

A. Not Responsive/(b)(2) & (b)(7)(E)  
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

VIII. [Redacted] OFFICER SECONDARY INSPECTION PROCEDURES

A. If targeted person is out planeside and escorted to [Redacted] Secondary the [Redacted] Officer will ensure that the person's documents are sent to Passport Control and referred from the [Redacted] list for Secondary Inspection.

} b2  
b7E

B. The <sup>(E)</sup> [redacted] officer shall be responsible for the inspection, questioning, and processing of suspect persons and any traveling companions.

[redacted]

NOT RESPONSIVE  
B2/B7E

C. Not Responsive/(b)(2) & (b)(7)(E)

[redacted]

[redacted]

[redacted]

[redacted]

G. The <sup>(E)</sup> [redacted] officer shall review all travel and identification documents to ensure they are authentic and are in the possession of the rightful owner.

H. The <sup>(E)</sup> [redacted] officer shall question the person regarding such subjects as their (b)(2) & (b)(7)(E)

[redacted] officers should use (b)(2) & (b)(7)(E) techniques and

<sup>(E)</sup>

(b)(2) & (b)(7)(E) analysis. Information provided by the person should be verified, to the extent possible. As an example, (b)(2) & (b)(7)(E) . (b)(2) & (b)(7)(E)

J. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

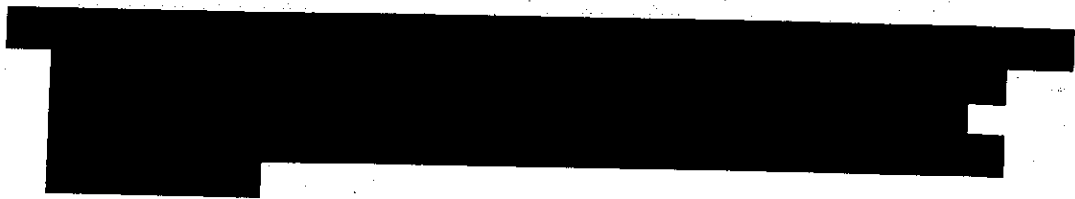
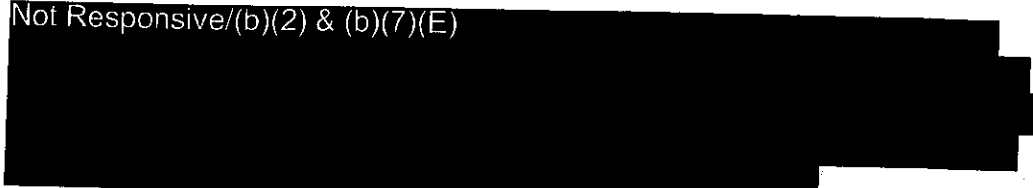
K. Copies of any pertinent documentation ((b)(2) & (b)(7)(E) [Redacted], etc.) retrieved during the exam should be provided to (b)(2) & (b)(7)(E) for further analysis. Please see CBP Directive 3340-006A, Procedures for Examining Documents and Papers, for further information regarding copies.

L. Not Responsive/(b)(2) & (b)(7)(E)

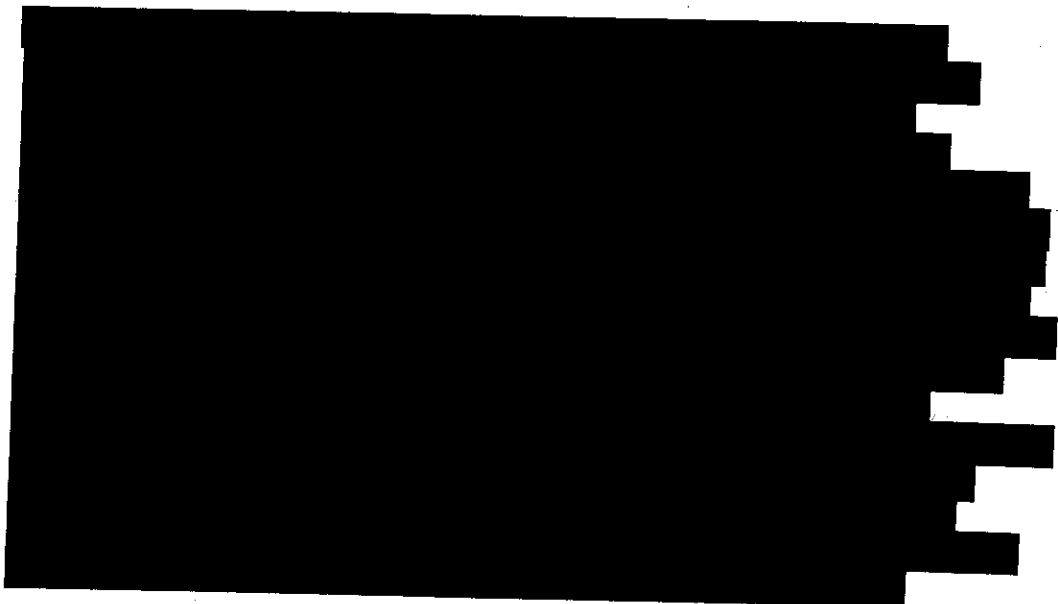
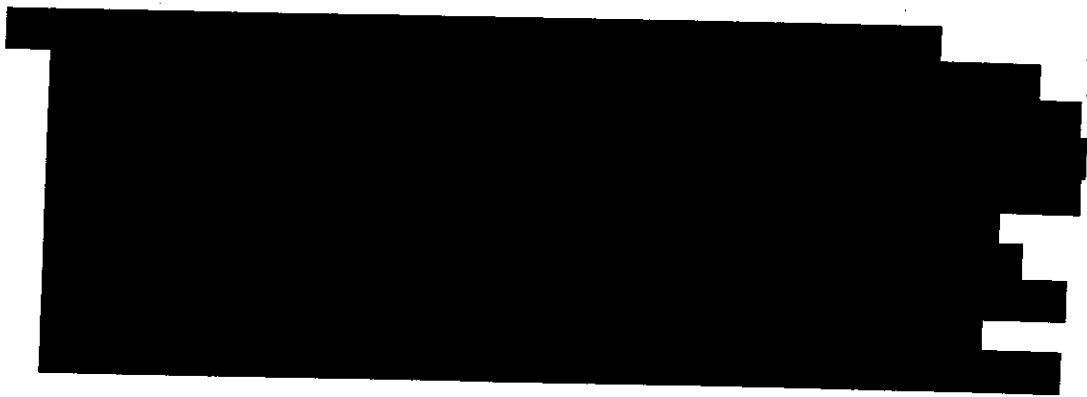
[Redacted]



Not Responsive/(b)(2) & (b)(7)(E)



IX. Not Responsive/(b)(2) & (b)(7)(E)



Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

B. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

XI. Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

[Redacted]

[Redacted]

Not Responsive/(b)(2) & (b)(7)(E)

[Redacted]

6. **CONTACT:** If you have any questions or comments concerning this SOP, please contact Enforcement Chief (b)(6) & (b)(7)(C)

/s/  
Ana B. Hinojosa  
Area Port Director

**DISBURSEMENT OF CERTAIN LEGAL DOCUMENTS  
LIFTED/FOUND AT THE DLR/POE  
SOP**

The following are instructions of disbursement of legal documents lifted/found at the DLR/POE:

If the following documents are lifted/found, place the documents in an envelope (yellow) and drop them in the money drop safe. (Documents lifted may be from subjects in possession of someone else's documents, etc). On the outside of the envelope you will write "For CBP Tech", and "lifted" or "found" and your initials.

**SAMPLE DOCS:**

Social security cards

Birth Certificates

ID cards

I-551 (Resident Alien card)

Other documents that the officer deems necessary to lift

USE DISCRETION. Some documents may belong to family members, eg. a mother carrying her children's documents, etc. [REDACTED] or the APD who opens the money drop safe will ensure that the CBP Tech is given the envelope for proper disbursement, mailing, etc.

**Instructions for Customs & Border Protection Technician (CBP Tech):**

You will mail the document(s) to its appropriate office/agency, with the exception of I-551s and/or any other documents that are Service issued, eg; CBP, CIS, ICE, etc. All documents will be logged in a log book titled "(b) (2) [REDACTED]" that is kept by the CBP Techs. The document(s) that are Service issued (I-551s, I-688s, etc) will be kept in a secure safe, by CBP Techs, until further instructions on document disbursement from CIS is disseminated to the field.

**Other agency's mailing address:**

For TX ID/DL cards, mail to: DPS, P.O. Box 15999, Austin, TX 78773 (for other states obtain address thru intranet)

For Social Security cards, mail to: Social Security Administration, 2207 Bedell, Del Rio, TX 78840

For Texas birth certificates, mail to: Bureau of Vital Statistics, Texas Dept of Health, P.O. Box 12040, Austin, TX 78711-2040

Revised 5/31/07

Document is being provided in response to FOIA request.  
The Standard Operating Procedure was initiated by the Del Rio Port of Entry, which falls under the Laredo Field Office area of responsibility.

### Weekly Muster

**Week of Muster:** Week of March 12, 2007

**Topic:** Primary Inspections

**Reference Materials:** The Inspectors Field Manual, Chapters 22.3(a) and 22.4

**Message:** The Primary inspection is arguably the most important function performed by CBP Officers because it is the only time each and every arriving traveler will undergo the close, personal scrutiny of a CBP Officer. Primary is where CBP enforcement truly begins and, although the volume of passengers can sometimes be overwhelming, Officers assigned to Primary must remain vigilant at all times and must be afforded the time necessary to conduct high-quality inspections. Primary Officers are to conduct their inspections as quickly and efficiently as possible, but should not feel hurried or rushed to the extent that the quality of the inspection suffers. CBP is America's Frontline and high-quality, quick and efficient Primary inspections are essential to our Agency's success.

Officers assigned to Primary will perform (E) Primary and (b)(7)(E) queries, but will not perform queries in any other database to include (b)(2) & (b)(7)(E)

(b)(7)(E). The only exception will be for Officers assigned to process I-512's, ADIT Stamps, etc., at (b)(7)(E), or Officers specifically directed by a supervisor to perform non-Primary inspection functions (e.g., (b)(7)(E)). If a primary Officer has an articulable reason for performing any Secondary inspection functions for any traveler, the Officer will refer that person for Secondary inspection in accordance with current policy and will articulate the reason(s) for the referral in (b)(7)(E).

The following information is not intended to be all-inclusive, but is provided to help clarify the fundamental duties and responsibilities of Officers assigned to the critical Primary mission:

Primary Officers are required to perform the following functions for each arriving passenger:

- Professionally greet passenger
- Request passport or entry documents (I-551, Reentry Permit, Official Orders, etc.)
- Verify that the document presented is a match to the person being inspected
- Review/examine documents for authenticity, validity, (b)(2) & (b)(7)(E)
- Perform (b)(7)(E) query and review (b)(2) & (b)(7)(E)
- Ask pertinent questions to determine identity and admissibility (i.e. (b)(2) & (b)(7)(E), etc.)

b2  
B7E

- Ask questions related to the importation of merchandise, agriculture products or monetary instruments in excess of \$10,000 USD for possible referral to Baggage Control
- Ask follow-up questions to help determine validity of information presented
- (b)(2) & (b)(7)(E) passengers when (b)(2) & (b)(7)(E) is applicable (i.e. nonimmigrants, VWP)
- Review all forms for completion
- Annotate number of passengers being inspected per CBP declaration by (b)(2) & (b)(7)(E)
- Stamp CBP declaration on (b)(2) & (b)(7)(E)
- Stamp CBP declaration on (b)(2) & (b)(7)(E)

As a reminder, CBP employees are not only responsible for enforcing the laws of the United States, but are also responsible for facilitating the throughput of legitimate passengers and cargo. As such, it has been determined that some of the more detailed enforcement functions are far-better suited as part of a Secondary inspection and should not be performed on Primary. To ensure legitimate travelers are processed by our Primary Officers in a timely manner, the following in-depth enforcement functions should not be conducted as part of a Primary inspection:

(b)(2) & (b)(7)(E)

Again, the work performed by our Primary Officers is arguably the most important work performed by CBP. High quality, quick and efficient Primary inspections are essential if we are to meet our Agency's two-pronged mission of enforcement and facilitation.

Questions are to be directed to the Passport Control Supervisors or, if necessary, the on-shift Watch Commander.

**Prepared by:** (b)(6) & (b)(7)(C)  
Assistant Port Director, Passenger Operations  
Los Angeles International Airport

**Date:** March 9, 2007

**Approved by:** Kevin McAleenan  
Area Port Director  
Los Angeles International Airport

**Date:** March 9, 2007

**CUSTOMS AND BORDER PROTECTION (CBP)  
FIELD OPERATIONS**

**STANDARD OPERATING PROCEDURES**

**SOP** : AP 22.02

**BASIS** : CBP Directive 3340-030A dated March 9, 2004  
Secure Detention Procedures at Ports of Entry

**SUBJECT** : AIR PASSENGER DETENTION PROCEDURES

**ACTION PARTY** : All CBP Inspections Personnel

**RESPONSIBLE PARTY** : All CBP Supervisory Personnel

**1 PURPOSE.** To provide guidance and standard operating procedures for the temporary detention of passengers at the Miami International Airport.

**2 POLICY.** This policy shall pertain to the temporary detention of all persons who are detained in secure areas. This includes, but is not limited to, those persons suspected of terrorist activity, are under arrest, are awaiting confirmation on National Crime Information Center (NCIC) warrants, suspected as internal contraband carriers, aliens awaiting removal, transfer, or referral, or other processing involved in a secondary inspection. This SOP is not intended to supercede the established Standard Operating Procedures for Internal Narcotic Carriers.

**3 AUTHORITIES/REFERENCES.** 19 U.S.C. §§ 482, 1461, 1581, 1582; 8 U.S.C. § 236; Title 8 Code of Federal Regulations 236.1(e) [8 CFR 236.1]; Personal Search Handbook (PSH), CIS HB 3300-04A revised November 1999; Physical Security Handbook CIS HB 1400-02A; Enforcement Handbook, Chapter 43, Detention, Arrest, and Handling Prisoners; Customs Directive 3340-028 (Physical Control of Suspects); Internal Operating Procedures Notification (IOPN), 00-19, "Accountability Requirements for Lost/Stolen Evidence, Drugs, Currency and Escaped Prisoners," dated April 26, 2000; Policy Memoranda dated April 11, 2003, April 25, 2003, May 13, 2003 relating to Severe Acute Respiratory Syndrome (SARS); Inspector's Field Manual, Chapter 17. Memorandum dated January 26, 2004, titled Escorting Passengers for Removal or Transportation to Other Sites; Memorandum dated July 19, 2004, titled Discretionary Use of Restraints; Memorandum dated October 5, 2004, titled Securing Passengers Referred for Secondary Examination; and Memorandum dated October 8, 2004, titled Detention Guidelines for Notification of Third Parties.

**3.1 General.** CBP Officers have the combined statutory authority under Title 8 United States Code [8 USC], the Immigration and Nationality Act (INA) and Title 19 United States Code [19 USC]. It allows CBP officers to search without a warrant, take sworn statements, and detain applicants for admission to determine their admissibility



into the United States; detain persons suspected of violating the customs, agriculture or other laws of the United States that are enforced at the border. In cases where removal proceedings are being initiated, a decision relating to the detention of the applicant must be made. In some cases the detention needed is only of short duration (i.e., waiting for departure of flight, or preparation of case file, etc.) and transfer to a long-term detention facility is not practical.

#### 4 GENERAL DEFINITIONS.

4.1 CBP Officer. Includes all CBP Customs, CBP Immigration, CBP Agriculture, and CBP canine enforcement officers.

4.2 Secure Area. This refers to areas such as a detention cell, search room, interview room, or security office where an individual is detained for a temporary period of time out of public view and cannot flee.

4.3 Attended Area. This refers to a location where a person is constantly in the physical presence of an officer in a secure area.

4.4 Unattended Area. This refers to a detention cell, confinement area, or secure area where a detainee may be out of view of an officer. Not Responsive/(b)(2) & (b)(7)(E)  
Not Responsive/(b)(2) & (b)(7)(E)

4.5 Hold Room. A confined area or secured room at a FIS in which detained persons are temporarily held pending a secondary process, i.e., adjudication, processing of documents, interviews, etc. Detention of a person in a hold room shall be for the least amount of time necessary.

4.6 Detention Cell. A room where a person is placed who must be physically separated from the primary and/or secondary inspection areas, awaiting transfer to another detention facility or other Law Enforcement Agency (LEA), when constant surveillance of the subject is not feasible, and/or for ensuring the safety of both the traveling public and officers.

4.7 Enforcement Area. A secure area located [REDACTED], which is specifically designed for searching, interviewing, and temporarily detaining passengers. This enforcement area contains search/interview rooms, a secure bathroom, and the necessary resources to process evidence and personal property.

4.8 Juvenile. A person who has not reached his/her 18<sup>th</sup> birthday.

4.9 Patdown Search. The term refers to the act of an officer searching for merchandise, including contraband, weapons, or documents hidden in the clothing a person is wearing or on their body.

4.10 Short-term Detention: The temporary detention of a person at the Miami International Airport while a case is being processed administratively or prepared for presentation for prosecution; pending parole, release, departure from the United States, or transfer of custody to another branch or agency; or while CBP makes arrangements for longer term detention. Short-term detention begins with the subject being referred by an officer for further inspection and may take place in a secondary inspection area, hold room, or any other designated and/or assigned secure area for less than [REDACTED] (E)

4.11 Search Room. A private designated location that is designed for extensive search of a person and that prevents all but designated necessary personnel from viewing the subject. A search room may serve as a temporary hold room should separation from others be required or extra room needed.

4.12 Detention. The detention of a passenger begins when a traveler is referred to secondary. The detention then continues throughout the secondary examination including any wait for processing.

4.13 Dual Designation. The Assistant Port Director, Passenger Processing, may authorize the dual designation of a specific room(s), i.e., a detention cell may also be used as a search room.

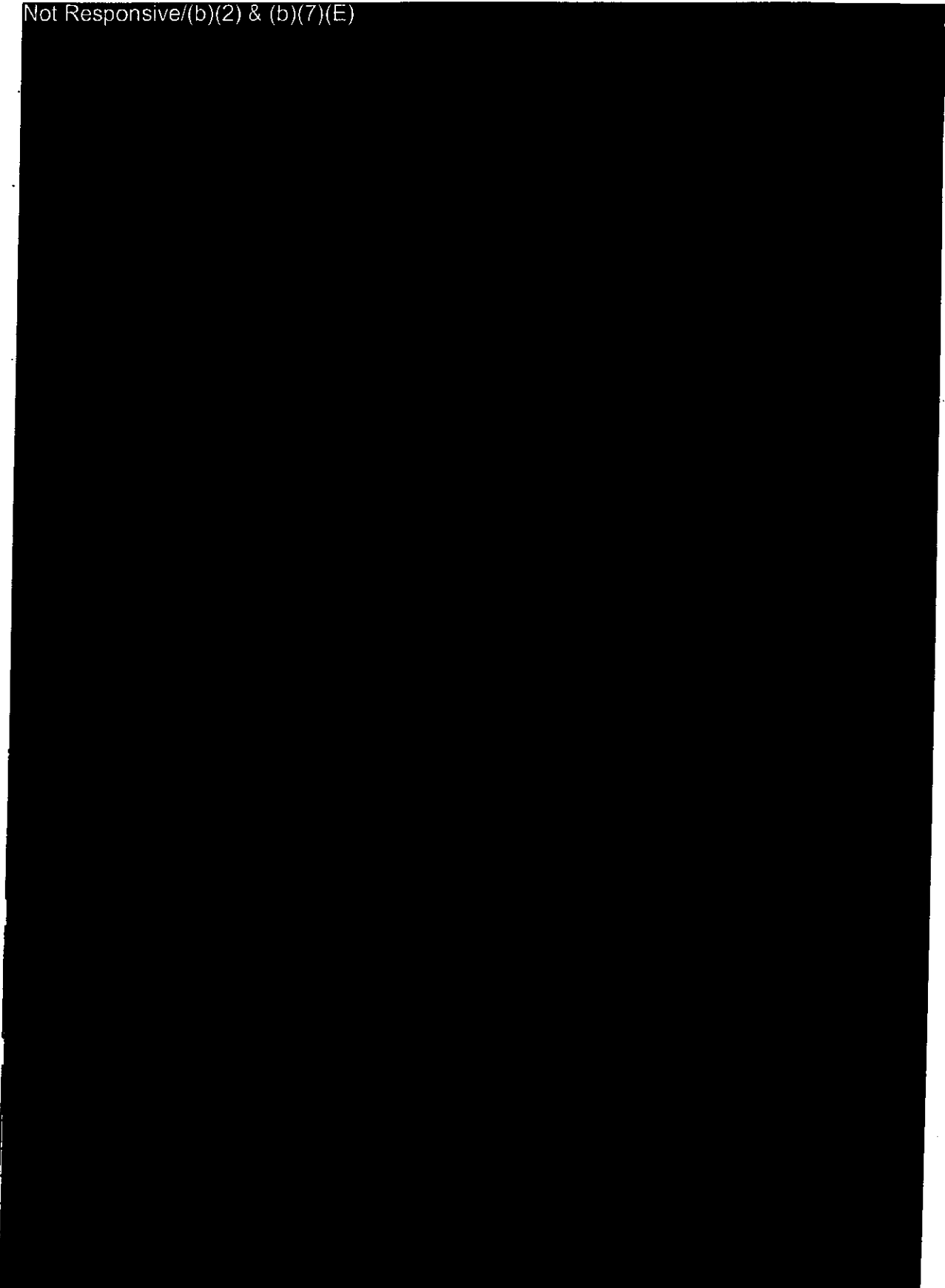
5 CLASSIFICATION AND LOCATION OF DETENTION AREAS.

PASSPORT CONTROL FIS-SOUTH		
TYPE:	ROOM#	LOCATION:

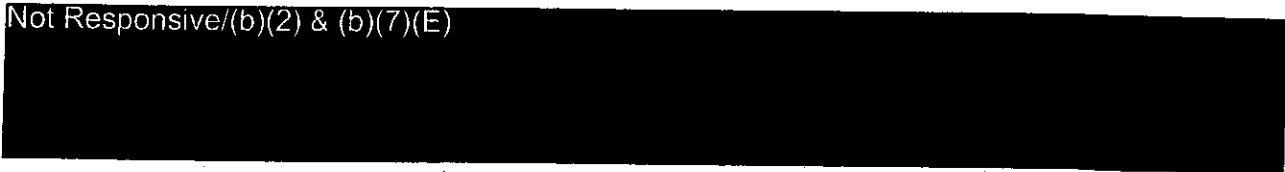
Not Responsive/(b)(2) & (b)(7)(E)



Not Responsive/(b)(2) & (b)(7)(E)



Not Responsive/(b)(2) & (b)(7)(E)



## 6 RESPONSIBILITIES.

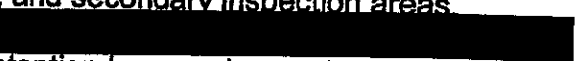

6.1 The Port Director, Miami Service Port, shall ensure that this SOP complies with CBP Directive 3340-030A, dated March 9, 2004, *Secure Detention Procedures at Ports of Entry*.

6.2 Assistant Port Director, Passenger Processing, shall have oversight over the development and implementation of this SOP.

6.3 Deputy Assistant Port Director, Passenger Processing Branch, is responsible for managing the implementation of this SOP and monitoring compliance with the procedures to ensure uniformity of application in Passport/Passenger Control areas and Hard Secondary.

6.4 Chief, Hard Secondary shall initiate and maintain coordination between the Port Operations Command Center (POCC) and the supervisors/ managers within the appropriate chain-of-command for all detentions that exceed routine negative secondary examinations.

6.5 Supervisors are responsible for ensuring that CBP officers under their direction are familiar with this SOP, including the designation and operation of all detention cells, hold rooms, search rooms, interview rooms, and secondary inspection areas.

Supervisors must also ensure that all (b) (2)  (b) (2) reports (b) (2) , detention logs, and any other reports pertaining to detentions are completed and reviewed.

6.6 CBP officers must follow the guidelines set forth in this SOP when detaining and securing travelers.

## 7 DETERMINATION TO DETAIN.

7.1 Not Responsive/(b)(2) & (b)(7)(E)



Not Responsive/(b)(2) & (b)(7)(E)