

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

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)

EXAMPLES:

SEIZURE NUMBERS

- (b) (2) : CLONE PHONE SEIZURE
- (b) (2) : CLONE PHONE SEIZURE
- (b) (2) : CLONE PHONE SEIZURE
- (b) (2) : 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) [Redacted] Memorandum (November 1, 2005). All Travel Documents must be shipped to (b) within [Redacted] 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)

▪ (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)

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) [REDACTED]

(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)(C)
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)

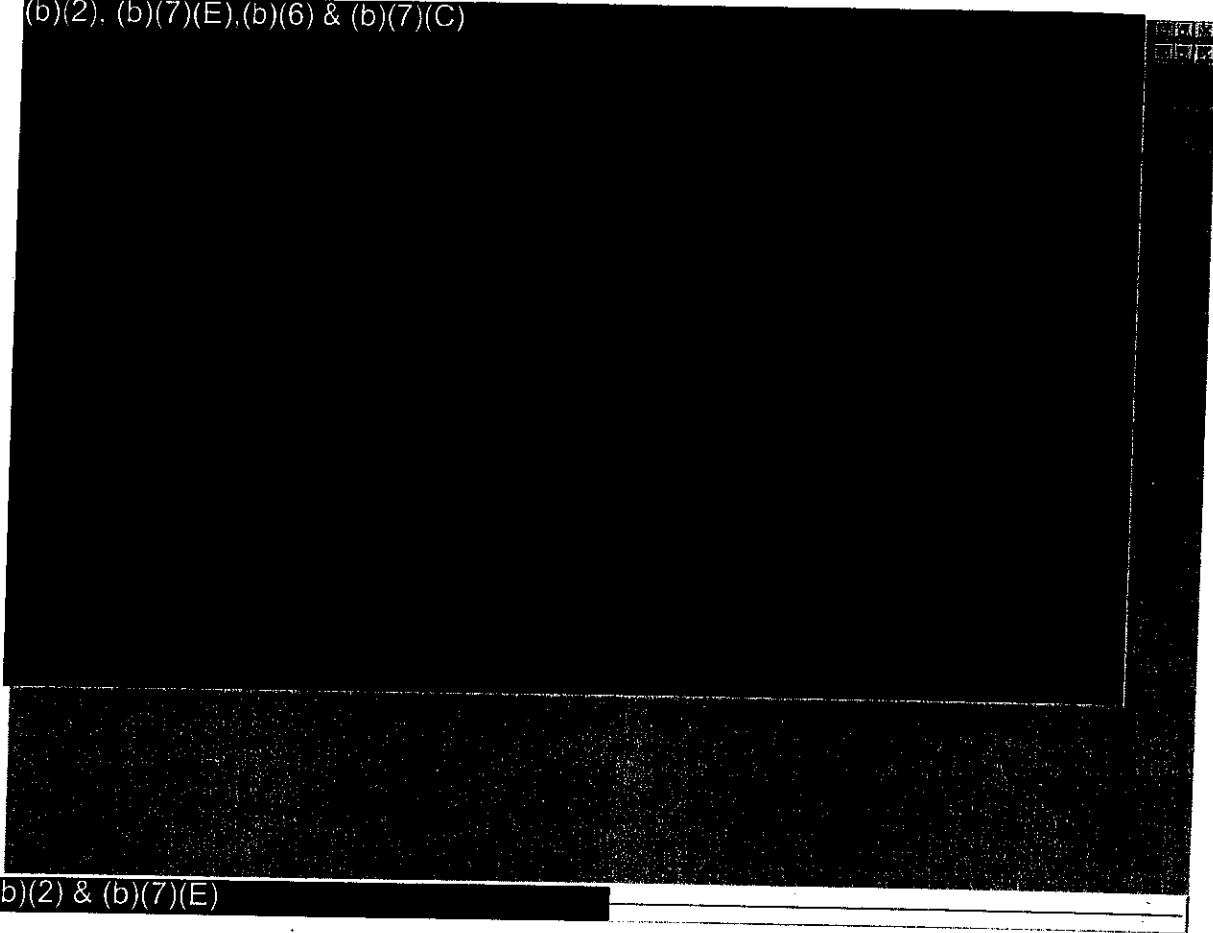
All applicants, including U.S. citizens who present fraudulent passports that have been reported lost or stolen will be processed and enrolled in (b)(2) & (b)(7)(E) as per existing policy. The passport shall be seized and forwarded to the [REDACTED].

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)

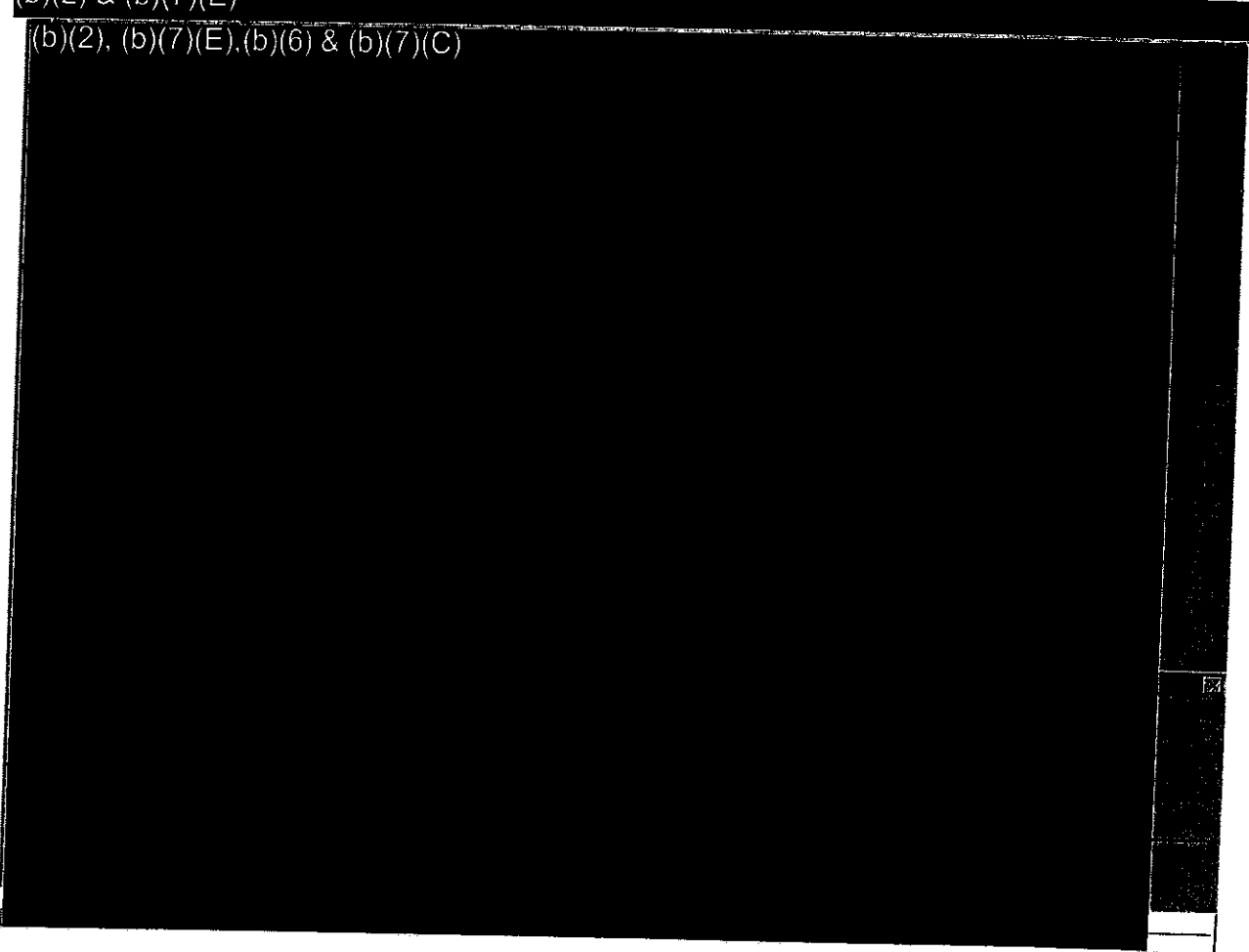
For Non-U.S. passports the selection options for the codes in (b)(2) & (b)(7)(E) are:

(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 Primary _____ 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)

(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)

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

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. 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 general license?</p> <p><input type="checkbox"/> Yes General license category? _____</p> <p><input type="checkbox"/> No</p> <p>2. Do you have a specific license?</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:

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

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.

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)

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.