

March 18, 2005

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
DIRECTOR, PRECLEARANCE OPERATIONS

FROM: Assistant Commissioner
Office of Field Operations

SUBJECT: Additional Guidance on Fraudulent Documents Processing

On December 24, 2004, I issued guidance on the processing of fraudulent documents and the establishment of the (b)(2) & (b)(7)(E) and on January 14, 2005, additional clarifying guidance was issued. Now that the new process has been in place for more than two months, additional direction and clarification are necessary to ensure consistent and universal implementation of these requirements. In particular, it is important that we ensure the proper handling of all terrorism related cases and that all requirements are being met at all locations. Specifically, all locations are asked to immediately adhere to the following:

1. All fraudulent documents used by or believed to be connected with actual or suspected terrorists must be forwarded to (b)(2) & (b)(7)(E). Where the document is required for prosecution or investigation by CBP or another Federal agency, a full copy of the travel document and any associated evidence shall be forwarded immediately to (b)(2) & (b)(7)(E). **There are no exceptions to this requirement.**
2. Individuals apprehended for use of a fraudulent travel document (including impostors) should be enrolled in (b)(2) & (b)(7)(E) and full document information included. Port Directors are responsible for ensuring that a quality control process is in place to ensure enrollment and to review and correct (b)(2) & (b)(7)(E) fraudulent document entries;
3. All Preclearance sites are reminded that all directives associated with fraudulent documents apply to those locations as well. In those cases where a travel document cannot be seized and will be returned to the host government, a full copy of the travel document and any associated evidence shall be forwarded immediately to (b)(2) & (b)(7)(E);
4. All CBP Officers assigned to Immigration Security Initiative sites overseas shall, to the greatest extent possible, attempt to obtain either original or copies of fraudulent travel documents and associated evidence. Where these are not released by the host governments, all available information shall be forwarded to (b)(2) & (b)(7)(E) in lieu of the actual document;

5. Valid documents found in mail or luggage may not be seized unless probable cause exists that the documents have been altered, are counterfeit, or are otherwise evidence of a crime, or the fruit or instrumentality of a crime; and
6. Altered, stolen, or counterfeit documents found in mail or luggage should be seized and shall be entered in the (b)(2) & (b)(7)(E) system and forwarded to the [REDACTED] along with a memorandum describing the circumstances of the seizure.

Please ensure compliance with this and that all CBP Officers are provided with the attached muster during the week of March 21, 2005. If you have any questions, please have a member of your staff contact (b)(6) & (b)(7)(C) at (b)(6) & (b)(7)(C) or [REDACTED] at (b)(6) & (b)(7)(C).

Jayson P. Ahern /S/

Attachments

cc: Executive Director, Border Security and Facilitation

Subject: Seized Documents

Date: 1/2/2005 12:26p

From: (b)(6) & (b)(7)(C)

Until further notice, when seizing counterfeit, altered or impostored documents, do not complete data entry into (b)(2) & (b)(7)(E), since we are awaiting further instructions and clarifications with respect to this function.

When a document is seized, officers should forward the seized document to SCBPO-Enf. (b)(6) & (b)(7)(C) at Terminal Four. Along with the seized document the following must be included:

- a copy of the document (not necessary to copy blank pages)
- a copy of form I-213
- a copy of form I-275
- a copy of the Single Journey Letter (a copy must be placed in the 'A' file as well).

Also, until further notice, we will NOT seize documents when the only document fraud for the case relates to a (b)(2) & (b)(7)(E).

000494

Subject: New INS Rule Governing Release of Detainee Information

Date: 4/24/2002 11:47a

From: (b)(6) & (b)(7)(C)

A recently published federal rule prohibits disclosure to the public, by any privately operated detention facility, of information relating to any detainee being held at that facility on behalf of the Service.

Such information shall be under control of the Service and shall be subject to disclosure only pursuant to the provisions of applicable federal laws, regulations and executive orders.

(Dated 09/28/06)

MEMORANDUM FOR: ALL CBP OFFICERS
SAN DIEGO FIELD OFFICE

FROM: Director, Field Operations
San Diego, California

SUBJECT: Performing Vigilant Primary Inspections

CBPOs assigned to the San Diego Field Office face the highest volume and threat environment and some of the most difficult working conditions our nation has to offer. From a national perspective, the San Diego Field Office performs █ percent of all inspections nationwide. In fact, █ percent of all POVs that enter the United States do so via a San Diego Field Office POE.

While these workload statistics are impressive, what is more astounding is the percentage of enforcement successes for which the San Diego Field Office accounts. Fiscal Year to Date statistics through July indicate that the San Diego Field Office seized █ percent of all marijuana, █ percent of all cocaine, and █ percent of all methamphetamine seized by the Office of Field Operations. Additionally, █ percent of all immigration apprehensions and █ percent of all NCIC arrests affected nationwide are executed by CBPOs in our Field Office. CBPOs are ramping up on pedestrian and vehicle name queries, and our Field Office name check has increased exponentially, to just over █ percent.

b2
b7E

Over the course of the past few weeks Field Office and Port Management have been placing significant emphasis on ensuring that CBP performs complete, thorough and vigilant primary inspections. In doing so, we are reiterating best practices that line officers must replicate in order to achieve success and vigilance on primary. We will continue to achieve this success by ensuring that all officers assigned to primary inspection positions follow the 10 steps outlined below. CBPOs on primary must:

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

2. Verify and physically handling documents for all vehicle occupants.

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

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

5. Conduct thorough interviews beyond obtaining a simple negative declaration or yes/no response.

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

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

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

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

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

I understand the rigors and stresses you face in completing your duties as front-line officers. The above referenced steps are not new. Rather, this is an affirmation of the policies, procedures, and best practices already in place. We cannot afford to let our guard down and expose our border to the risks and ramifications of terrorist activity because of negligence. As CBP Officers, we are entrusted with maintaining the security of our nation. The authority and power we wield is significant, and should never be taken lightly. And, we should always strive to exhibit vigilance in the performance of our primary inspections.

Performing vigilant primary inspections in the manner outlined above is essential. CBP Officers who fail to complete the requirement cited above may be subject to disciplinary action. Failing in this regard is not an option and will not be tolerated. We are the guardians of our nation's borders – America's front-line. The American public depends on our vigilance, diligence, and professionalism as we perform our priority and traditional missions at our nation's border.

I know you are up to the challenge. I appreciate your support. Thank you for a continued job well done.

Adele J. Fasano

PRIMARY INSPECTION

RESPONSIBILITIES FOR ALL CBP OFFICERS

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

Physically examine entry documents of all drivers to determine citizenship and/or immigration status for admissibility.

Obtain an oral declaration from all drivers. Obtain money and agricultural declarations before any secondary examinations.

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

WORK SAFELY!

ONE TEAM, ONE FIGHT

ORIGINATING OFFICE: U.S. CUSTOMS AND BORDER PROTECTION FIELD OPERATIONS, SAN DIEGO Port-of-Entry San Ysidro	
ISSUE DATE: December 30, 2004	ISSUE NO:
Responding to Potential Terrorist Seeking Entry into the United States of America.	DISTRIBUTION: CTR OFFICERS

1 PURPOSE:

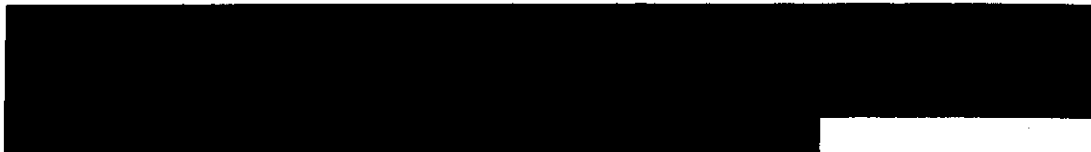
To provide uniform standard operating instructions to U.S. Customs and Border Protection (CBP) Personnel for the response to, and the processing of, known or suspected terrorists attempting to enter the United States of America through a San Diego area Port-of-Entry.

2 POLICY:

- 2.1 It is the policy of CBP to prevent suspected terrorists from entering the United States and to prevent attacks by terrorists and terrorist organizations in the U.S., by detecting and interdicting the cross-border travel of terrorists, terrorist funding, weapons, and instruments, including Weapons of Mass Effect (WME) and their precursors.
- 2.2 It is the policy of CBP, consistent with the Immigration and Nationality Act (INA), to deny entry to, and where possible, seek prosecution of, suspected terrorists seeking admission to the United States.
- 2.3 It is the policy of CBP, consistent with the INA and applicable legal authorities that in all cases where there is a belief, based on an evaluation of available information, that an alien could pose a threat to the United States, the individual will be denied entry.

3 DEFINITIONS:

NOT RESPONSIVE *///*



NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4 AUTHORITIES/REFERENCES:

NON RESPONSIVE

[REDACTED]

5 RESPONSIBILITIES:

NOT RESPONSIVE

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE
[Redacted]

6 PROCEDURES:

6.1 USE OF FORCE:

NOT RESPONSIVE
[Redacted]

[Redacted]

[Redacted]

6.2 PRIMARY INSPECTION/PROCESSING:

6.2.1 All CBP Officers conducting Primary Inspection duties (Vehicle/Pedestrian) will conduct a thorough examination of all persons seeking admission into the United States. Appropriate Customs and Immigration declarations will be obtained. In addition, statements regarding (b)(2) & (b)(7)(E) [Redacted], will also be obtained. (See appendix 01)

6.2.2 All persons who are not United States citizens, and deemed to be an alien, are required to present an entry document. Upon presentation of said document, the CBP Officer will take physical custody of the entry document and examine it. If the Officer concludes, after examination, that a document is counterfeit or altered, the Officer is to retain it and (b)(2) & (b)(7)(E) [Redacted].

6.2.3 After obtaining appropriate Customs and Immigration declarations, the Primary Officer may conduct a cursory examination of the conveyance (if applicable) and other items in their possession.

6.2.4 NOT RESPONSIVE
[Redacted]

NOT
RES
PON
SIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**6.3 ENCOUNTERS WITH (b)(2) & (b)(7)(E)
AT LAND BORDER PRIMARY:**

6.3.1 NOT RESPONSIVE

[REDACTED]

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.3.6 All identity, entry and/or travel documents obtained by the Primary Officer at the time of entry shall be safeguarded by the Secondary Inspection area Supervisor until proper transfer of custody can be made to the [REDACTED] Officer.

6.3.7 The Primary CBP Officer shall complete the referral processing in the [REDACTED], and prepare a written report regarding his/her contact with the SUSPECT.

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.6 SECONDARY INSPECTION/PROCESSING:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE [REDACTED]

6.7 (b)(2) & (b)(7)(E) [REDACTED] - SECONDARY ([REDACTED]) INSPECTION PROCEDURES:

NOT RESPONSIVE [REDACTED]

6.7.2 The [REDACTED] ^(L) Officer shall be responsible for the inspection, questioning, and processing of SUSPECT persons, any traveling companions, and any conveyance associated with the SUSPECT person. The [REDACTED] ^(E) Officer shall ensure that binding Customs, Immigration and Currency/Monetary Instruments declarations are obtained. (b)(2) & (b)(7)(E)

[REDACTED]

NOT RESPONSIVE [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.7.7 NOT RESPONSIVE

6.7.8 The ^(E) [redacted] Officer shall review all travel and identification documents to ensure they are authentic and are in the possession of the rightful owner.

6.7.9 The ^(E) [redacted] Officer shall question the person regarding such subjects as their (b)(2) & (b)(7)(E)

^{(b)(2) (b)(7)(E)} (b) [redacted] Officers should use (b)(2) & (b)(7)(E) techniques and (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)

NOT RESPONSIVE

NOT RESPONSIVE [REDACTED]

6.7.13 Copies of any material evidence and/or pertinent documentation [REDACTED] retrieved during the examination should be provided to [REDACTED] for further analysis.

NOT RESPONSIVE [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 8 **NO PRIVATE RIGHTS CREATED.** This document is an internal policy statement of U.S. Customs and Border Protection and does not create or confer any rights, privileges, or benefits on any person or party.
- 9 **DISCLOSURE:** This Directive contains information, which may be exempt from disclosure to the public under the regulations of the Department of the Homeland Security. It is For Official Use Only (FOUO) and is Law Enforcement Sensitive. No part of this Directive shall be disclosed to the public without express authority from U.S. Customs and Border Protection Headquarters.

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

00514

(b)(2) & (b)(7)(E) Number: _____

Date and Time: _____
(MM/DD/YYYY 0000)

POE: _____

(b)(2) & (b)(7)(E) Number: _____ FBI Number: _____ NCIC Number: _____

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

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

Event #: _____

SSN _____ A-NBR _____ Drivers License State and Number // _____

Name _____
(FORMAT: GENERAL: First Name-Middle Name-Last NAME // ARABIC: Given Name-Father-Grandfather-Great Grandfather-Family)

Place of Birth _____ City _____ State _____ Country _____ Citizenship _____

Date of Birth _____ Sex: M F HT: _____ WT: _____ HR: _____ EY: _____ Marital Status _____

Place of Residence _____ City _____ State _____ Country _____

Residence Address _____ Phone # _____

Father's Name _____ DOB _____
(FORMAT: GENERAL: First Name-Middle Name-Last NAME // ARABIC: Given Name-Father-Grandfather-Great Grandfather-Family)

Mother's Name _____ DOB _____
(FORMAT: GENERAL: First Name-Middle Name-Last NAME // ARABIC: Given Name-Father-Grandfather-Great Grandfather-Family)

DOC Type & Country / _____ DOC Number _____ Date Issued _____ EXP. Date _____

VISA # _____ Classification _____ Date Issued _____ Country Issued _____

Date Admitted to USA _____ Class of Admission _____ I-94 # _____

Observations:

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

Mode of Travel / Conveyance Information:

Mode of Travel _____

Travel Itinerary _____

Reason for Travel: _____

Origination Address(es) _____

Destination Address (es) _____

USA Address: _____ Phone # _____

Vehicle Make (VMA): _____ Model (VMO): _____ Year (VYR): _____ Color (VCO): _____

State / Country / License Plate # // // _____ VIN: _____

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

000515

Registered Owner Info: _____

Rental Agreement Info: _____

Airline Name and Flight Number _____ // _____ Ticket Number _____

Airline Ticket Cost and Form of Payment _____ // _____

Vessel Name and Hull and/or Document Number _____ // _____ Vessel Flag _____

Vessel Ticket Cost and Form of Payment (if Any) _____ // _____

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

Research / Notifications:

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

Inspector, who conducted above Queries: _____

Results: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(7)(E) POC Name: _____ Time: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(2) & (b)(7)(E) POC Name: _____ Time: _____

(b)(7)(E) POC Name: _____ Time: _____

Other (Identify) POC Name: _____ Time: _____

Disposition:

Processed / RELEASED / ADMITTED YES No

INSPECTION Registration YES No If YES, Inspector conducting Registration: _____

Processed / DENIED ADMISSION / REMOVED YES No

Processed / ARRESTED / DETAINED YES No Location of Detention _____

Custody Transferred to (Agency): _____ POC Name / Telephone #: _____

Departure Status / Date: _____ Reported / Verified: _____

Waiver of Special Registration Requested: YES No Waiver: Granted Denied

Walk-Away Materials (M-526) Issued: YES No

3/26 ACTION and INFO: Pornography and [REDACTED] ^(E) Exam Subjects

To All,

Recent intelligence reporting indicates (b)(2) & (b)(7)(E)

[REDACTED]

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

[REDACTED]

[REDACTED] If no additional information is uncovered during the forensic exam, but the pornographic materials are determined to be violative, a seizure determination for the laptop and materials should be made.

Disseminate as necessary.

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

BorderSecurity Coordinator

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



**Bureau of Customs &
Border Protection**
AREA PORT OF ANCHORAGE
Standard Operating Procedure

NUMBER: ANC-AP-07-002

ISSUE DATE: February 8, 2007

APPROVED BY: [REDACTED]

REVIEW DATE: February 8, 2008

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

SUBJECT: Counter-Terrorism Response

(N)

PURPOSE:

To give guidance on procedures when encountering possible terrorism suspects in accordance with CBP Directive #3340-021B.

PROCEDURES: NOT RESPONSIVE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOT RESPONSIVE

1 [REDACTED]

[REDACTED]

Reports:

[REDACTED]

[REDACTED]

2.d		
AREA PORT OF HONOLULU STANDARD OPERATING PROCEDURES		
VOLUME 1 - PORTWIDE PROCEDURES		
PART:	B.	Proprietary Information
SECTION:	200.0	Dissemination of Information
NUMBER:	201.0	Disclosure of Information

- A. The disclosure of information pertaining to individuals and/or businesses is controlled through the Freedom of Information Act (FOIA)/Privacy Act and the Trade Secrets Act. Both electronic and paper-based records are protected under these acts, and are applicable to ALL Federal agencies and their employees.
- B. Definition of the Freedom of Information Act (FOIA) and the Privacy Act
1. The Freedom of Information Act (FOIA) (5USC552) mandates access to Government records unless the records or portions of the records are exempt from disclosure pursuant to one of nine exemptions as set forth in the act.
 2. The Privacy Act (5USC522a) protects the privacy rights of individuals by not permitting records maintained in a system of records (i.e. records retrievable by the name of or personal identifier (social security number) of the individual) to be disclosed without the written consent of the individual about whom the records pertain.
 3. The following types of information are just some examples of information protected under the FOIA/Privacy Act.
 - a. Investigatory Information
(including TECS)
 - b. Personnel Information
(except for the names, grades, duty stations, and salary of all non law enforcement and inspectional personnel.)

- c. Internal Affairs Information
- d. Passenger Information

C. Definition of the Trade Secrets Act

1. The Trade Secrets Act imposes personal sanctions (\$100,000 fine, one year in jail and loss of job) on Federal Employees who disclose or make known in any manner, any confidential business information or trade secrets available to them in the course of their employment or official duties.
2. The information that should not be disclosed includes information about a person's, firm's, partnership's, corporation's or association's records and information related to:
 - a. Trade secrets
 - b. Processes
 - c. Operations
 - d. Style of work or apparatus
 - e. Identity
 - f. Confidential statistical data
 - g. Amount or source of income, profits, losses or expenditures.
3. The following is a list of some Customs records, which are protected under the Trade Secrets Act.
 - a. Automated Commercial System (ACS) data
 - b. Entry documents and all information contained on that entry document to include values, quantity, manufacturers, shippers, consignees, type of merchandise,

manufacturing methods, formulas, and any other type of information.

- c. Regulatory Audit reports and other similar records
- d. Some classification ruling requests if confidentiality has been requested and granted.
- e. Investigative records.

D. Incoming Requests for information

Requests for the release of information will fall under one of two categories:

- 1. Requests made by the individual to whom the record pertains
- 2. Third party requests (For example: Other Federal Agencies, State and Local Agencies, and Foreign Entities.)

E. Handling Requests Made by Individuals

- 1. When an individual makes a request for the release of records pertaining to themselves, inform the individual that they will need to make their request in writing. All requests must be in writing.
- 2. The individual's written request should contain the following:
 - a. A statement identifying themselves
 - b. A description of the records or documents being sought
 - c. A statement of their willingness to undertake the payment of any applicable fees associated with the retrieval of the records
 - d. Original signature of the requestor
- 3. This request should be forwarded to the Port

Director. The Port Director will then refer the written request to the local FOIA coordinator for proper processing.

F. Handling Third Party Requests

1. Requests from Federal, State or Foreign law enforcement offices seeking the release of law enforcement records, should be referred to the Office of Investigation (OI).
 - a. Be aware that the Office of Investigations personnel may exchange investigatory information (including TECS information) with other federal, state, local, or foreign law enforcement organizations per various official agreements, memoranda of understanding (MOUs), Privacy Act routine uses, and 19USC1628 for foreign requests.
 - b. If an OFO employee receives a request from OI to retrieve records, these records must be given directly to the OI agent. Do not turn over any documents to the requesting agency on behalf of OI. OI will be the party responsible for the completion of the Customs Forms 191 (CF191).
2. Requests from non-law enforcement Federal, state or foreign government agencies, for the release of records pertaining to non-law enforcement purposes, should be made in writing to the Port Director. The Port Director will then refer the written request to the local FOIA coordinator for proper processing.
3. Requests from any source for non-law enforcement records (public) should be made in writing and sent to the Port Director. The Port Director will then refer the letter to the local FOIA coordinator for proper processing.

G. Additional Information Pertaining to the Disclosure Of Information from Third Party Requests

No one shall disclose any information to any person or agency about an individual without receiving the prior written consent from that individual.

- H. Personal disciplinary actions as well as civil and criminal penalties may apply for the wrongful disclosure of information covered by the FOIA/Privacy Act and Trade Secrets Act.



U.S. Customs and
Border Protection

1(c)

March 7, 2007

MEMORANDUM FOR: AREA PORT DIRECTORS

FROM: Director
Field Operations, San Juan

SUBJECT: Legal Advisory Requirements

A recent memorandum from HQ's, "*Immediately Effective Advisory Requirements for Processing of Salvadoran Nationals at Ports of Entry*", dated January 11, 2007, instructed us to immediately institute the advisory requirements for processing of Salvadoran Nationals at our respective ports of entry.

Said memorandum requires, among other things, that Salvadorans be issued a list of legal service providers. Additionally, form I-862 (Notice to Appear) itself states in part... "a list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice". Please note that this applies to every alien and not only Salvadorans.

Historically, there have been no pro bono associations available within the San Juan Field Office AOR. On a referral basis the Law School of the University of Puerto Rico, the Inter American University and the Hostos Law School in Mayaguez, select a limited amount of cases from the court for legal advice or representation during the school year. However, these services are limited, for educational purposes and not to be considered pro bono.

Because of this and other administrative reasons, CBP has not provided a list of legal service providers to qualified inadmissible aliens. The San Juan Field Office was notified by HQs that we can meet this requirement by furnishing a list of service providers who are located in the continental US and that we are not responsible if those providers choose not to represent the alien.

Therefore and effective immediately, **every alien**, not only Salvadorans, who is processed for removal proceedings under section 240 of the Act, or permitted to withdraw his/her application for admission in lieu of it (e.g., Canadian with criminal record from Canada), must receive a list of legal service providers.

L.

The copy of the legal services list (see attached) provided to each alien will be placed in the A-file. For updated official versions of the list please visit <http://www.usdoj.gov/eoir/probono/states.htm>. Under no circumstance will the aliens receive a locally issued list of legal services, but the one found at this government website address. Please note that this requirement is in addition to existing forms and administrative processes.

Should you have any questions regarding this matter please contact [REDACTED] of my staff at [REDACTED] (b)(6) & (b)(7)(C)

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

Marcelino Borges

LIST OF FREE LEGAL SERVICES PROVIDERS

The following organizations and attorneys provide free legal services and/or referrals for such services to indigent individuals in immigration removal proceedings, pursuant to 8 CFR §1003.61. Some of these organizations may also charge a nominal fee for legal services to certain low-income individuals.

MIAMI, FLORIDA

AMERICAN FRIENDS SERVICE COMMITTEE

10700 Caribbean Blvd., Ste. 301
South Dade Tower
Miami, FL 33189
(305) 252-4183
(305) 252-6441
1-800-765-8875, Toll Free

- Spanish Spoken.
- Will **only** take Guatemalan and Salvadoran cases.
- Will not represent detained aliens.
- Will take Asylum cases.

ALMA C. DEFILLO-MILLMAN, ESQ.

929 Peninsular Place
Jacksonville, FL 32204
(904) 354-3778
(904) 634-8822, Fax

- Will take asylum cases.
- May charge a nominal fee.
- Will not represent aliens in detention.

CATHOLIC CHARITIES LEGAL SERVICES ARCHDIOCESE OF MIAMI, INC.

The Bank of America Building
3661 West Oakland Park Blvd., Ste. 305
Fort Lauderdale, FL 33311
(954) 486-2070
(954) 486-5090, Fax
<http://www.cclsmiami.org>

- Representation is limited to Miami Immigration Court.
- Representation to residents of Miami-Dade and Broward Counties (priority given to Broward County residents).
- Creole, Spanish, and French spoken.
- Will accept VAWA cases and very limited representation in asylum proceedings.
- All other cases will be referred to the Miami Office.

FLORIDA EQUAL JUSTICE CENTER, INC.

3210 Cleveland Avenue, Ste. 101-A
Ft. Meyers, FL 33901
(239) 277-7060
(239) 277-9050, Fax
1-800-518-1716, toll free

- Spanish spoken.
- Will not represent detained aliens.
- Will take asylum cases.
- Court representation limited to Miami Immigration Court (for non-court cases, priority given to VAWA, SIJ, U ad T visas, and family cases involving large numbers of children).
- Representation to residents of Lee, Hendry, Glades, Charlotte, and DeSoto Counties.

**CATHOLIC CHARITIES LEGAL SERVICES
ARCHDIOCESE OF MIAMI, INC.**

700 S. Royal Poinciana Blvd., Ste. 800
Miami Springs, FL 33166
(305) 887-8333
(305) 883-4498, Fax
<http://www.cclsmiami.org>

- Representation limited to Miami Immigration Court and to residents of Miami-Dade and Monroe Counties.
- Will process Cuban adjustment, employment authorization and parole requests, and citizenship applications for West Miami-Dade and Monroe County residents.
- Asylum cases will be accepted and represented by the Miami Office.
- Spanish spoken.

**FLORIDA IMMIGRANT ADVOCACY
CENTER, INC. (FIAC)**

3000 Biscayne Blvd., Ste. 400
Miami, FL 33137
(305) 573-1106

- Spanish, Creole and French spoken.
- Will take Asylum cases.

**CATHOLIC CHARITIES LEGAL SERVICES
ARCHDIOCESE OF MIAMI, INC.**

7101 Biscayne Blvd.
Miami, FL 33138
(305) 758-3301
(305) 756-6435, Fax
<http://www.cclsmiami.org>

- Representation limited to Miami Immigration Court.
- Representation to residents of Monroe, Miami-Dade, and Broward Counties.
- Creole, Spanish, and French spoken.
- All types of cases accepted, including asylum proceedings.

IMMIGRANTS' RIGHTS CENTER

1468 S. Semoran Blvd.
Orlando, FL 32807
(407) 382-4944

- Spanish spoken.
- Will take Asylum cases.
- May charge a nominal fee.

CHURCH WORLD SERVICE

Immigration and Refugee Program
1921 NW 84th Ave.
Miami, FL 33126
(305) 774-6770
(305) 754-9910 (in Little Haiti)

- Creole, French, and Spanish spoken.
- Will NOT represent aliens in detention. Will take asylum cases.
- May charge a nominal fee.

NEIL ST. JOHN RAMBANA, ESQ.

ELIZABETH RICCI, ESQ.
Rambana & Ricci, P.A.
521 East Tennessee Street
Tallahassee, FL 32308
(850) 224-4529
(850) 222-7529, Fax

- Willing to represent aliens in asylum proceedings.
- Spanish spoken.

COLUMBIAN AMERICAN SERVICE ASSOCIATION (CASA)

8500 SW 8th Street, #218
Miami, FL 33144
(305) 448-2272
<http://www.casa-usa.org>

- May charge nominal fee.
- Fee waivers considered in certain circumstances.
- Representation limited to Miami Immigration Court.
- Will not represent cases in detention (including Krome or Broward Detention Centers).
- All types of cases accepted, including asylum.
- Spanish spoken.

SIMON TSANG, ESQ.

3837 Northdale Blvd., Ste. 302
Tampa, FL 33624
(813) 265-8152; (727) 547-6097

- Will take Asylum cases.

ORLANDO, FLORIDA**MAYRA L. CALO, ESQ.**

2529 West Busch Boulevard, Ste. 400
Tampa, FL 33618
(813) 915-1715
(813) 915-1717, Fax

- Will represent aliens seeking asylum.
- Will represent aliens in detention.
- Spanish and French spoken.

NEIL ST. JOHN RAMBANA, ESQ.

ELIZABETH RICCI, ESQ.
Rambana & Ricci, P.A.
521 East Tennessee Street
Tallahassee, FL 32308
(850) 224-4529
(850) 222-7529, Fax

- Willing to represent aliens in asylum proceedings.
- Spanish spoken.

CHURCH WORLD SERVICE

Immigration and Refugee Program
1921 NW 84th Ave.
Miami, FL 33126
(305) 774-6770
(305) 754-9910 (in Little Haiti)

VITALIA DIAZ SHAFER, ESQ.

Diaz & Shafer, PA
305 North Armenia Ave.
Tampa, FL 33609
(813) 250-1300

- Spanish and French spoken.

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- Creole, French, and Spanish spoken.
- Will not represent aliens in detention.
- Will take asylum cases.
- May charge a nominal fee.

- All types of cases, including asylum, accepted.

ALMA C. DEFILLO-MILLMAN, ESQ.

929 Peninsular Place
Jacksonville, FL 32204
(904) 354-3778

- Willing to represent aliens in asylum.

SIMON TSANG, ESQ.

3837 Northdale Blvd., Ste. 302
Tampa, FL 33624
(813) 265-8152
(727) 547-6097

- Will take Asylum cases.

IMMIGRANTS RIGHTS CENTER

1468 S. Semoran Blvd.
Orlando, FL 32807
(407) 382-4944

- Spanish spoken.
- Will take Asylum cases.
- May charge a nominal fee.

IFEOMA A. UCHE, ESQ.

American Immigration Services Center
3001 39th Street
Orlando, FL 32839-9219
(407) 648-5367
(407) 648-5368
(407) 648-5369
(407) 425-4487, Fax

<http://www.americanimmigrationservicescenter.com/>

- Will take Asylum cases.
- Spanish, French, and Creole spoken.
- May charge a nominal fee.

STANDARD OPERATING PROCEDURES

FUNCTION: Pre-Inspection Operations
(Pre-flight or Pre-departure)

DATE: July 21, 2005
REVISED: February 21, 2007

LOCATION: Area Port of San Juan

NUMBER: 2005-17

RESPONSIBLE OFFICER (S): CBP Officers
Supervisors , Chiefs, Port Directors

1. PURPOSE:

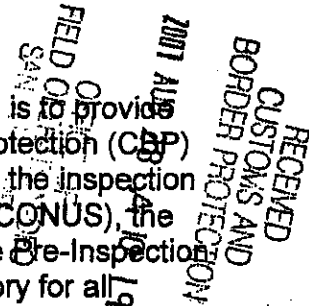
- 1.1 The purpose of this Standard Operating Procedure (SOP) is to provide uniform guidelines to ensure that Customs and Border Protection (CBP) officers follow proper operational procedures pertaining to the inspection of passengers traveling to the Continental United States (CONUS), the collection of data, and the compilation and reporting of the Pre-Inspection Operation. Compliance with these procedures is mandatory for all supervisors and officers assigned to work the domestic passenger processing terminals. These procedures will ensure the timely and accurate collection and reporting of workload statistics and passenger processing measures. This SOP modifies previous procedures implemented by the legacy Immigration and Naturalization Service (INS), implied in the "Procedures to Conduct Pre-flight inspection" dated January 31, 1997, from the former Office of the INS Area Port Director, regarding INS checkpoints at the San Juan, Puerto Rico airport.

2. AUTHORITY:

- 2.1.1 Title 8 CFR 235.5, Title 8 USC 1182, Section 212 of the INA; the Immigration and Nationality Act (INA or Act); the Patriot Act; the inspector's Field Manual (IFM); Title 22 Code of Federal Regulations and Case Rulings

3. BACKGROUND:

- 3.1 After the terrorist attacks of September 11, 2001, the need for the U.S. Government to monitor the movement of aliens over and within its borders is undoubtedly great. As members of CBP, we must be sure that procedures implemented to meet this need comply with the Constitution and all the pertinent regulations. The following is a legal overview of the regulation governing the Pre-Inspection Operation.



- 3.2 Almost every law involving the admissibility of aliens is derived from the INA. Section 212 of the INA excludes several classes of aliens from admission to the United States. The pertinent subsection reads as follows:

"The provisions of subsection (a) of this section (other than paragraph (7)) shall be applicable to any alien who shall leave Guam, Puerto Rico, or the Virgin Islands of the United States, and who seeks to enter the continental United States or any other place under the jurisdiction of the United States. The Attorney General shall by regulations provide a method and procedure for the temporary admission to the United States of the aliens described in this provision. Any alien described in this paragraph, who is denied admission to the United States, shall be immediately removed in the manner provided by section 1231(c) of this title."

- 3.3 The Attorney General has implemented this section through 8 CFR § 235.5, which reads as follows:

"235.5 Preinspection.

(a) In United States territories and possessions. In the case of any aircraft proceeding from Guam, Puerto Rico, or the United States Virgin Islands destined directly and without touching at a foreign port or place, to any other of such places, or to one of the States of the United States or the District of Columbia, the examination of the passengers and crew required by the Act may be made prior to the departure of the aircraft, and in such event, final determination of admissibility shall be made immediately prior to such departure. The examination shall be conducted in accordance with sections 232, 235, and 240 of the Act and 8 CFR parts 235 and 240. If it appears to the examining immigration officer that any person in the United States being examined under this section is prima facie removable from the United States, further action with respect to his or her examination shall be deferred and further proceedings regarding removability conducted as provided in section 240 of the Act and 8 CFR part 240. When the foregoing inspection procedure is applied to any aircraft, persons examined and found admissible shall be placed aboard the aircraft, or kept at the airport separate and apart from the general public until they are permitted to board the aircraft. No other person shall be permitted to depart on such aircraft until and unless he or she is found to be admissible as provided in this section."

4. PROCEDURES:

NOT RESPONSIVE



NOT RESPONSIVE



- 4.3 At the selected gate, the officers will display the CBP signage indicating the section of law under which such inspections are being conducted.
- 4.4 CBP Officers will conduct a 100% inspection of all passengers and crew traveling to CONUS on the selected flight. The primary (b)(2) & (b)(7)(E) question, (b)(2) & (b)(7)(E) ?" will be asked to each passenger. The response to this question will determine whether further questioning is warranted.
- 4.5 Although United States citizens have a constitutional right not to respond to the questions asked, it has already been determined in *Lopez Lopez v. Aran*, 894 F.2nd 16 (1st Cir. 1990), that the government (CBP) and its representatives have the right to ask certain questions. The examination of U.S. citizens will be minimal, brief and without coercive intrusion by CBP Officers. Remember, U.S. citizens are not required to answer the question. However, if a passenger

refuses to answer the question, further questioning will be initiated if "articulable facts" can be identified or explained by the officer(s) conducting the procedure.

4.6 The only time that a CBP Officer will continue a line of questioning is when he or she has articulable facts to justify that the person's citizenship is other than the United States. Tickets will not be requested or lifted from the passengers. The only time tickets are to be requested and lifted is when it has been determined that the person is an illegal alien in the U.S.

NOT RESPONSIVE



NOT RESPONSIVE



NOT RESPONSIVE



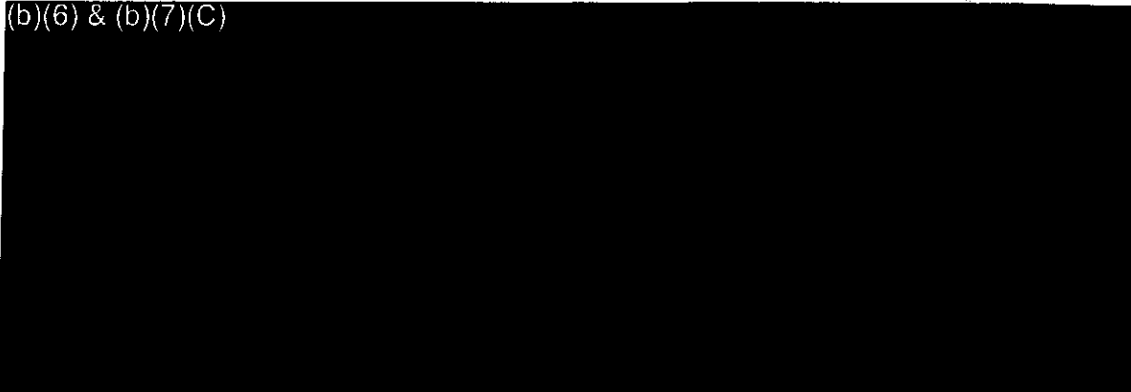
NOT RESPONSIVE



NOT RESPONSIVE



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



NOT RESPONSIVE



NOT RESPONSIVE



5. REPORTING REQUIREMENTS:

NOT RESPONSIVE



NOT RESPONSIVE



6. SUPERVISOR'S RESPONSIBILITIES:

NOT RESPONSIVE



7. TRAINING:

NOT RESPONSIVE



PREPARED BY:

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

Chief Inspector

REVIEWED BY:

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

Chief Inspector

REVIEWED BY:

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

(b)(6) & (b)(7)(C) Assistant Area Port Director

APPROVED BY:

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

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

SAN JUAN

2(a)

STANDARD OPERATING PROCEDURE**FUNCTION:** (b)(2) & (b)(7)(E) **DATE:** June 13, 2005**LOCATION:** Area Port of San Juan **NUMBER:** 2005-11**RESPONSIBLE OFFICER(S):**

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

Rovers

Supervisors (Passport Control & Baggage Control)

1. PURPOSE:

To provide guidance for responding to known suspected terrorist attempting to enter the Area Port of San Juan.

- 2. POLICY:** The primary mission of the U.S. Customs and Border Protection (CBP) is to prevent suspected terrorists from entering the United States and to prevent attacks by terrorists and terrorist organizations. It is the policy of CBP, consistent with the Immigration and Nationality Act (INA), to deny entry to and where possible, seek prosecution of suspected terrorist seeking admission to the United States. It is also the policy of CBP, consistent with the INA and applicable legal authorities that in all cases where there is belief, based on an evaluation of available information that an alien could pose a threat to the United States, that the individual be denied entry.

3. AUTHORITY:

CBP Directive Number 3340-021A, dated February 23, 2004.
(Responding to Potential Terrorist Seeking Entry Into the United States.)

4. RESPONSIBILITIES:

CBP supervisors, especially those assigned to the Primary Inspection area, shall ensure CBP officers under their supervision adhere to the provisions of this SOP and that all notification and reporting requirements are complied with. CBP officers are responsible for using the training given, experience, expertise, technology and the automation systems to prevent terrorists from entering the United States at the Area Port of San Juan.

5. PROCEDURES:

NOT RESPONSIVE



5.4 The (F) officers will be responsible for coordinating with and other law enforcement agencies and for ensuring that a full inspection, document review, and questioning of suspected persons takes place in accordance with the provisions contained in the SOP. The officer will complete all necessary after-actions reports in a timely manner.

NOT RESPONSIVE



NOT RESPONSIVE



NOT RESPONSIVE



8.1 NOT RESPONSIVE



verification. At this secondary, the [redacted] officer shall comply with any b2+b7E lawful instructions (b)(2) & (b)(7)(E) [redacted], such as a request to copy travel and/or identification documents.

NOT RESPONSIVE



NOT RESPONSIVE

9. (E) OFFICER SECONDARY INSPECTION PROCEDURES:

9.1 The (E) officer shall be responsible for the inspection, questioning and processing of suspect persons and any traveling companions.

NOT RESPONSIVE

9.2 NOT RESPONSIVE

9.3 NOT RESPONSIVE

9.4 NOT RESPONSIVE

9.5 (b)(2) & (b)(7)(E) officer shall be responsible for conducting an intensive secondary inspection, document review, questioning, and examination to identify terrorists or terrorist instruments.

9.6 The officer shall review all travel and identification documents to ensure they are authentic and are in the possession of the rightful owner.

9.7 The [redacted] officer shall question the person regarding such subject as there (b)(2) & (b)(7)(E) [redacted] officers should use (b)(2) & (b)(7)(E) techniques and (b)(2) & (b)(7)(E) (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) [redacted] Additional significant information developed during the questioning should be forwarded to [redacted] for additional analysis.

9.8 NOT RESPONSIVE [redacted]

9.9 NOT RESPONSIVE [redacted]

9.10 NOT RESPONSIVE [redacted]

9.11 Copies of any pertinent documentation ((b)(2) & (b)(7)(E) (b)(2) & (b)(7)(E) [redacted] retrieved during the exam should be provided to (b)(2) & (b)(7)(E) [redacted] for further analysis.

9.12 NOT RESPONSIVE [redacted]

9.13 NOT RESPONSIVE [redacted]

9.14 NOT RESPONSIVE [REDACTED]

9.15 NOT RESPONSIVE [REDACTED]

9.16 NOT RESPONSIVE [REDACTED]

10. FINAL DISPOSITION:

10.1 NOT RESPONSIVE [REDACTED]

10.2 NOT RESPONSIVE [REDACTED]

10.3 NOT RESPONSIVE [REDACTED]

10.4 NOT RESPONSIVE [REDACTED]

10.5 NOT RESPONSIVE [REDACTED]

10.6 NOT RESPONSIVE [REDACTED]

11. REPORTING REQUIREMENTS:

NOT RESPONSIVE [REDACTED]

12. SUPERVISOR'S RESPONSIBILITIES:

NOT RESPONSIVE [REDACTED]

NOT RESPONSIVE



NOT RESPONSIVE



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



Prepared by:

Reviewed by:

Approved by:

Muster 07/27/07

Next week we will begin the "Primary Processing of Travelers at Land Ports of Entry Training." It is approximately 1 hour long and has to be done by (b)(6) & (b)(7)(C) and myself. [REDACTED] is a CBPO at Roosville and attended the training I attended a few weeks ago in D.C. The training is essentially a synopsis of the new Land Border Directive which is being unveiled as we speak. Please read the attached Interim Directive before next week in preparation for the class and performing primary.

b(6)
b(7)(C)

NOT RESPONSIVE / B2 B7E

[REDACTED]

When processing commercial load in [REDACTED] (b)(6) (b)(7)(C), please make sure to match the commodity with the trip.

When doing a paper I-275; please make a copy of the subject's documents and attach it to the I-275. Don't forget to record the event in [REDACTED] (b)(6) (b)(7)(C)

Thanks