

CBP Officers Have Busy Week Stopping Immigration Violators on Southern Border

(Monday, November 02, 2009)

El Paso, Texas - U.S. Customs and Border Protection officers working at ports of entry in El Paso, West Texas and New Mexico recorded a total of 76 immigration violations during the previous seven days. The group included imposters, intended immigrants and other violators.

Anti-terror is our primary mission but the thorough inspection process does turn up identity thieves on an almost daily basis, said Ana Hinojosa, U.S. Customs and Border Protection director of Field Operations in El Paso. CBP enforcement officers work closely with the U.S. Attorney to federally prosecute those who violate U.S. immigration law.

During the last week, CBP officers obtained prosecution on 21 individuals. This group included 12 imposters, three alien smugglers, three individuals with counterfeit documents, two people who made false claims to U.S. citizenship and a drug smuggler who had issues with his entry documents.

Prosecution is usually sought in those cases involving people who have been previously removed from the country, repeat offenders, and those who are involved in other criminal activity while entering the country illegally at a port of entry, said Hinojosa. Others voluntarily return to Mexico or are sent back under expedited removal proceedings without the documents they presented to a CBP officer. Subsequent violations generally result in felony arrests.

Imposters generally will use a legitimate entry document assigned to another person and present it as their own. Violators generally lose their documents, can be prosecuted and go to jail and/or are returned to Mexico. Intended immigrants are defined as individuals who use a legally issued border-crossing card (laser visa) to live or work in the U.S., which is not authorized. They also lose their documents and are generally returned to Mexico.

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.

Rio Grande City Border Patrol Rescues Elderly Couple

(Wednesday, July 15, 2009)

Rio Grande City, Texas U.S. Border Patrol agents assigned to the Rio Grande City station rescued two elderly illegal immigrants suffering from dehydration near La Casita, Texas.

Tuesday evening, the Rio Grande City Border Patrol station received a call from an anonymous male caller notifying agents that his elderly relatives had been abandoned by their smuggler. The caller informed agents that his elderly relatives were lost and in distress.

The man gave agents a description of an abandoned barn, which agents determined to be near La Casita, Texas. Agents immediately acted on the information and located the couple (a husband and wife), ages 65 and 67. This couple was abandoned, without water, in temperatures reaching 100 degrees.

Through their diligence and perseverance, Rio Grande City Border Patrol agents rescued the couple, abandoned by a merciless smuggler, from extreme conditions encountered in south Texas, said Chief Patrol Agent Ronald D. Vitiello.

The couple was transported to the Starr County Memorial Hospital in Rio Grande City by ambulance where they received treatment for dehydration. Upon their release, the couple, citizens of Mexico, requested and were granted a voluntary return to Mexico.

To report suspicious activity, contact the Rio Grande Valley Border Patrol Sectors toll free telephone number at **1-800-863-9382**.

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U.S. Customs and
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Office of Public Affairs

Public Affairs Guidance

Mexican Interior Repatriation Program (MIRP)

Background

The governments of Mexico and the United States resumed the Mexican Interior Repatriation Program (MIRP) for the sixth consecutive year in FY 2009.

The Mexican Interior Repatriation Program (MIRP) is a joint CBP and ICE endeavor designed to support the Border Patrol's Border Safety Initiative (BSI). The program proposes to save lives of voluntary participants, by removing them from high risk areas of the Sonora Desert during the peak summer months and repatriating these participants to the interior of Mexico.

The objective of interior repatriation is to save lives and disrupt the cycle of human smuggling by returning Mexican migrants into the interior of Mexico, away from the smuggling organizations in the border areas.

The Department of Homeland Security (DHS) is responsible for providing oversight and coordination of the daily flights from Tucson International Airport to Mexico City. Under the initiative, Mexican nationals apprehended in Border Patrol's Yuma and Tucson Sectors are processed at centers in Nogales and Yuma, Arizona. Eligible candidates are medically screened, meet with the Mexican Consulate and are offered the opportunity to participate in the program. Eligible candidates include those identified as being at risk; whose age, physical condition or travel status render them more likely to fall victims to the heat or border criminals. Illegal migrants convicted of known violent crimes are ineligible to participate in MIRP. Those who volunteer to participate in the program are then flown to Mexico City and provided bus transportation to their hometowns in the interior of Mexico. The program not only acts as a deterrent to illegal re-entry, but also mitigates the health and safety risks of crossing in the deserts of the Tucson and Yuma Sectors for women, children and families.

During the FY 2009 MIRP, 10,560 Mexican nationals were repatriated. In the past five summers, more than 79,000 Mexican nationals have been safely returned from the Arizona-Sonora desert to their hometowns in the interior of Mexico. The program has served as a model for bi-national cooperation that serves as a life saving effort and ensures the safe and orderly return of Mexican nationals to their place origin.

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Public Affairs Objective

Explain to the public, media and stakeholders that Customs and Border Protection (CBP) takes humanitarian factors into consideration while performing the primary mission of securing our nations borders.

Guidance

Public Affairs representatives will explain what the MIPR is and its intended goal.

Key Messages

CBP utilizes the MIPR to break the cycle of smuggling while saving lives.

CBP partnerships with ICE and the GOM help us accomplish our mission.

Talking Points

- Our goal with this program is to break the cycle of smuggling and saving lives.
- The Department of Homeland Security, CBP and the Border Patrol are committed to securing this border. The Mexican Interior Repatriation program is one more component that CBP will utilize to remove illegal aliens out of the Arizona border.
- During the FY 2009 MIPR, 10,560 Mexican nationals were safely returned from the Arizona-Sonora desert to their hometowns in the interior of Mexico.
- The program has served as a model for bi-national cooperation that serves as a life saving effort and ensures the safe and orderly return of Mexican nationals to their place origin.
- MIPR is part of CBP's "Defense in Depth" strategy. The objective of the interior repatriation is to disrupt the cycle of human smuggling by returning Mexican illegal aliens into the interior of Mexico, away from the smuggling organizations in the border areas.
- Additionally, the program will assure a safe, orderly, dignified and human repatriation process that aims to disrupt the smuggling cycle protecting illegal immigrants from the callous smugglers who operate in the border areas.
- Summer months approach with heightened risks of drought and harsh temperatures, both governments are equally committed to the safety of every human being.
- Yearly initiative with Mexican government designed to combat deaths in the desert, by removing the individuals from the border area during the summer months (Summer months are statistically the most dangerous months for individuals crossing the border)

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- CBP Border Patrol continues to work with ICE and GoM to offer all eligible volunteers an opportunity to participate. Eligible candidates are medically screened, meet with the Mexican Consulate and are offered the opportunity to participate in the program.
- Eligible candidates include those identified as being at risk; whose age, physical condition or travel status render them more likely to fall victims to the heat or border criminals.
- Illegal migrants convicted of known violent crimes are ineligible to participate in MIRP.



U.S. Customs and
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Talking Points

Modified Repatriation Program

Background

The modified repatriation program allows for the transportation of aliens out of an apprehending Border Patrol Sector for subsequent removal to Mexico through an adjacent sector. The Marfa and El Paso Sectors of the United States Border Patrol in consultation with their Government of Mexico counterparts have instituted this humanitarian program to help protect citizens of Mexico who have requested a voluntary return to Mexico.

In the wake of the violence currently prevalent in Juarez, Mexico, and to ensure that Mexican citizens who were apprehended by the Border Patrol are not subjected to the violence and that of the surrounding areas, the agency will repatriate those individuals via the Presidio, Texas or Columbus, New Mexico Ports of Entry. The program began March 10, 2010, and will continue indefinitely.

The modified repatriation program to include El Paso Sector apprehensions is a coordinated effort with the Government of Mexico intended to reduce the risk of subjecting Mexican Nationals being repatriated to Mexico through Juarez Corridor.

Talking Points

- In order to avoid the violence currently prevalent in Juarez, Mexico, and the surrounding area, the U.S. Border Patrol has coordinated with the Government of Mexico to repatriate individuals apprehended in the Marfa and El Paso Sectors via the adjacent Presidio, Texas, Port of Entry.
- Under this voluntary program, the Border Patrol will transport eligible Mexican citizens – who have been apprehended by the U.S. Border Patrol and have requested a voluntary return to Mexico – from El Paso to the international bridge between Presidio and Ojinaga, Mexico, where they will be met by Mexican immigration officials.
- This will allow for the U.S. Border Patrol to maintain operational control of the border in targeted areas, while ensuring that the safety and security of Mexican Nationals is a top priority.
- Those Mexican citizens participating in the program will be those who have requested and are eligible for a voluntary return to Mexico. These are apprehensions within the state of Texas and those apprehended within the state of New Mexico will be returned through the Columbus Port of Entry in New Mexico.



U.S. Customs and Border Protection

- The detainees involved in the program consist of Mexican Nationals, except those identified in local repatriation agreements as “Special Needs” and who are not amenable to criminal prosecution.
- All candidates are evaluated for criminal prosecution or administrative processing before participating in the program.
- The candidates are screened by Border Patrol agents prior to transportation for any health condition issues and any other conditions precluding them from the transportation run.
- Transportation will be facilitated by Wackenhut or El Paso Border Patrol resources. Staging, detention and processing is done by Border Patrol. Immigration and Customs Enforcement Office of Detention and Removal Operations (ICE/DRO) is not currently involved in this process.
- The participants are provided with a meal prior to boarding, and while in transit Presidio, all participants are provided with water and an additional meal.
- The participating sectors have maintained local liaison with their respective CBP Office of Field Operations (OFO) counterparts to ensure a proactive enforcement posture and proper coordination at the ports of entry.
- Transportation has been set up for one bus, seven days a week from El Paso to Presidio.

End to 'Catch and Release' Streamlines Immigration Enforcement on Southern Border

BY DENNIS SMITH

Undocumented immigrants attempting to enter the U.S. illegally historically have tried to avoid being apprehended by Border Patrol agents, but in late 2005, just the opposite started to happen in Eagle Pass, Texas.

Droves of Central and South Americans were openly crossing the Rio Grande River in hopes of getting caught. Agents couldn't pick them up fast enough.

It wasn't uncommon for undocumented immigrants to flag down a marked Border Patrol unit only to get testy when they learned they would have to wait for a ride since the vehicle was already full. Some would even make their way, on foot, to the Eagle Pass Border Patrol Station.

On Dec. 6 of that year, things changed. An untested solution to a previously unheard-of problem was launched, and now, five years later, the moment is viewed as a milestone in immigration enforcement in the U.S.

The solution—called Operation Streamline—aimed to stop the flow of undocumented immigrants taking advantage of loopholes caused by limited resources and outdated enforcement approaches. The program worked by using a two-pronged approach of criminal prosecution and administrative sanctions.

What began in a half-mile section of riverfront along the Rio Grande in Eagle Pass, Texas, has now been adopted by six of the nine Border Patrol sectors on the Southwest border.

Catch... and release

Historically, most Mexican nationals apprehended for illegal entry into the U.S. were offered voluntary return to Mexico once they were processed, provided they did not have criminal records or a high number of prior illegal entries. Those deemed recidivists, dangerous or suspected of smuggling, were processed for prosecution.

Voluntary return, however, was not an option for anyone from countries other than Mexico because the process required a common land border. These "Other Than Mexicans," or OTMs, could only be repatriated to their native country, which involved a more complicated, time-consuming and expensive process.

Border Patrol agents processing OTMs were guided by policies of U.S. Immigration and Customs Enforcement's detention and removal office. In most cases, ICE directed agents to release OTMs with a notice to appear.

The notices usually required an OTM to appear before a federal immigration court within 30 days. In essence, the OTM was free to travel the country, with the notice serving as a de facto travel document that kept them free from arrest for 30 days.

This system, referred to by some as “catch and release,” would soon come to be exploited by OTMs, primarily Central and South Americans, perhaps nowhere more blatantly than—of all places—a golf course.

(Loop)hole in one

During the early part of the last decade, Eagle Pass Municipal Golf Course tested Border Patrol agents’ speed and stamina. Flanked on one side by a flea market and bustling downtown district, and on the other side by the Rio Grande River, the golf course drew multitudes of foreign nationals looking for easy access to the U.S. Aspiring crossers staged on the south bank of the Rio Grande, ready to take their chances.

Once across the narrow river, it was a quick sprint across two fairways to downtown where they hoped to mix in with shoppers and pedestrians. Agents assigned to work the golf course engaged in a seemingly never-ending series of high-speed foot pursuits.

From 2000 to 2005, however, a distinct pattern emerged among the individuals apprehended by agents in the Del Rio sector. During that period, total apprehensions for the sector were down substantially—from nearly 160,000 in 2000 to just less than 70,000 in 2005.

At the same time, though, the percentage of OTM apprehensions skyrocketed from 3 percent of all those apprehended to 45 percent. While the numbers of OTM apprehensions increased, they also narrowed geographically, with nine out of ten OTM apprehensions happening in the Eagle Pass area of responsibility.

“The influx of OTMs in that particular area was driven by the population directly across from that point and that subdivision on the Mexican side, which had a high population of smugglers,” said Kevin Brashear, who was patrol agent in charge of the Eagle Pass station at the time. “The [river]bank on the U.S. side is really low in that area, which made them very visible at that point; and their drive was to be seen and get caught.”

OTMs, cognizant of the fact that they would likely be released with a notice to appear—which most came to refer to as their “diploma”—crossed the Rio Grande at their leisure and simply waited for a Border Patrol vehicle to come and pick them up. Eagle Pass station agents soon found themselves spending more time processing OTMs than performing any other aspect of their job.

Seeking Solutions

As the phenomenon took shape during the mid 2000s, Brashear knew a solution would require going beyond any measures previously taken, and beginning in 2003, he started to formulate possibilities.

“Even before the OTM influx, because of the elements directly south of that location, ease of crossing was always high there,” Brashear explained

Eventually, word spread into Central and South America that not only was Eagle Pass an easy access point into the U.S., but once across, OTMs could legally—as they saw it, at least—remain here.

“They knew they were going to get walking papers,” said Brashear. “Once they had that piece of paper, they were free to travel anywhere in the United States.”

Before high numbers of OTMs began showing up in the Eagle Pass area, OTMs represented a mere 3-4 percent of total apprehensions, according to Brashear. Such administrative processing was manageable.

The high influx of OTMs posed myriad problems for Eagle Pass agents. Processing time for each OTM was two to three hours, while most Mexican nationals could be processed in 15-20 minutes. With OTMs detained in 2005 outnumbering Mexican nationals apprehended by two to one, agents were essentially tied to the processing area around the clock.

Eagle Pass station holding cells were stretched beyond capacity. The processing area became a makeshift dormitory. The floor of the entire facility was covered with people sitting, waiting to be processed, sleeping and eating. Portable toilets and additional air conditioning had to be installed.

“There were times when we had aliens in processing getting cell phone calls from relatives asking why they weren’t being released,” said Brashear. “And agents at the processing center were getting calls from relatives who had been picked up, wanting to know ‘what was the hold up.’”

Even when Border Patrol officials were compelled to order huge amounts of food for the throngs of people that continuously occupied the processing center, OTMs rarely opted to partake. “They knew they had relatives waiting to pick them up and they were headed to a nice meal at a restaurant as soon as they were released,” Brashear said. “Others had Western Union money orders waiting for them at the convenience store down the street and could buy what ever they wanted – food, a bus ticket north, whatever.”

Enter Operation Streamline

All this came to a halt on Dec. 6, 2005. The Del Rio Sector launched Operation Streamline, in cooperation with the federal judiciary, U.S. Attorney's Office, U.S. Marshals Service and the ICE Office of Detention and Removal Operations.

Randy Hill, chief patrol agent of the Del Rio sector at the time, designated a target area that included the infamous Eagle Pass Golf Course. Currently chief of the El Paso sector, Hill recalls the challenges involved with implementing Operation Streamline.

"It took planning and coordination with a number of entities, but once in place it worked very well," said Hill. "This proves that a collaborative effort among law enforcement partners can exceed the sum of its parts."

Under Operation Streamline, anyone caught entering the country illegally in that area—regardless of national origin—was sent for prosecution. Mexican nationals, who previously might have been offered voluntary return, and OTMs, who were expecting to be given a notice to appear, were baffled at the reception they received once Streamline kicked in.

U.S. District Judge Alia Ludlum, who presides over the Del Rio Division of the Western District of Texas, recalls the dismay of defendants brought into court. "It was funny because I would hear them say, 'But I went and turned myself in for Border Patrol to pick me up!'" said Ludlum. "Yeah, well those days are over."

Under Streamline, illegal entrants now faced both criminal charges and administrative sanctions.

Illegal entry into the U.S. is a violation of federal law. A first conviction is a misdemeanor that carries a sentence of up to 180 days in jail. Most first timers, although usually sentenced to 15-30 days, nonetheless were in utter dismay at this turn of events. Subsequent offenses can be prosecuted as felonies.

In addition to criminal proceedings, anyone arrested under Streamline was officially deported and barred from legally entering the U.S. for five years following their first removal and 20 years after their second removal. A conviction for an aggravated felony constituted an indefinite ban on legal entry into the U.S.

Operation Streamline soon expanded beyond the initial target area to include the whole Eagle Pass Station area of responsibility, and later the entire Del Rio Sector.

The federal courts in Del Rio saw unprecedented numbers as Border Patrol agents began applying the Streamline policy to those they apprehended, and the process eventually drove innovative technological solutions that helped clear backlogs of nearly 200 cases a day in the early part of the operation.

Reduced numbers, increased effectiveness

In recent years, caseloads have dropped dramatically, compared to the early days of Streamline.

“This last Christmas season that we might have seen a couple of days of 70 or 80 [cases], but not like we did that first year of Streamline, in 2006,” said Ludlum.

Since the implementation of Operation Streamline, overall apprehensions have steadily declined in Del Rio sector, ranging from 42,636 in 2006 to 17,082 in 2009. During that time, OTMs have represented just 28 percent of total apprehensions.

As apprehensions decreased due to reduced traffic in the Del Rio sector, agents were no longer tied down with the lengthy processing required with OTM apprehensions. Significant increases in seizures of contraband are testimony to the program’s effectiveness.

As agents were kept busy with OTMs during 2004 and 2005, marijuana seizures hovered around 24,000 pounds per year. With Streamline in full force, agents have seized more than 60,000 pounds of marijuana annually.

Dean Sinclair, acting chief patrol agent of Del Rio sector, lauds Operation Streamline as agents’ key to protecting the border.

“Operation Streamline has proven to be a valuable tool to gaining control of our area of responsibility,” Sinclair said. “The deterrence impact over the last five years has resulted in historical lows in the apprehensions of economic aliens, while freeing agents to concentrate on more serious threats.”

The success of Operation Streamline has laid the groundwork for similar programs in other Southwest border sectors. In December 2006, Yuma sector began its own version of Streamline, followed by Laredo sector in 2007, and Tucson, El Paso and Rio Grande Valley sectors in 2008.

In Eagle Pass these days, there are now two Border Patrol stations. The facility that once bulged with OTMs is now known as Eagle Pass North station.

Brashear is now patrol agent in charge of Eagle Pass South station, a state-of-the-art facility conceived at the heart of the OTM problem. Combined apprehension numbers from both stations don’t begin to approach what the old Eagle Pass station experienced five years ago.

“It’s quiet now,” Brashear says. “It’s kind of nice.”

Sidebar – IT Speeds Judicial Process

While the problem at hand was the growing influx of those flaunting the notice-to-appear process, the solution had to be comprehensive. The originators determined that Streamline would not work if it only targeted other than Mexicans for prosecution.

U.S. District Judge Alia Ludlum, who was instrumental in laying the groundwork for handling Streamline cases in the court system, wanted to ensure that there was no perception of discrimination based on nationality.

“Our concern was equal protection,” Ludlum recalled. “So Streamline became: ‘everybody gets treated the same.’ It became all inclusive.”

Implementation of Streamline presented a major hurdle for the federal court’s Del Rio Division—how to move the increased numbers of cases through the system. The solution came in the form of information technology, or IT, systems.

“It used to take us about 12 man-hours per day,” said Ludlum, referring to preparation of daily court dockets in the early days of Streamline. “We had to do it all in the mornings, which meant we had to get five or six people to work very intensely in the morning to process the paperwork,” Ludlum recalled. “We were handwriting case numbers into the books, judges had to read physical paperwork, we had to make multiple copies for everyone.”

Five years later, Ludlum continues to field questions from fellow jurists who want to know how all the paperwork for Streamline gets handled.

“With the push of a button, three minutes later it’s all done,” she explained. “It’s in the system, it’s on the calendar, it’s made it to the defense attorneys and prosecutors, we’ve shipped it back to Border Patrol with all the information, marshals have their jail lists. And, they’re just astounded,” Ludlum says, of those who wonder how Streamline dockets are handled. “Our IT people are actually going around the country now talking about this system.”

Ludlum explained the push-of-a-button processing. “The program accepts the complaints and warrants from Border Patrol [and] sends them to the attorneys and to the judges to read,” she said. “Then when the agents come in, they just use their thumbprint and it drops their signature in and the judge does the same and puts a signature in on all 80—we get them in batches of 80.”

The system also enters all the information into the court’s calendar and case management system, which generates a docket.

“It even enters the judgments,” Ludlum said. “All we do is enter the sentence and it will spit the judgment out. It spits out the appointments, the written vouchers for the attorneys. It even e-mails to the attorneys all the written complaints so they have them even before they come into court.”

The daily tasks Ludlum described prior to Streamline involved countless hours physically scanning and producing multiple documents for each case, notifying and renotifying all the entities involved in the prosecution, and rescheduling court staff to ensure sufficient support in the early morning hours before court began.

Prior to Streamline, the Del Rio Division's misdemeanor docket averaged around 2,700 cases per year; in recent years, it has jumped to more than 11,000.

"And I'm overstaffed," Ludlum said. "That little program made the difference."

Court representatives from other areas of the country that have adopted versions of Streamline have been visiting Del Rio to learn how to improve their handling of their increased caseloads.

"There were times when we had aliens in processing getting cell phone calls from relatives asking why they weren't being released," Brashear says. "And agents at the processing center were even getting calls – [callers] knew that their relatives had been picked up already and wanted to know 'what was the hold up.'"

Border Patrol officials were compelled to order copious amounts of food for the throngs of bodies that continuously occupied the Eagle Pass processing center. However, OTMs rarely opted to partake.

"They knew they had relatives waiting to pick them up and they were headed to a nice meal at a restaurant as soon as they were released," Brashear notes. "Others had Western Union money orders waiting for them at the convenience store down the street and could buy what ever they wanted – food, a bus ticket north, whatever."

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U.S. Customs and
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Office of Public Affairs

Public Affairs Guidance

UNACCOMPANIED ALIEN MINORS
LAST UPDATED 08/13/2010

Background

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) was passed into law in December 2008, and was implemented by CBP in March 2009. This document helps explain the implications of the TVPRA, and CBP's role enforcing the TVPRA, to media or stakeholders by approved spokespersons.

Guidance

CBP spokespeople including field leadership and uniformed PALs are approved to conduct interviews on this topic. Questions from national media outlets, or questions pertaining to national/policy aspects can be directed to CBP HQ 202-344-1573 for proper coordination with OFO/ OCA.

(b)(6) (b)(7)(C) (OPA), the OFO public affairs liaison, and (b)(6) (b)(7)(C) are the POCs for this PAG. Office of Field Operations Acting Executive Director (b)(6) (b)(7)(C) approved the below OFO talking points on 5/20/2009.

Media interaction should be logged in Sharepoint. Internal policy guidance on this topic can be found at (b) (7)(E)

Questions from the general public should be referred to the Customer Service Center (703) 526-4200 (international) or (877) 227-5511 (domestic).

Key Messages:

- The procedures regarding unaccompanied alien children (UAC) changed under legislation passed by Congress in 2008 (the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA)).
- The intent of the law is to ensure a stringent screening process for UAC to help identify and protect victims of human trafficking.
- As of March 23, 2009 DHS may only reunify UAC with parents or legal guardians who are in possession of supporting documentation and are within the United States. The

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Department of Health and Human Services is responsible for the determination that any other proposed guardian, including a family member who lacks documentation of guardianship (e.g. grandparent, aunt/uncle, and brother/sister), is capable of providing care and physical custody.

- This means that UAC interdicted at the ports of entry who do not qualify for voluntary withdrawal according to the legislation, will be processed for removal proceedings. DHS will contact Health and Human Service (HHS)/ Office of Refugee Resettlement (ORR) regarding placement of UAC in an ORR-designated facility.
- This ensures the integrity of the process and provides for the care and custody of the minors.

This change in procedure does not affect:

1. Alien children traveling in a supervised group, for instance, if traveling with a public or private school group, religious group, social or cultural organization, or team associated with a youth sport organization under the supervision of an adult affiliated with the organization should generally be considered to be traveling with a guardian
2. Alien children traveling alone who have or who are eligible for lawful immigration status

BACKGROUND

In 2002, the Homeland Security Act transferred the care and custody of UAC to HHS (ORR), so that part of the process has not changed under the new law.

What has changed is the criteria under which CBP uses the voluntary withdrawal process. CBP is now limited to offering voluntary withdrawal to UAC who are nationals or habitual residents of a contiguous country (i.e., Canada or Mexico). UAC from any other country (except for applicants for admission under the Visa Waiver Program) must be referred for a formal hearing and cannot be sent home on the next flight (or returned to any family members or legal guardians who are not in the U.S.) per previous procedures.

UAC from Canada or Mexico must also be referred for a formal hearing if the UAC is unable to make an independent decision regarding withdrawing his or her application for admission (most commonly under the age of 14), if there is a claim of credible fear, or if there is a suspicion of human trafficking.

This change in procedure is likely to draw national and international attention, due to the fact that the TVPRA essentially mandates that UAC go through a formal immigration process – which can take 3 – 4 months or more – instead of being returned post haste to parents or family members, as has been the case previously. (In other words, the criteria for “voluntary withdrawal” have changed drastically).

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We should anticipate that Mexico as well as other foreign countries will likely take issue with this.

QUESTIONS AND ANSWERS

Q: How did the TVPRA change the process for returning UAC? What was the procedure before this was enacted?

A: Prior to the TVPRA, the established procedures for returning UAC to parents or legal guardians was most commonly accomplished by working with the appropriate consular offices to return the UAC to the appropriate foreign country. (commonly referred to as “voluntary removal” or withdrawing your application for admission.)

Now, in most cases, this process will go through a more formal channel, including a hearing before an immigration judge. HHS is charged with the care and custody of the child during this time. HHS is also responsible for verifying the parents or family members of the UAC.

Q: Does the TVPRA affect CBPOs and Border Patrol agents? If not, why are there different policies?

A: Yes. The TVPRA and relevant CBP policies affect both CBPOs and Border Patrol agents.

Q: What if the UAC’s parents are not able to pick them up?

A: If a UAC is apprehended (and is not an Visa Waiver Program applicant or eligible for voluntary withdrawal) and a parent or legal guardian is unavailable to provide physical care and custody, the UAC will generally be referred for a hearing and be transferred to the custody of HHS.

Q: Who determines if a minor is a victim of trafficking, as opposed to being smuggled across the border?

A: CBP conducts a screening of all UAC to assess the likelihood that the UAC is a victim of human trafficking. If positive risk factors indicate the UAC is a potential victim of human trafficking, Immigration and Customs Enforcement (ICE) is notified. ICE is the lead agency within DHS responsible for investigating claims of human trafficking.

Q: Where does this determination occur – Border Patrol station, port of entry, or elsewhere?

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A: The initial screening conducted by CBP occurs at the processing location – generally a port of entry or Border Patrol station.

Q: Who takes custody of the minor at this point and where does he or she go?

A: All UAC placed in formal removal proceedings must be transferred to HHS custody within 72 hours. HHS makes determinations regarding placement of UAC.

Q: Is the minor considered a witness in a criminal investigation?

A: ICE is generally responsible for conducting criminal investigations regarding human trafficking, including the assignment of witnesses.

Q: When will the minor be released and to whom? Can only the parents or legal guardian pick up the child?

A: HHS is responsible for reunification of UAC.

Q: If the child was living with relatives in Mexico, can he or she be reunited with them?

A: HHS is responsible for reunification of UAC.

Q: If the parents are living illegally in the United States, can they pick up their child without facing deportation action?

A: CBP is charged with enforcing the immigration laws of the United States and must take action whenever a violation of those laws is discovered.

Q: So far, how many minors have been detained under the new law in Arizona and in the U.S.? Are they all from Mexico?

A: Please ask PPAAE or local office.

BORDER PATROL-SPECIFIC Q&A

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Q: How has the procedure changed for UAC under the William Wilberforce Victims Protection Act? (how did we handle UACs before/ after)

A: Prior to TVPRA, Border Patrol agents repatriated the majority of UAC from contiguous countries with their consular officers via local agreements and protocols, processed them for transfer to the Department of Health and Human Services (HHS), or processed them for re-unification with a parent, legal guardian, or adult relative (if possible).

Following TVPRA, personnel continue to process UAC using current guidelines, but now screen all UAC for possible trafficking victimization and fear of return. If it appears trafficking victimization or fear of return is present, or the child is unable to make an independent decision, or the apprehending agency is unable to make a determination within 48 hours, the child must be placed in 240 proceedings and transferred to HHS within 72 hours. Additionally, reunifications with family members can now only be to a parent or legal guardian. All other reunifications with relatives other than a parent or legal guardian must be conducted by the Department of Health and Human Services.

Border Patrol agents may still voluntarily return UAC and transfer custody to his or her consulate official if they are able to make an independent decision, do not express fear of returning to their native country and no credible evidence exists they have been the victim of human trafficking or are not at risk of being trafficked.

The Border Patrol remains committed to family unity and acting in the best interest of the child.

Q: What specific guidelines have changed - what are we doing to comply with this law?

A: The intent of the law is to ensure a stringent screening process for UAC to help identify and protect victims of human trafficking. CBP issued an interim guidance policy to comply with the spirit of the law and created a new screening form, CBP Form 93 (Unaccompanied Alien Child Screening Addendum). Specifically CBP screens all UAC for possible trafficking victimization and fear of return.

Q: What training has been implemented to support this change? (online? musters? something more formal?)

A: CBP issued an interim guidance to all field components regarding the changes in the law. Agents and Officers comply with annual mandatory training requirements for Unaccompanied Minors – Flores v. Reno and Human Trafficking Awareness Training. CBP is working to incorporate the changes from the TVPRA into this training.

Q: Do we track #s of UACs who we've intercepted this year/ last? (I'm going to check with HHS' Office of Refugee Resettlement also)

Updated Jan 2010

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A: Yes. On January 29, 2009, OBP completed the roll out of a tracking mechanism for intercepted accompanied and unaccompanied alien children. Prior to January 2009, OBP tracked all accompanied and unaccompanied together through our processing system and did not have a national capability to separate the accompanied and unaccompanied alien children statistics. This was mostly done at the field level. The ability to track alien children in our "e3 Processing" system has made tremendous strides in the last year.

RECENT CLIPS

Miami Herald - June 10, 2009

Concerns raised over kids trying to get to U.S.

A new study found that unaccompanied Central American minors stopped in Mexico en route to the U.S. are often victims of abuse.

QUETZALTENANGO, Guatemala -- Wearing an over-sized cowboy hat his father had given him for luck before he left home to migrate -- illegally -- to the United States, 13-year-old Julio Cesar Roca put the finishing touches on a sculpture he was crafting, killing time until his parents could pick him up from a youth deportee shelter in the highlands of Guatemala.

Mexican immigration authorities nabbed Roca just a week after he had set out on the journey north, following the proverbial "American dream."

"I had a plan, I was going to sell candy to pay for my journey," Roca said. "I wanted to go to the United States and study. I was going to learn English, get a good job and build a house for my family."

Roca is just one of thousands of unaccompanied underage Central American migrants halted each year in Mexico and deported to their home country, before ever even setting foot on U.S. soil. A study funded by Catholic Relief Services due to be released later this month, shows that 74 percent of deported youths reported they had been robbed, extorted, intimidated or abused physically or verbally.

"This is absolutely a concern," said Betsy Wier, regional technical advisor for Catholic Relief Services in Latin America and project manager for the study. "The question of child welfare and who is protecting these children needs to be taken seriously at all levels."

DIFFERENT TREATMENT

Updated Jan 2010

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In Guatemala, minors deported from Mexico are detained at the Casa Nuestras Raices, a government-run shelter in Quetzaltenango -- about two hours from the Mexican border -- and must appear before a judge before they are allowed to leave, ensuring they are reunited with their legal guardians .

But no such shelter or legal process exists for youths deported from the United States.

Last year, 2,113 youth passed through the house.

Elvia Juarez, of Casa Nuestras Raices, said Roca was lucky he was caught in Mexico and not the United States.

While Roca and the other children at Nuestras Raices are given a bed, three meals a day and entertainment in the form of movies or arts and crafts while they wait to be turned over to their parents, Guatemalan youths deported from the United States sit on plastic chairs in an airport out-building waiting for someone to claim them.

Guatemala's Human Rights Ombudsman Office has filed an official complaint against the attorney general's office, which is in charge of child protection, alleging the agency is shirking its duties and putting children at risk by not taking better care of the underage deportees arriving on flights daily from the United States.

"These children are coming off the plane, scared with nowhere to go," said Flora Reynosa, of the Rootless and Migrant Population Defense section of the Human Rights office. "Right now there's nothing in place to make sure the children are leaving with their real families. "

On a recent Friday, a plane originating in Mesa, Ariz., carrying 132 deportees -- including 11 minors -- arrived at the Guatemalan air force base. Most had been caught while trekking through the Arizona desert. None had a criminal record.

About 7,200 unaccompanied underage migrants detained in the United States each year -- most from Honduras, Guatemala and El Salvador -- are sent to government shelters until they can be deported or reunited with family members.

Still, Reynosa said, many more children are intercepted in Mexico en route to the United States than are captured in the United States.

"But that's not to say there still shouldn't be an adequate reception program in place for them," she said.

LOCAL PROCEDURE

Updated Jan 2010

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The Guatemalan Ministry of Exterior Relations, which provides a snack and free two-minute phone call for the recently arrived deportees from the United States, turns minors over to the attorney general's office, which then is responsible for contacting their parents.

José Luis Domínguez, who handles migrant issues, said he knows that doesn't always happen. Older children often are allowed to leave on their own, and younger children have been sent home with the parents of other deportees from the same town.

That Friday, a 17-year-old boy left with an adult friend and fellow deportee, who claimed to be a cousin.

"The possibility exists for problems," Domínguez said. "We need to have something like [Casa Nuestras Raíces] here, too."

The attorney general's office has yet to respond to the human rights complaint, Reynosa said.

Wier applauds Guatemala for its Nuestras Raíces shelter, and hopes the complaint against the PGN will help spur the government to begin a similar program for migrant youths deported from the United States. "We need to make sure their families know they shouldn't let them leave home at such a young age," said Juárez of Casa Nuestras Raíces.

Unfortunately, she said, most parents probably encouraged their children to migrate. "They want their children to be able to help them overcome poverty."

According to the CRS study, most youths decided to migrate out of economic need, with 60 percent saying they left to seek employment.

Roca said his family was sad to see him go, but didn't try to stop him. "They're farmers," said Roca, the oldest of four children. "They knew this was best for me."

Even as he waited for his family to pick him up from the shelter, Rocamade plans to try again to get to the United States.

"I can't go back to Chimaltenango," he said. "The United States is the only place I can earn money, live a good life."

NYDailyNews.com – August 11, 2010
BY CORKY SIEMASZKO

Updated Jan 2010

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12-YEAR-OLD POLISH GIRL CLAIMS NEWARK CUSTOMS OFFICERS USED HER TO CAPTURE ILLEGAL IMMIGRANT BROTHER

Read more: http://www.nydailynews.com/ny_local/2010/08/11/2010-08-11_12yearold_polish_girl_claims_newark_customs_officers_used_her_to_capture_illegal.html#ixzz0wUKoGfYa

Customs officers at Newark Airport used a 12-year-old Polish girl as bait to capture her illegal immigrant brother, her family claimed Wednesday.

Ewelina Krzywda was held 10 hours by officers who threatened to send her to a juvenile jail in Chicago and a foster family in Texas if her brother didn't collect her in person, relatives charge.

"When they called me, I told them, 'I'm no fool'," the brother, Marcin Krzywda, told the Daily News. "Then I called the \[Polish\] consulate to tell them what was going on."

Now the government of Poland - a staunch ally of the U.S. - has filed a formal protest with Washington on behalf of the family, demanding an investigation.

"We respect the right of the U.S. to execute immigration laws but detaining minors like this is unacceptable," Marek Skulimowski, the deputy Polish consul in New York who eventually got Ewelina sprung, told the News.

John Saleh, a spokesman for U.S. Customs and Border Protection, said the agency is aware of the accusation and is preparing an official response.

"We don't use children as bait," a customs officer at Newark Airport insisted. "That's not the way we do things."

Ewelina's ordeal - first reported by the Polish-language newspaper Nowy Dziennik in Manhattan - began July 28 when she landed in New Jersey.

She was bound for a Polish-American summer camp in the Poconos and a camp worker was waiting at the airport to collect her, her father said.

Updated Jan 2010

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"I sent her there so she could improve her English," Krzysztof Krzywda told the News by telephone from his home in Klodzko, Poland.

"She had a valid visa and she was escorted on the flight by a family friend."

Immigration officials, however, discovered a problem with the escort's visa and sent him back to Poland, the dad said.

"And I made the mistake of not putting in writing that the camp worker had permission to collect my daughter," he said.

Marcin Krzywda, who lives with family friends in Pennsylvania, said he got the first of many calls from CBP officers a short time after Ewelina was detained.

"The first call I got was from somebody named Michelle who assured me they wouldn't arrest me if I came to pick up Ewelina," he said. "I asked her why they didn't just turn her over to the lady from the summer camp and she insisted only a relative could claim Ewelina."

Marcin Krzywda said he gave the officer his dad's number.

"They called me three or four more times after that and threatened to send Ewelina to a juvenile detention facility in Chicago if I didn't come get her," he said.

"They also threatened to send her to Texas and hand her over to a foster family. I kept telling them that they should call my father if they won't let the lady from the camp take her, but they kept saying only I can pick Ewelina up."

The final call was from "a Polish-speaking person who asked me to vouch that Ewelina had a reservation at the summer camp," Marcin Krzywda said. "I did and suddenly Ewelina was allowed to go to the camp."

Ewelina was treated well by the CBP officers while in custody, her family said.

"All this was unnecessary," Ewelina's dad said. "They could have called me right away and everything would have been straightened out. Instead they held her."

Updated Jan 2010

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"They wanted to use her to catch me," added Marcin Krzywda, who admits he overstayed his visa and said he's applying for a Green Card.

"I don't want to be illegal, but the whole process is very complicated," he said. "I want to live here, work here, pay taxes. I love America."

Updated Jan 2010



Public Affairs Guidance

STREAMLINE

Background

Operation Streamline was initiated December 6, 2005, targeting (5 miles) Eagle Pass, TX. Operation Streamline completed expansion to all 210 border miles of Del Rio Sector's area of responsibility. The concept of the operation is to target and subsequently deter undocumented immigrants who enter illegally into the U.S. and to achieve effective operational control of the border.

Since OBP has expanded this consequence-based prosecution program to other sectors it's now referred simply as "Streamline".

The intent of Streamline is to criminally prosecute for illegal entry (8 USC 1325), undocumented immigrants who enter into the U.S. through any designated target enforcement zone established by the sector Chief Patrol Agent.

In order to successfully prosecute these illegal entrants, Operation Streamline relies heavily upon coordinating with and the cooperation of the U.S. Magistrate, Federal Judiciary, U.S. Attorney's Office, the U.S. Marshals Service, Office of Chief Council, ICE Office of Enforcement and Removal Office (ICE/ERO) and EOIR.

History

Operation Streamline began in **Del Rio Sector** on December 6, 2005. It was put into place to decrease and deter the OTM entries. It originally began with just under 5 miles, but grew to include 100% of Del Rio Sector's US/MEX immediate border by mid June 2006.

Operation Streamline began in **Yuma Sector** on December 4, 2006. It was put into place in order to stop/decrease the border violence. It originally began with seven (7) miles of the border, but now encompasses approximately 120 miles of US/MEX border.

Operation Streamline began in **Laredo Sector** on October 30, 2007. It was put into place to increase the quality of life for the border area residents. The crime and violence on both sides of the border was having a major affect on the residents. It currently encompasses a portion of the US/MEX border.

Operation Streamline began in **Tucson Sector** as the Arizona Denial Prosecutions Initiative on January 14, 2008. The focal point was to minimize the risk of injury and death to illegal aliens within Tucson's AOR; specifically the West Desert and on January 14, 2009 was officially branded as Operation Streamline.



Operation Streamline began in the **Rio Grande Valley Sector** on June 9, 2008. It was put into place in order to stop/decrease illicit cross-border activity in its urban to urban settings with Mexico. In Fiscal Year 2009, coverage was expanded to eastern areas of the sector's area of operation.

Talking Points

- Streamline, an enhanced prosecution effort, is only one component of CBP's enforcement model with the desired outcome of reducing illegal cross-border activity and achieve effective operational control of the border.
- How it works: The Chief Patrol Agent designates "target enforcement zones" for all illegal entries and directs that prosecutable aliens, regardless of nationality, apprehended within the target area be prosecuted for 8 USC 1325.
- The Chief Patrol Agent identifies focus areas based on data gathered through intelligence. This is achieved by using statistics, reports from agents in the field, and other factors which require a priority focus on operations within a specific geographical area.
- This operation is a multi-agency effort including: U.S. Border Patrol, The U.S. Attorney's Office, The U.S. Marshals Service, and the Immigration and Customs Enforcement Office of Detention and Removal, Federal Judiciary, the U.S. Attorney's Office and the Office of Chief Council. It targets all illegal entrants, regardless of their country of origin.
- As this is a multi-agency effort, the U.S. Border Patrol works in conjunction with these agencies's operational constraints, resources and the Federal Judiciary's docket.
- Undocumented immigrants apprehended during this operation are prosecuted in federal court and processed for administrative removal.
 - The only exceptions to prosecution and removal are those who are eligible for relief for humanitarian reasons.
 - Once court proceedings have been initiated, suspected illegal entrants are under the custody of the U.S. Marshals Service. They remain in custody pending disposition of their criminal cases.
- Illegal entry into the United States is a violation of federal law (8 USC 1325).
 - First conviction is a misdemeanor, which carries a maximum sentence of 180 days incarceration.
 - Any subsequent offenses may be prosecuted as a felony.
- An undocumented immigrant, once removed, is subject to being barred from legally entering the U.S. for:
 - Five years for the first removal
 - 20 years for a second or subsequent removal
 - Indefinitely if convicted of an aggravated felony



- These operations do not preclude the Prosecution Offices within these sectors to file additional criminal case work regarding criminal activity relating to human smuggling; previously deported/removed aliens and criminal aliens with aggravate felony records.
- The administrative measures are pursued against anyone convicted of illegal entry, once their criminal sentences have been served and are coordinated with EOIR.

Q&A

Will OTM's be released to travel throughout the country shortly after being apprehended?

- **A** – Undocumented immigrants who illegally enters the United States through the designated target enforcement zones during the operation and is apprehended will be processed for prosecution and administrative removal from the United States, regardless of their country of origin.
- In reference to “catch-and-release”, that no longer occurs.

Will Mexican nationals still be voluntarily returned to Mexico without prosecution?

- **A** – Any undocumented immigrant amenable to prosecution, who is apprehended in the designated target enforcement zones, would not be granted a voluntary return to Mexico. They will be processed for administrative removal and if they meet the criteria, for criminal prosecution.

What about undocumented immigrants apprehended outside of the designated “target enforcement zone” what will happen to them?

- **A** – Undocumented immigrants apprehended outside of the designated target enforcement zone will be processed using normal procedures. Undocumented immigrants who do not meet criteria for criminal prosecution, may still be amenable to other immigration related actions.

In the past, OTM's have been released due to a lack of detention space. How has that changed?

- **A** – Illegal entrants from countries Other Than Mexico, who meet specific criteria have, in the past, been released after promising to report to immigration authorities within 30 days. This was a practice instituted by U.S. Immigration and Customs Enforcement Office of Detention and Removal Operations (DRO), based on a lack of funding for detention space. DRO has authority to order suspects detained pending prosecution or administrative proceedings. Border Patrol agents, after processing OTM's, have issued Notices To Appear (NTAs) based on direction from DRO.

Under the current program, those apprehended will be sent directly to federal court under the custody of the U.S. Marshals Service. The U.S. Marshal Service will then place the individual, if convicted, in approved detention centers to complete their sentences while their removal is being processed by DRO. The average turn around time is approximately 53 days



U.S. Customs and Border Protection

for an OTM. Upon completion of the process, the individuals will be returned to their country of origin.

What are the zones that the Chief Patrol Agent has designated as “target enforcement zones”?

- **A** – The program will focus on high-traffic and problematic areas in order to achieve effective operational control of the border. Agents will focus efforts in areas producing the most traffic, or highest risk, and will change and expand their efforts as needed.

Will every illegal entrant be processed for prosecution and removal regardless of age or country of origin?

- **A** – No, the exceptions to prosecution and removal will be those who are eligible for relief due to humanitarian reasons. These may include the age of the alien, i.e.: juvenile, the status of traveling companions, family groups with children. Exceptions will be made on a case-by-case basis.

Why does the Border Patrol see fit to do this?

- **A**- The Border Patrol mission provides that we secure the border between the ports of entry against all threats. This is another tool we can use to help secure the border environment. Our goal is to gain, maintain, and expand operational control of the border using the right mix of personnel, tactical infrastructure, and technology. With those elements, we also use other judicial enforcement tools such as Operation Streamline.
- Reducing the volume of illegal entries gives Customs and Border Protection (CBP) a greater flexibility to focus its finite resources on apprehending terrorists; terrorist weapons; and smugglers of humans, drugs, and other contraband attempting to illegally enter the United States.

Non-responsive to the request

December 9

ALIEN TRANSFER AND EXIT PROGRAM

WOAI (NBC affiliate – San Antonio) and Notimex (Mexican news service) will move stories tonight/ tomorrow on the Alien Transfer and Exit Program (ATEP) that was begun this week through the Del Rio, TX port of entry.

Talking Points:

Tucson Sector ATEP via Del Rio began on Dec. 6, with the first VRs occurring on Dec. 8 with approximately 60 aliens. ATEP does not involve any funding outside normally budgeted activities.

The program is designed to deny, disrupt and dismantle the ability of Alien Smuggling Organizations operating in the participating sectors.

This initiative is supported by prosecutorial efforts that support the concept of “Breaking the Smuggling Cycle”, by separating aliens from organized smugglers. Mexican aliens are repatriated through a port of entry in a participating sector.

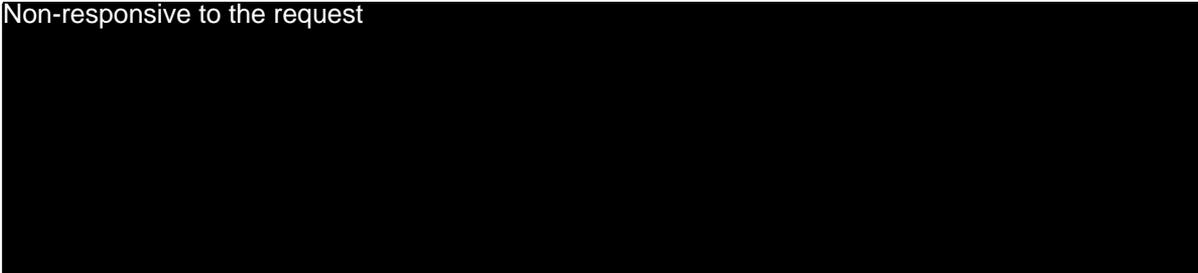
Tucson Sector ATEP via Del Rio began on Dec. 6, with the first Voluntary Removals occurring on Dec. 8 with approximately 60 aliens. Two busses per day, with a maximum of 47 passengers each, are scheduled to repatriate aliens via Del Rio Port of Entry.

We're working closely with community officials to ensure they have information regarding the program, and the benefits in breaking the smuggling cycle.

December 8

FOX NEWS INTERVIEWS CHIEF BEESON ON DRUG SMUGGLING

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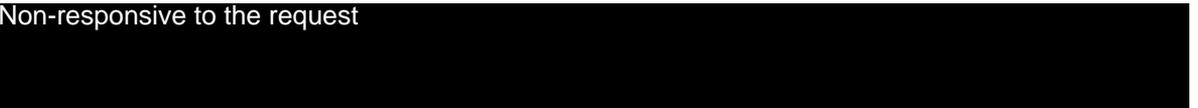


Talking Points

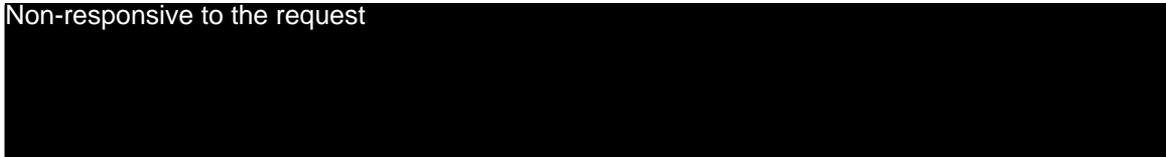
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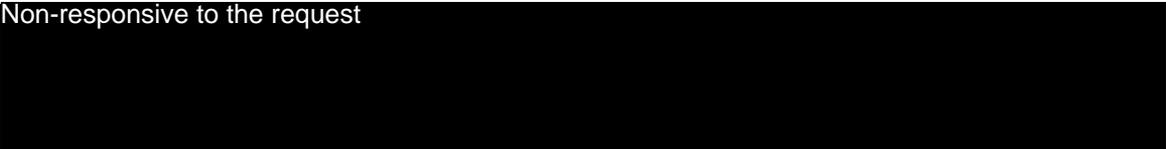
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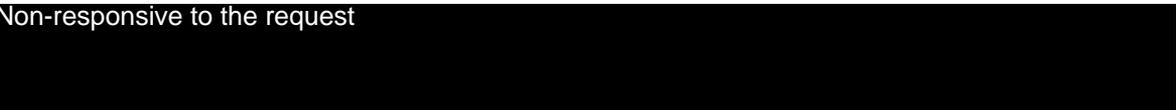
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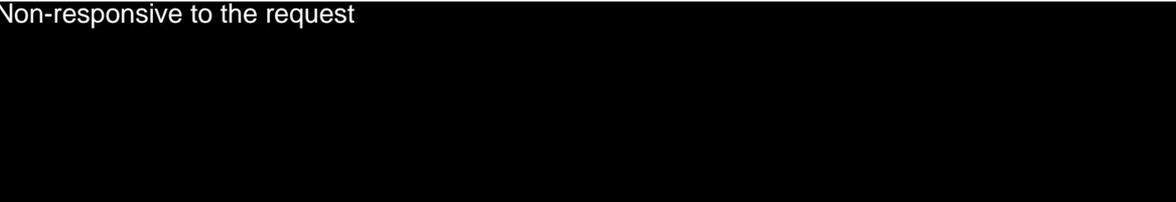
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September 19

CBS Filming at Canine Center Front Royal

Non-responsive to the request

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September 17

CNN INTERVIEW WITH LUIS DELGADO'S ATTORNEY

CNN will interview Luis Delgado's attorney on air Saturday, Sept. 18. Luis Delgado was voluntarily returned to Mexico approximately three months ago and last week was allowed to re-enter the United States after his U.S. Citizenship was proven. The Houston Chronicle originally covered the story and follow-up

(<http://www.chron.com/disp/story.mpl/metropolitan/7199653.html>). *CNN* has asked for comment and or a CBP interview regarding the case. An official statement was provided via email. Negative tone expected.

Talking Points

OFFICIAL STATEMENT:

"CBP can not discuss individual cases. Occasionally Mexican citizens claim to be U.S. Citizens and vice versa. This could be done for a variety of reasons such as attempting to avoid prosecution for local or State crimes. Every individual taken into Border Patrol custody is

fingerprinted and those prints checked against local and national databases. When an individual requests and is granted a voluntary return, they sign a notice of rights where they are admitting to being in the U.S. illegally and give up their right to a hearing in Immigration Court.”

NATIONWIDE BORDER PATROL OPEN HOUSES

Non-responsive to the request
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Talking points

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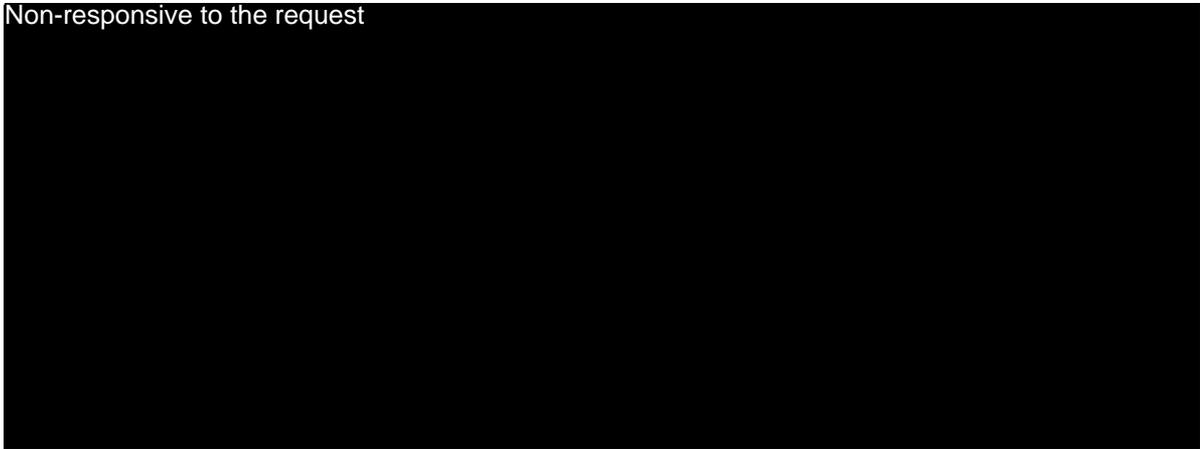
SEPTEMBER 16

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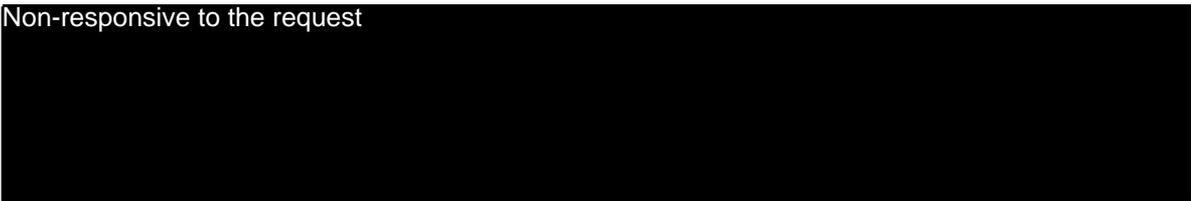
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September 14

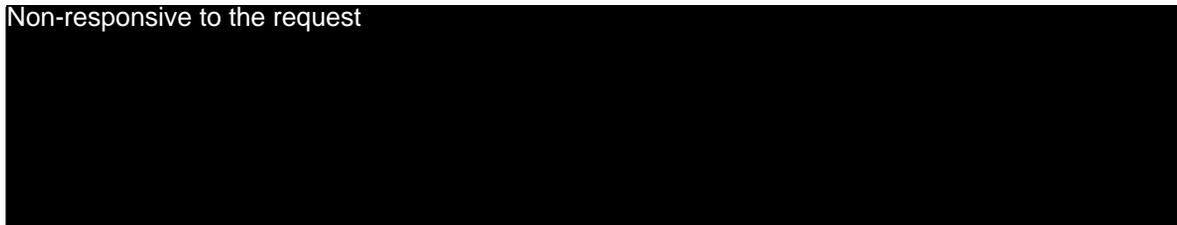
WRONGFUL DEPORTATION OF US CITIZEN

MSNBC and local Houston station KPRC have asked for comment on news coverage (<http://www.chron.com/disp/story.mpl/metropolitan/7199653.html>) involving a US Citizen who was deported to Mexico, and who has now claimed he will file a lawsuit against the government. The following statement was provided.

Talking Points

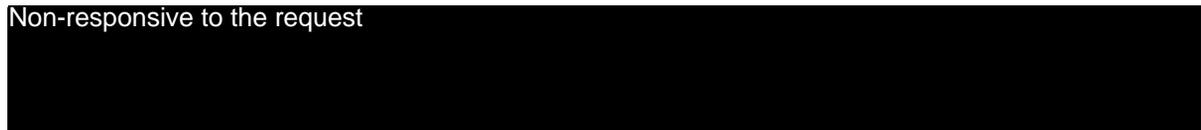
“CBP can not discuss individual cases. Occasionally Mexican citizens claim to be U.S. Citizens and vice versa. This could be done for a variety of reasons such as attempting to avoid prosecution for local or State crimes. Every individual taken into Border Patrol custody is fingerprinted and those prints checked against local and national databases. When an individual requests and is granted a voluntary return, they sign a notice of rights where they are admitting to being in the U.S. illegally and give up their right to a hearing in Immigration Court.”

Non-responsive to the request



Taking Points

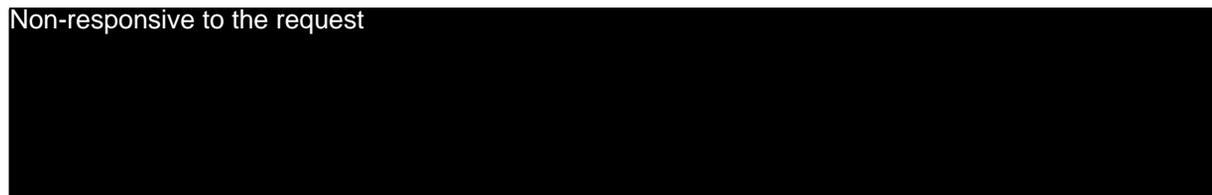
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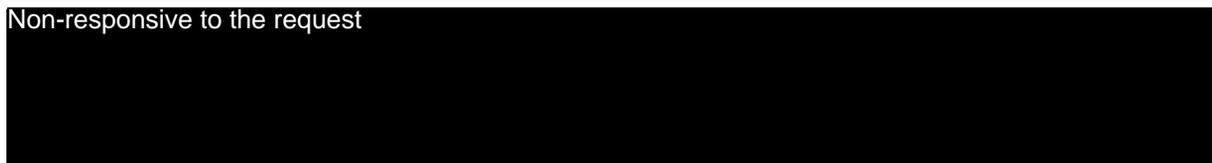
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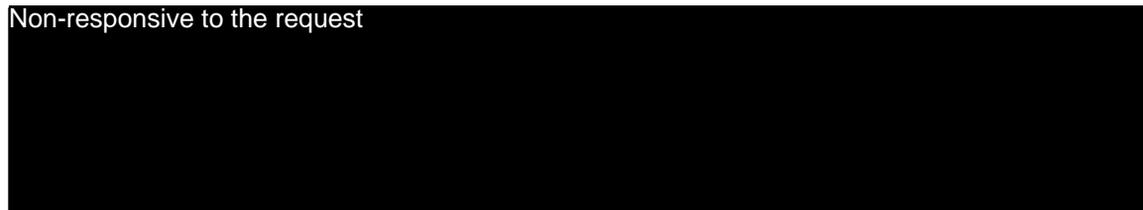
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August 27

TUCSON CHIEF PATROL AGENT INTERVIEW

KPNX TV-12 (NBC) Phoenix reporter Joe Dana interviewed Tucson Sector Chief Patrol Agent Victor Manjarrez at the Sector headquarters on the state of the Border Patrol in the Tucson Sector. Interview questions centered on interior border issues, threats of violence faced by Border Patrol agents, progress towards securing the border, and the National Guard deployment. Segment will air this evening at 5:30 and 6 p.m and Sunday at 8 a.m. Neutral to Positive tone expected.

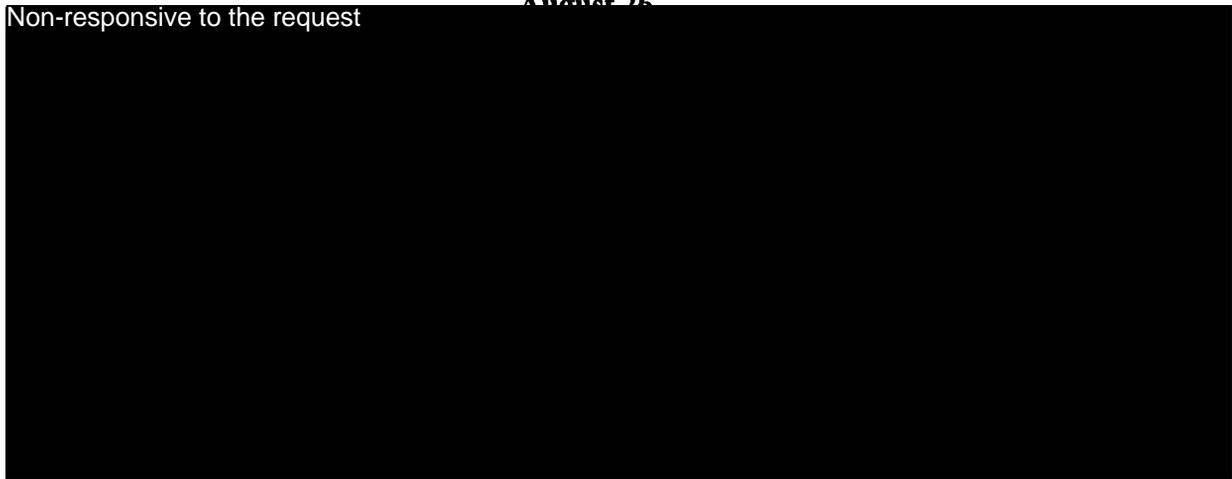
Talking Points

- CBP has deployed an unprecedented number of resources to include manpower, technology and infrastructure. As a result, our borders are safer and more secure than they have ever been.
- The Tucson Sector has seen a steady decrease in its apprehensions beginning form 2000 where its apprehensions were more than 616,000 to Fiscal Year 2009 where we ended with over 241,000 apprehensions.
- By increasing the use of technology, and thereby improving our surveillance capabilities, combined with additional agents and improved border infrastructure, smuggling organizations are finding it increasingly more difficult to make incursions into the United States.
- We have seen an increase in assaults over the last couple of years, during FY 2008 we had 117 Assaults on our Agent and we closed FY 2009 with 281. During this current FY we are already at 348. The majority of these assaults are rocking incidents but we have also seen an increase in Physical Assaults.
- In addition to the manpower, technology and infrastructure the Tucson Sector is implementing a number of Impact Programs. Voluntary Return, the practice of

allowing illegal aliens from Mexico to return to their country voluntarily, provided little consequence for illegal entry.

- Despite this significant progress our work is not done. On August 1st the National Guard began deploying 1,200 (524 to AZ) to the border to significantly bolster and support our ability to further enhance border security. Specifically, National Guard personnel will assist CBP by:
 - Providing intelligence; surveillance and reconnaissance support to our agents and officers on the ground;
 - Contributing intelligence analysis and immediate support to our counter-narcotics enforcement efforts and;
 - Adding personnel support until CBP can recruit and train additional officers and agents to serve on the border.

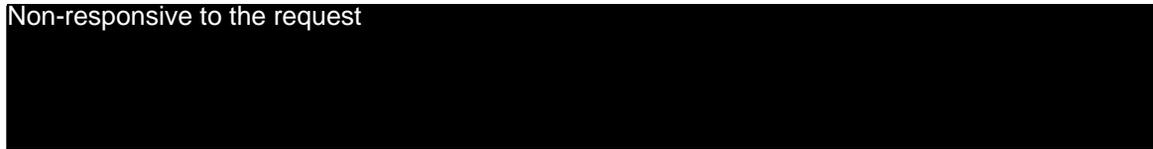
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August 26

Talking Points

Non-responsive to the request



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