



Friends Of The Border Patrol

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DHS Memo Re: Katrina Cleanup

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
DIRECTOR, PRECLEARANCE

FROM: Assistant Commissioner
Office of Field Operations

SUBJECT: Interim Guidance Process for Entry of Hurricane Katrina Relief Workers

This memorandum addresses the interim procedures to be immediately instituted at ports of entry for the processing of foreign nationals to provide emergency services in conjunction with the Hurricane Katrina relief efforts. Additional guidance will be forthcoming but these processes will be utilized until those final processes are in place.

In processing relief workers, the role of Customs and Border Protection (CBP) will be three-fold:

1. To ensure that bona fide applicants for admission in support of the Hurricane Katrina relief efforts are processed expeditiously;
2. To ensure that the security of the inspection process is sufficient to eliminate frivolous or fraudulent applications for admission; and
3. To support the relief efforts to the greatest extent possible while enforcing the immigration statute and regulation.

In this instance, relief workers are considered to be those providing emergency services as a result of Hurricane Katrina. These may include utility workers to assist with power and telecommunication restoration, transportation companies needed to deliver specific cargo or supplies, foreign engineers or professionals to assist with flood mitigation, and foreign relief workers with international aid organizations such as the International Red Cross and Doctors Without Borders, among others.

The CBP Office of Field Operations Field Liaison Unit will coordinate all requests for the admission of foreign relief workers. To the extent possible, ports of entry will be notified in advance of the arrival of relief workers. In those cases where relief workers make application for admission with advance notice, such requests must be immediately forwarded to the Field Liaison Unit who will then coordinate with affected and responsible agencies and will arrange for the expedited vetting of the requests.

Once a request has been reviewed by the Field Liaison Unit, the ports of entry will be notified of the appropriate type or class of admission (i.e., B-1 or parole):

Where admission in a nonimmigrant category is authorized, generally the individual will not require employment authorization as it will have been determined that their activity in the United States would not constitute employment under the immigration laws.

If the individual is not in possession of the appropriate passport and visa, the documentary requirements will be waived without fee. The period of admission should be for the period of time commensurate with the expected duration of their need, not to exceed one year. In consideration of operational needs and with GS-13 or higher review and approval, enrollment in ENFORCE may be waived.

Where parole has been authorized - for purposes of Hurricane Katrina relief workers only the Form I-94 issued to document the parole will be annotated just below the parole stamp with "Employment Authorized. On the reverse side of the Form I-94, list the occupation of the parolee in Box 18 and note the employer or sponsoring organization in box 26 under "Comments. The parole code will be "DT.

The period of parole should be for the period of time commensurate with the expected duration of their need, not to exceed six months.

Parole will be granted without fee.

In consideration of operational needs and with GS-13 or higher review and approval, enrollment in ENFORCE may be waived.

Whether paroled or admitted as a nonimmigrant, processing officers must ensure that all inspection procedures are completed. This includes, at a minimum:

- Primary name query in the Interagency Border Inspection System (IBIS);
- Biographical and/or biometric queries in all other appropriate systems;
- Referral to secondary;
- Secondary inspection results in IBIS;
- Completion of all required fields on Form I-94; and
- Submission of the completed Forms I-94 for data entry.

This policy does not amend the policy issued September 3, 2005 titled Admission of Crewmen in and Around the Gulf of Mexico Assisting with Hurricane Relief that stated that such crewmembers would be paroled for one year. The parole code for all aliens, those affected by this policy and the crewmembers discussed in the September 3 memorandum, shall be "DT (not "CH).

This policy does not relieve the ports of all requirements for NSEERS registration of special interest aliens. Aliens who are subject to NSEERS registration will be processed through NSEERS unless otherwise exempted and will be appropriately advised of departure requirements.

Where other grounds of inadmissibility exist (e.g. criminal, security, prior immigration violation, etc.), CBP may consider granting parole provided:

- 1) The individual does not pose any known terrorist threat to the United States;
- 2) The individual does not pose any immediate threat to the United States for criminal activity;
- 3) The individual is not likely to add to the illegal immigrant population in the United States; and
- 4) The individual's particular skills are deemed absolutely necessary to the relief effort.

/sig/

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