

March 8, 2004

TO : Directors, Field Operations  
Directors, Preclearance Operations

FROM : Assistant Commissioner  
Field Operations

SUBJECT: Authorization to Parole Select Crewmembers.

The Office of Field Operations (OFO) has been actively involved in attempting to develop a permanent resolution to the current nonimmigrant issue regarding the crew of various vessels and aircraft that, for technical reasons, do not qualify for the traditional nonimmigrant crew classification. Such cases include, but are not limited to, fishing vessels in Hawaii, launch vessels utilized in (b) (7)(E) in Los Angeles, and lightering vessels in Houston and New Orleans. Other instances include certain cabotage flights, (b) (7)(E) in which a limited number of aircraft and crew are available and/or certified to perform certain tasks that cannot be performed by any other aircraft line.

In the above referenced cases involving seagoing vessels, the crew cannot effect a departure from the United States because the vessel does not touch a foreign place. In the case of (b) (7)(E)

(b) (7)(E) These flights typically receive cabotage exemptions from the U.S. Department of Transportation. For humanitarian and/or public benefit reasons, it has been determined that the facilitation of these endeavors is in the best interest of the United States.

While further review is conducted in an effort to determine a permanent solution to these issues, OFO has decided to (b) (7)(E)  
(b) (7)(E)

In order to better manage the exercise of discretion and issuance of paroles in these cases, it is recommended that inspectors at Ports of Entry review the Inspectors' Field Manual (IFM), as well as all recent memoranda regarding discretionary actions, and follow the guidance therein. Any adverse action recorded, such as absconders, should be reported to the Customs and Border Protection Situation Room (CBP SitRoom) immediately. Every attempt should be made to verify compliance with these discretionary actions up to and until a decision is made rendering a permanent solution to these issues.

The above recommendation includes compliance with the current recording requirements of all adverse actions into (b) (7)(E) where applicable.

Questions regarding this memorandum should be forwarded to Mr. (b) (6), (b) (7)(C) Executive Director, Border Security and Facilitation, at (b) (6), (b) (7)(C)

/s/ (b) (6), (b) (7)(C) for

Jayson P. Ahern