

From: Michael Creppy
To: IJs List #1, IJs List #2, IJs List #3, CAs
Date: 10/23/98 3:35pm
Subject: Classified Cases

For a number of reasons, it is imperative that you notify the Office of the Chief Immigration Judge and the EOIR Security Office as soon as possible upon being advised by the Immigration and Naturalization Service that classified information will be presented in a case you are handling. It is extremely important, in view of the attention the media has brought to bear on cases involving classified information, that the courts handle this information in STRICT accordance with all national and Department policies and regulations concerning the protection of classified information. Any disclosure of classified information by the courts, even inadvertently, to individuals not cleared for access to such information (i.e., respondents, their counsel, the press, etc.), can seriously compromise ongoing activities connected with our national security and can adversely impact upon our future credibility and relationships with the agencies that collect and provide the classified information.

Advance notice that a case will involve the presentation of classified information will allow us sufficient time to ensure that you, the Court Administrator, and other court personnel (e.g., law clerks, legal technicians, etc.) are granted or possess the appropriate level security clearances to hear the case, handle any classified materials provided the court, and prepare necessary classified documents (e.g., notes concerning classified testimony, classified decisions, etc.). There is also a possibility that, with sufficient advance notice of such cases, the EOIR Security Office may be able to arrange, through the Department Security Officer, for on-site assistance in handling the classified information presented. Also, advance notice will allow us sufficient time to ensure the court has all the necessary equipment (e.g., security containers, laptop computers approved for classified processing, cross-cut shredders, etc.) to store and process classified information.

The EOIR Security Office can provide you substantial assistance with the proper handling of the classified information in such cases, but only if you advise them these cases exist. Please do not hesitate to contact Paula Nasca (703) 305-1754 or Sharon Adrian (703) 305-1258 of the EOIR Security Office any time you require assistance with, or have any questions regarding, the correct procedures for handling classified information in current or forthcoming cases.

Michael J. Creppy
Chief Immigration Judge

CC: OCIJ Management Staff