1300 Pennsylvania Avenue NW Washington, DC 20229



FFB 0 1 2017

MEMORANDUM FOR:	Directors,	Field	Operations
-----------------	------------	-------	------------

Director, Field Operations Academy

FROM: Todd

Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs

Office of Field Operations

SUBJECT:

Canadian Landed Immigrants and Executive Order "Protecting the

Nation from Foreign Terrorist Entry into the United States"

Effective immediately, Canadian Landed Immigrants that are citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen with a valid U.S. Visa may be considered for an exemption of the 212(f) bar under Section 3(g) of the President's Executive Order if and only if the person satisfies the following conditions:

- Proof to the satisfaction of the inspection Officer of person's Landed Immigrant Status in Canada;
- 2. Possession of a valid U.S. visa;
- 3. Travel that originates in Canada;
- 4. From only a pre-clearance airport; or
- 5. Applying for admission at a land border port of entry;
- 6. And the applicant is otherwise admissible.

The admission of such individuals must be in the national interest of the United States. Prior to any such admission, each individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of:

## (b)(7)(E) (b)(7)(E)

(b)(7)(E) Each exemption must be considered on a case by case basis with waiver submitted to Commissioner of CBP as previously outlined in the attached email.

Please ensure t	hat this memorandum is disseminated to	all ports of entry within your
jurisdiction. If	you have any questions or require additi	onal information, please contact (b)(6), (b)(7)(C)
(b)(6), (b)(7)(0	Director, Enforcement Programs Di	ivision at ((b)(6), (b)(7)(C) or send
inquiries to	(b)(7)(E)	

Law Enforcement Sensitive For Official Use Only

#### (b)(6), (b)(7)(C)

From:

**HUTTON, JAMES R** 

Sent:

Wednesday, February 01, 2017 9:26 PM

To:

**ENFORCEMENT PROGRAMS DIVISION;** 

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

Subject:

FW: Redelegation

**Follow Up Flag:** Flag Status:

Follow up

Completed

#### Team

S1 has concurres with allowing C1 to delegate exemptions to field for 3(g) categories. This means the field now has the authority to adjudicated all exemptions for those subject to EO.

Guidance to field will go out shortly.

From: Owen, Todd C (AC OFO)

Sent: Wednesday, February 01, 2017 9:19:37 PM

To: MCALEENAN, KEVIN K; WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R

Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; (b)(6), (b)(7)(C)

Subject: RE: Redelegation

Thank you. We will advise the DFOs accordingly.

Todd C. Owen **Executive Assistant Commissioner** Office of Field Operations U.S. Customs & Border Protection

From: MCALEENAN, KEVIN K

Sent: Thursday, February 02, 2017 2:14:58 AM

To: Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R

Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S;

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

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

Subject: Redelegation

Acting Deputy Commissioner/Executive Assistant Commissioner,

#### SOURCE OF AUTHORITY BEING DELEGATED

Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), as amended (6 U.S.C. § 112); Title 8, U.S.C. Section 1103, "Powers and duties of the Secretary, the Under Secretary, and the Attorney General" [Immigration and Nationality Act, § 103(a)(1)]; Title 8, U.S.C. Section 1357, "Powers of immigration officers and employees" [Immigration and Nationality Act, § 287]; The President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States," (January 27, 2017); Title 8, U.S.C. Section 1182, "Inadmissible aliens" [Immigration and Nationality Act, § 212]; Delegations from the Secretary to the Commissioner effective that pursuant to the referenced Executive Order (January 28-29, 2017); Memorandum from Counsel to the President to the Acting Secretary of State, the Acting Attorney General, and the Secretary of Homeland Security, entitled "Authoritative Guidance on Executive Order Entitled "Protecting the Nation from Foreign Terrorist Entry into the United States (Jan. 27, 2017)" (February 1, 2017).

#### **DELEGATION**

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which

visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-by-case basis, and when in the national interest of the United States. Prior to taking any such action, the individual who is the subject of the action must be subjected to a thorough examination by an immigration officer. Pursuant to clarifying and authoritative guidance received from Counsel to the President on February 1, 2017, Sections 3(c) and 3(e) of the Executive Order do not apply to lawful permanent residents of the United States.

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of:

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

This authority may not be further delegated.

#### (b)(6), (b)(7)(C)

rom:

HOFFMAN, TODD A

Sent:

Wednesday, February 01, 2017 10:29 PM

To:

DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ

Cc:

(b)(6), (b)(7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN

P: ENFORCEMENT PROGRAMS DIVISION

Subject:

FW: Redelegation of 3(g) Authority

Attachments:

Executive Order Redelegation From Commissioner to OFO SES Draft 2-1-17.docx

Follow Up Flag:

Follow up

Flag Status:

Flagged

Directors,

Per this delegation order, you may now adjudicate all exceptions related to the subject Executive Order.

From: HUTTON, JAMES R

Sent: Wednesday, February 01, 2017 7:16:55 PM

To: HOFFMAN, TODD A

Subject: Redelegation of 3(g) Authority

J. Ryan Hutton Deputy Executive Director Admissibility and Passenger Programs

(b)(6), (b)(7)(C) Washington, DC



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



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SUBJECT: Protecting the Nation From Foreign Terrorist Entry Into the United States

#### DELEGATED BY DEI

#### **DELEGATED TO**

Commissioner

**Deputy Commissioner** 

Executive Assistant Commissioner, Field Operations

Deputy Executive Assistant Commissioner, Field Operations

Executive Director Operations, Field Operations

Executive Director, (b)(7)(E)

Directors, Field Operations

Port Director, John F. Kennedy Airport

Port Director, Los Angeles International Airport

#### SOURCE OF AUTHORITY BEING DELEGATED

Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), as amended (6 U.S.C. § 112); Title 8, U.S.C. Section 1103, "Powers and duties of the Secretary, the Under Secretary, and the Attorney General" [Immigration and Nationality Act, § 103(a)(1)]; Title 8, U.S.C. Section 1357, "Powers of immigration officers and employees" [Immigration and Nationality Act, § 287]; The President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States," (January 27, 2017); Title 8, U.S.C. Section 1182, "Inadmissible aliens" [Immigration and Nationality Act, § 212]; Delegations from the Secretary to the Commissioner effective that pursuant to the referenced Executive Order (January 28-29, 2017); Memorandum from Counsel to the President to the Acting Secretary of State, the Acting Attorney General, and the Secretary of Homeland Security, entitled "Authoritative Guidance on Executive Order Entitled "Protecting the Nation from Foreign Terrorist Entry into the United States (Jan. 27, 2017)" (February 1, 2017).

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(b)(7)(E)

(b)(7)(E)

This authority may not be further delegated.

#### Commissioner

From: MCALEENAN, KEVIN K			
Sent: Wednesday, February 1, 2	2017 9:55 PM		
То:	tent: wednesday, February 1, 2017 9:55 PM  (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  (c) ALLES, RANDOLPH D   (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  (c) FLANAGAN, PATRICK S  (b)(6), (b)(7)(C)		
(b)(6), (b)(7)(C)	; WAGNER, JOHN P	(b)(6), (b)(7)(C)	HOFFMAN, TODD A
(b)(6), (b)(7)(C)	HUTTON, JAMES R	(b)(6), (b)(7)(C)	
Cc: ALLES, RANDOLPH D <	(b)(6), (b)(7)(C)	>; FLANAGAN, PATRICK S	(b)(6), (b)(7)(C)
(b)(6), (b)(7)	(C)		
Subject: RE: Redelegation			
Thank you. Yes			
4 ) (2) (1) (2)	(0)		
From: (b)(6), (b)(7)			
Sent: Wednesday, February 01, 2017 9:54:00 PM			
To: MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; (b)(6), (b)(7)(C)			
Subject: RE: Redelegation	AGAN, PATRICK S; (b	)(6), (b)(7)(C)	
Subject. RL. Redelegation			
Commissioner – The excerpt be	low from the written deleg	ation – which as you have ac	dvised was signed and dated and
left on your desk – does not con	The state of the s		
delegated this authority to the		opionio or your dologated da	morrey. To comming you make
acregated this address, to the	ronoming marriadais.		
DELEGATED BY	DELEGATED TO		
DELLOTTED DI	DELEGATED TO		
Commissioner	Danuty Commissioner		

Executive Assistant Commissioner, Field Operations

Deputy Executive Assistant Commissioner, Field Operations

Executive Director Operations, Field Operations
Executive Director, (b)(7)(E)

(b)(7)(E)

Directors, Field Operations

Port Director, John F. Kennedy Airport Port Director, Los Angeles International Airport

### U.S. CUSTOMS AND BORDER PROTECTION DELEGATION ORDER

ORIGINATING OFFICE: OC DISTRIBUTION:

**ORDER NUMBER:** 

**ISSUE DATE:** February 1, 2017

**EFFECTIVE DATE:** February 1, 2017

**SUBJECT:** Protecting the Nation From Foreign Terrorist Entry Into the United States

DELEGATED BY DELEGATED TO

Commissioner Deputy Commissioner

Executive Assistant Commissioner, Field Operations

Deputy Executive Assistant Commissioner, Field Operations

Executive Director Operations, Field Operations

Executive Director, (b)(7)(E)

Directors, Field Operations

Port Director, John F. Kennedy Airport

Port Director, Los Angeles International Airport

#### SOURCE OF AUTHORITY BEING DELEGATED

Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), as amended (6 U.S.C. § 112); Title 8, U.S.C. Section 1103, "Powers and duties of the Secretary, the Under Secretary, and the Attorney General" [Immigration and Nationality Act, § 103(a)(1)]; Title 8, U.S.C. Section 1357, "Powers of immigration officers and employees" [Immigration and Nationality Act, § 287]; The President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States," (January 27, 2017); Title 8, U.S.C. Section 1182, "Inadmissible aliens" [Immigration and Nationality Act, § 212]; Delegations from the Secretary to the Commissioner effective that pursuant to the referenced Executive Order (January 28-29, 2017); Memorandum from Counsel to the President to the Acting Secretary of State, the Acting Attorney General, and the Secretary of Homeland Security, entitled "Authoritative Guidance on Executive Order Entitled "Protecting the Nation from Foreign Terrorist Entry into the United States (Jan. 27, 2017)" (February 1, 2017).

#### **DELEGATION**

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-by-case basis, and when in the national interest of the United States. Prior to taking any such action, the individual who is the subject of the action must be

subjected to a thorough examination by an immigration officer. Pursuant to clarifying and authoritative guidance received from Counsel to the President on February 1, 2017, Sections 3(c) and 3(e) of the Executive Order do not apply to lawful permanent residents of the United States.

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of:

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

This authority may not be further delegated.

Commissioner

#### (b)(6), (b)(7)(C)

From:

HOFFMAN, TODD A

Sent:

Thursday, February 02, 2017 5:41 AM

To:

**DIRECTORS FIELD OPS** 

Cc:

Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) ; HOWE, RANDY J;

ENFORCEMENT PROGRAMS DIVISION; HUTTON, JAMES R

Subject:

FW: Mohammed v. Trump, No. 17-cv-00786

Follow Up Flag:

Follow up

Flag Status:

Completed

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

Sent: Thursday, February 02, 2017 2:37:59 AM

To: HOFFMAN, TODD A Cc: HUTTON, JAMES R

Subject: RE: Mohammed v. Trump, No. 17-cv-00786

MEMORANDUM FOR:

Executive Directors, Office of Field Operations

Executive Director, (b)(7)(E)

Directors, Field Operations

FROM:

Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs

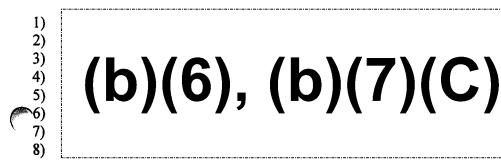
Office of Field Operations

SUBJECT:

Mohammed v. Trump, No. 17-cv-00786

The Federal District Court has made an order in the litigation, Mohammed v. Trump, No. 17-cv-00786. The Department of Justice will make a formal request from the plaintiffs for confirmation of passport numbers and dates of birth. In the interim, the 38 individuals below should be permitted to board commercial carriers bound for the United States and on arrival should be processed for an exception to the Executive Order and admitted, unless inadmissibility unrelated to section 212(f) of the Immigration and Nationality Act exists.

Upon receipt of the court's order, CBP Los Angeles should provide, via email, a copy of the order to all international carriers at Los Angeles International Airport. Additionally, and should update records to ensure there is no impediment to these individuals boarding commercial carriers and take any other appropriate steps to facilitate travel.



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     (b)(6), (b)(7)(C)
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If you have any questions or require additional information, please contact (b)(6), (b)(7)(C) E.O. CAT
```

Operations Duty Director, at (b)(6), (b)(7)(C) or send inquiries to (b)(7)(E)

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

CBP HQ

**EO Crisis Action Team** 

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

From: MCALEENAN, KEVIN K

Sent: Wednesday, February 01, 2017 9:11:09 PM

To: ALLES, RANDOLPH D; Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; (b)(6), (b)(7)(C) HUTTON,

JAMES R

(b)(6), (b)(7)(C) Cc:

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

Subject: RE: Mohammed v. Trump, No. 17-cv-00786

Adding DFO LA and APD LAX

From: MCALEENAN, KEVIN K

Sent: Thursday, February 02, 2017 12:09:50 AM

To: ALLES, RANDOLPH D; Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; (b)(6), (b)(7)(C) HUTTON,

NAMES R

**Cc:** (b)(6), (b)(7)(C)

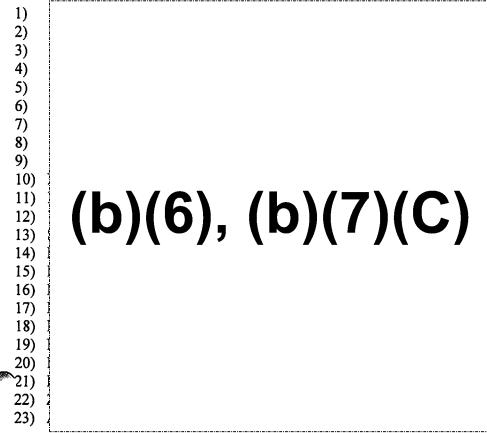
Subject: Mohammed v. Trump, No. 17-cv-00786

Acting Deputy/Executive Assistant Commissioner,

Please see the below guidance from counsel on implementing an order from Federal District Court in the above-referenced case. Please confirm receipt and action.

(b)(5)

Here is the list from Post Djibouti:



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24)
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38)
```

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

Sent: Saturday, January 28, 2017 1:39 PM

To: HUTTON, JAMES R

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry

into the United States

(b)(5)

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 1:28:42 PM

**To:** (b)(6), (b)(7)(C)

Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

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

Your thoughts on the below

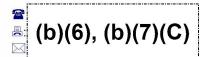
J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC





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From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 1:27 PM

To: HOFFMAN, TODD A (b)(6), (b)(7)(C)

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Importance: High

Boss

Proposed message to Field on how to process waivers at POE's for the other categories.

From: HOFFMAN, TOD	D A
Sent: Saturday, Januar	y 28, 2017 1:07 AM
To: DIRECTORS FIELD O	OPS < (b)(6), (b)(7)(C); EXECUTIVE DIRECTORS HQ
(b)(6), (b	)(7)(C) ; BORDER SECURITY ASST DIRECTORS
(b)(	6), (b)(7)(C)
Cc: Owen, Todd C (AC	OFO) $\leq$ (b)(6), (b)(7)(C) ; WAGNER, JOHN P $\leq$ (b)(6), (b)(7)(C)
HUTTON, JAMES R ₹	(b)(6), (b)(7)(C) ; SCHROEDER-FAWCETT, JENNIFER L < (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	; FORET, VERNON T (b)(6), (b)(7)(C); MCFARQUHAR, KETTH E
(b)(6), (b)(	(a) (b) (b) (c)   ; EXECUTIVE DIRECTORS HQ   (b) (c)   ; BORDER SECURITY ASST DIRECTORS   (b) (c)   ; BORDER SECURITY ASST DIRECTORS   (c) (c)   ; WAGNER, JOHN P
Subject: Guidance on I	Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High	
Directors	
Directors,	
Executive Order for lof aliens as outlined	elay. Please be advised that you have unilateral authority to approve exemptions to the LPRs, no State Department approval required. The exemption process for other categories in the policy guidance currently requires the approval of the acting Commissioner. Further temptions is forthcoming.
Memorandum For:	Directors, Field Operations
From:	Todd A. Hoffman
110111.	Executive Director
	Admissibility and Passenger Programs
	Office of Field Operations
Subject:	Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Entry into the United from Iran, Iraq, Libya 212(f) of the INA. Inationals traveling or	ly, and pursuant to Executive Order entitled, "Protecting the Nation from Foreign Terrorist I States" (January 27, 2017), all entry into the United States for aliens who are nationals a, Somalia, Sudan, Syria and Yemen is hereby suspended in accordance with Section Γhis includes all non-immigrant classifications, with the exception of those foreign in diplomatic visas, NATO visas, C2 visas for travel to the United Nations, G1, G2, G-3,
asylees.	also includes all immigrant classes of admission, returning resident aliens refugees and

The Department to State has provided CBP with a letter provisionally revoking all immigrant and nonimmigrant visas for nationals of Iran, Iran, Libya, Somalia, Sudan, and Yemen. Revocations may not yet be annotated in the system.

Wherever possible, (b)(7)	E) will coordinate the der	nial of boarding through	(b)(7)(E)
(b)(7)(E)	ocations, and	(b)(7)(E)	

Should aliens, subject to the Executive Order, arrive at the port of entry, CBP officers are instructed to take the following actions:

Applicants bearing Non-Immigrant Visas and First Time Arriving Immigrants:

(1) All case processing will be recorded in	(b)(7)(E)
system, according to current policy/procedure.	
	plication for admission on Form I-275, without a sworn
	he processing of Form I-275 withdrawal cases apply.
(3) Should the alien decline to withdraw their app	· · · · · · · · · · · · · · · · · · ·
Expedited Removal in accordance with standa	1 01
(4) Aliens claiming fear of return will be referred	
	sed under ERF procedures will be referred to ERO for
•	e to both CIS and ERO that aliens are subject to Executive
Order during the referral process.	
Returning Residents,	
	ed for 1 (b)(7)(E) amination and held at the port of
entry until an exemption to the Executive Orde	er is granted. The authority to grant an exemption has been
· · · · · · · · · · · · · · · · · · ·	orther delegated to Directors of Field Operations and SES
	ranted results of (b)(7)(E) should be notated in
	is subject to Presidential Executive Order and barred
	as been granted an exemption per (insert DFO/SES PD).
Defines Andrea The accommonical Children and anh	signed naturalism to the US with Advanced Donale.
Refugees, Asylees, Unaccompanied Children, and sub	od from ontry sololy as a result of the Executive Order
should be referred for (b)(7)(E)	ed from entry solely as a result of the Executive Order, and held at the port of entry until such time as an
	ined. This exemption falls to the Secretary of State and
Secretary of Homeland Security. Further guid	1
exemptions.	ance will be forthcoming on processing these
enemptions.	
Individuals who fall within any of the above may not	be paroled, which includes port parole and deferred
inspection. To the extent that there is an emergent me	
Executive Order, CBP officers must accompany the a	lien for any medical care.
Returning aliens ineligible who withdraw their applic	ation for admission:
	riers are required to remove foreign aliens found ineligible
for entry under this order pursuant to 241(c)(1	1
(2) Aliens arriving via land will be returned per co	
country.	market continues in the continues of the
·	
Please ensure that this memorandum and attached mu	ster are disseminated to all ports of entry within your
jurisdiction. If you have any questions or require add	itional information, please contact (b)(6), (b)(7)(C)
(b)(6), (b)(7)(c) (A) Director, Enforcement Programs Divisio	n, at (b)(6), (b)(7)(C)
	<u> </u>

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection

From:	(b)(6), (b)(7)(C)
1.0 0.000	\
Sent:	Tuesday, January 31, 2017 9:26 AM
То:	HUTTON, JAMES R
Cc:	(b)(6), (b)(7)(C)
Subject:	FW: EO on Foreign Nationals and ((b)(6), (b)(7)(C) Somali girl (LIRS client)
Attachments:	UG-940475.pdf
(b)(5)	
(b)(6), (b)(7)(C) Deputy Associate Chief Counsel	
Enforcement and Operations	
Office of the Chief Counsel	
U.S. Customs and Border Protect	ion
(b)(6), (b)(7)(C) (desk) (cell)	
This document, and any attachment(s),	may contain information which is law enforcement sensitive, attorney-client privileged, attorney work
product, or U.S. Government information	n. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended
recipient. Please consult with the CBP C	Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).
From: (b)(6)  Sent: Tuesday, January 31, 2017  To: (b)(6), (b)(7)(C)  Cc: (b)(6)  Subject: FW: EO on Foreign Nation	12:18 AM (b)(6), (b)(7)(C)  conals and (b)(6), (b)(7)(C) Somali girl (LIRS client)
(b)(5)	, (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6)  Deputy Associate General Counsel f Immigration Law Division Office of the General Counsel U.S. Department of Homeland Secun (b)(6) (o) / (b)(6) (b)(6)	
From: (b)(6)  Sent: Monday, January 30, 2017  To: (b)(6)  Subject: FW: EO on Foreign Nation	3:14 PM  onals and (b)(6), (b)(7)(C)   Somali girl (LIRS client)
	(b)(5)

From: Nina Zelic (b)(6)
Sent: Monday, January 30, 2017 3:09 PM
To: (b)(6)
Subject: RE: EO on Foreign Nationals and (b)(6), (b)(7)(c) Somali girl (LIRS client)
A Visa-93.
Nina Zelic Director for Refugee Services   (b)(6)   (b)(6) (cell)
Director for Refugee Services   (b)(b)   (b)(b)   (cell)
Lutheran Immigration and Refugee Service 700 Light Street, Baltimore, Maryland 21230   www.lirs.org
From: (b)(6)
Sent: Monday, January 30, 2017 3:05 PM
To: (b)(6)
Cc: (D)(O)
Subject: RE: EO on Foreign Nationals and (b)(6), (b)(7)(c) Somali girl (LIRS client)
What did the mom file for her?
From: Jessica Jones (b)(6)
Sent: Monday, January 30, 2017 3:03 PM
To: (b)(6)
Cc: Nina Zelic (b)(6)
Subject: EO on Foreign Nationals and (b)(6), (b)(7)(C) Somali girl (LIRS client)
(b)(6)
(b)(6), (b)(7)(C)

Thanks!

Jessica

Jessica Jones	
Interim Director for Advocacy	(b)(6)

Lutheran Immigration and Refugee Service

Advocacy Office: 122 C St. NW, Suite 125, Washington, D.C. 20001 | www.lirs.org

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From:

**(b)(6), (b)(7)(C)**Saturday, February 04, 2017 10:31 PM Sent:

HUTTON, JAMES R To:

RE: Draft documents for roll out plan Subject:

Draft - Resumption of EO guidance (JSF V1).JAGK.docx Attachments:

I looked at that first.

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

Deputy Associate Chief Counsel

Office of Chief Counsel

U.S. Customs and Border Protection

(office)

From: HUTTON, JAMES R

Sent: Saturday, February 04, 2017 10:30 PM

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

Subject: RE: Draft documents for roll out plan

Ok, let me at least send you the guidance as I have some comments for you. Sending in 2mins

J. Ryan Hutton

**Deputy Executive Director** 

Admissibility and Passenger Programs

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



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

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



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

Sent: Saturday, February 04, 2017 10:29 PM

To: HUTTON, JAMES R (b)(6), (b)(7)(C)  Subject: RE: Draft documents for roll out plan	
I've already started. Sorry. Can I just send you back my com	ments? Pretty please?
(b)(6), (b)(7)(C)  Deputy Associate Chief Counsel  Office of Chief Counsel  U.S. Customs and Border Protection  (b)(6), (b)(7)(C)  (cell)	
From: HUTTON, JAMES R	
Sent: Saturday, February 04, 2017 10:29 PM To: (b)(6), (b)(7)(C)	HOFFMAN, TODD A
(b)(6), (b)(7)(C)	inormini, robbit
Cc: (b)(6)	(b)(7)(C)
(b)(6), (I Subject: RE: Draft documents for roll out plan	o)(7)(C)
To avoid duplicity, I will send to you shortly	
J. Ryan Hutton Deputy Executive Director Admissibility and Passenger Programs  (b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	
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From: (b)(6), (b)(7)(C)	
Sent: Saturday, February 04, 2017 10:14 PM	
To: HOFFMAN, TODD A (b)(6), (b)(7)(C)	HUTTON, JAMES R (b)(6), (b)(7)(C)
Cc: (D)(6), (b)(6), (b)	<u> </u>
(0)(0), (0)	(',(♥) 2

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

Subject: Draft documents for roll out plan

XD/DXD:

All please find attached documents prepared for EO rollout. Please note the following:



Respectfully,

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

(A)Director

**Enforcement Programs** 

Washington, DC, 20229

Desk: (b)(6), (b)(7)(C)

BB: (b)(6), (b)(7)(C)

Email: (b)(6), (b)(7)(C)

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(b)(5), (b)(7)(E)

Law Enforcement Sensitive For Official Use Only

(b)(5), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

**Sent:** Thursday, February 02, 2017 1:55 PM

**To:** HUTTON, JAMES R **Subject:** Q& A for exective order

**Attachments:** QA for EO on Protecting the Nation FINAL.docx

This is what give to us regarding EO today

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

Immigration Services Officer

Potomac Service Center, Arlington, VA

(b)(6), (b)(7)(C) 3

Phone: (b)(6), (b)(7)(C)

From:	HUTTON, JAMES R	
Sent:	Sunday, January 29, 2017 9:05 PM	
То:	MILLER, TROY A; (b)(6), (b)(7)(C)	
Subject:	FW: EO 212(f) Exemption for (k	o)(6), (b)(7)(C)
•		
Messrs Not sure I can answer this que	stioncan you please assist.	
1	,	
From: Owen, Todd C (AC OFO) Sent: Sunday, January 29, 2017 To: HUTTON, JAMES R		
Subject: RE: EO 212(f) Exempti	on for (b)(6)	
Ryan, do we know it is that we didn	t catch this pre-departure?	
Todd C. Owen Executive Assistant Commissioner Office of Field Operations U.S. Customs & Border Protection		
From: HUTTON, JAMES R Sent: Monday, January 30, 2017 1:0 To: ENFORCEMENT PROGRAMS	DIVICION	Over Told C (ACOEO)
WAGNER JOHN P. MURDOCK	IIIDSON W: HOFFMAN, TODD A:	Owen, Todd C (AC OFO);
(b)(6), (b)(7)(C) FI Subject: RE: EO 212(f) Exemption t	ANAGAN, PATRICK S  or (b)(6), (b)(7)(C)	(2/(2)/(2/(3/2))
ALCON If delegation authority is not forthco	ming this evening.	
C2 has requested that we batch these (b)(6), (b)(7)(C)	e requests for 9pm - Midnight - 3am - 6am. For t	urgent and emergent waivers please contact
CAT If no waivers, please send C1 messa	ge stating same at times indicated above.	
	RCEMENT PROGRAMS DIVISION; HUTTON	
WAGNER, JOHN P; MURDOCK, .	(b)(6), (b)(7)(C) JUDSON W; HOFFMAN, TODD A;	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(c) DURST, CASEY OW	EN	
Subject: EO 212(f) Exemption for	(b)(6), (b)(7)(C)	
Good evening,		
Please see the following for waiver	consideration.	
Regards		

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

Assistant Director Border Security

U.S. Customs and Border Protection

**Baltimore Field Office** 

Office: (b)(6), (b)(7)(C)

Mobile: (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C) |
Sent: Sunday, January 29, 2017 7:53 PM

To: BFO REPORTING < (b)(6), (b)(7)(C) |
Cc: (b)(6), (b)(7)(C) |
<(b)(6), (b)(7)(C) |
>; CBP IAD Management (b)(7)(E) |
Subject: EO 212(f) Exemption for (b)(6), (b)(7)(C)

**Exemption to Executive Order Request** 

Summary: CBP, OFO, Baltimore Field Office recommends that you!

January 29, 2017

Title: Exemption to Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" Request

(b)(5), (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(7)(E)
Name: (b)(6), (b)(7)(C)
Gender: Female
DOB: (b)(6), (b)(7)(C) COC: Iran
COR: [0.66, 0.07(c)] POB: [0.66, 0.07(c)] PPN: [(b)(6), (b)(7)(c)]  NIV: [(b)(6), (b)(7)(c)]
(b)(7)(E) Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: [(b)(6), (b)(7)(C)] COC: Iran
COR: [(b)(6), (b)(7)(C)]  POB: [(b)(6), (b)(7)(C)]  Address: [(b)(6), (b)(7)(C)]  PPN: [(b)(6), (b)(7)(C)]  A#: [(b)(6), (b)(7)(C)]
(b)(7)(E) Name: (b)(6), (b)(7)(C)
Gender: Female
DOB: (b)(6), (b)(7)(c) COC: Iran
COR: [(b)(6), (b)(7)(c)] POB: [asset before] Address: [(b)(6), (b)(7)(c)] PPN: [(b)(6), (b)(7)(c)] A#: [(b)(6), (b)(7)(c)]
(b)(7)(E)
Name: (b)(6), (b)(7)(C)
Gender: Female
DOB: (b)(6), (b)(7)(c) COC: Iran
COR: (b)(6), (b)(7)(C) POB: (awa, control)

Address (b)(6), (b)(7)(C)
Address (b)(6), (b)(7)(C)  PPN (b)(6), (b)(7)(C) A#: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(E)
Name: (b)(6), (b)(7)(C)
Gender: Female
DOB: [(b)(6), (b)(7)(C)] COC: Iran
COR: (b)(6), (b)(7)(C)  POB: [autr. (c)(C)]  Address: (b)(6), (b)(7)(C)  PPN: (c)(6), (b)(7)(C)
Address: (b)(6), (b)(7)(C)
PPN: ((b)(6), (b)(7)(C); A#: (b)(6), (b)(7)(C)
Timeline:
1836: Turkish Airlines block time
1921: Subject referred from primary
1925: Arrived in Secondary
Contacts:
(b)(7)(E) contacted at 1424 hours.
Area Port contacted at 1530 hours.
Field Office contacted at 1945 hours.
Submitted by: (b)(6), (b)(7)(C) Chief, Washington Dulles Airport
Date / Time: January 29, 2017; 1945
Thank you,
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Assistant Port Director
U.S. Customs and Border Protection (CBP)
Port of Washington, D.C. (Dulles)
(b)(6), (b)(7)(C)

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From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 9:04 AM

To: HOWE, RANDY J; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign

Terrorist Entry into the United States

Randy

I'm working with (16)(6),(6)(7)(C) o address your unique operations

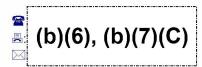
J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC





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From: HOWE, RANDY J

Sent: Sunday, January 29, 2017 6:43 AM

To: HUTTON, JAMES R (b)(6), (b)(7)(C)

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

Cc: F (b)(6), (b)(7)(C)

**Subject:** RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Hi Ryan. Since we have no authority to detain or hold passengers for extended periods of time how do you envision this working in Preclearance? Submit the waiver request and create a way to communicate the approval with the traveler after the fact?

Randy J. Howe

**Director Field Operations** 

Preclearance Field Office

U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (office) (cell)

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 9:33:39 PM

To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

**Subject:** UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

#### DFO's

As a follow up from guidance sent last night. In addition to waivers for LPRs, the Secretary of Homeland Security has delegated waiver authority to the Commissioner of CBP for **only** the following categories of individuals subject to the EO:

- Returning Refugees (to include any 1<sup>st</sup> time refugees encountered);
- Returning Asylees;
- Individuals in possession of a valid I-512 issued by CIS;
- UAC

The request for said waiver will need to follow the below format sent initially to the below distro

- (b)(6), (b)(7)(C)
- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman
- (a) DXD (b)(6), (b)(7)(c)
- DXD Hutton
- OFO Field Liaison

I have also attached some samples that were submitted for approval today.

#### Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

(b)(5), (b)(7)(E)

(b)(5), (b)(7)(E)

(b)(5), (b)(7)(E)

J. Ryan Hutton
Deputy Executive Director

Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC



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



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From: HOFFMAN, TODD A				
Sent: Saturday, January 28, 20	)17 1:07 AM			
To: DIRECTORS FIELD OPS	(b)(7)(E)	; EXECUTIVE DIRECTO	RS HQ	
(b)(7)(E)	BORDER SEC	CURITY ASST DIRECTORS		
(b)(7)(E	)		DIE BERTON SERVICE SER	eenalus peanis
<b>Cc</b> : Owen, Todd C (AC OFO) {	(b)(6), (b)(7)(C)	; WAGNER, JOHN P	(b)(6), (b)(7)(C)	
HUTTON, JAMES R		(b)(6), (b)(7)(C)		
	(b)(6), (l	b)(7)(C)		

**Subject:** Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States **Importance:** High

Directors,

I apologize for the delay. Please be advised that you have unilateral authority to approve exemptions to the Executive Order for LPRs, no State Department approval required. The exemption process for other categories of aliens as outlined in the policy guidance currently requires the approval of the acting Commissioner. Further guidance for these exemptions is forthcoming.

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs

Office of Field Operations

Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into

the United States"

Effective immediately, and pursuant to Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017), all entry into the United States for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen is hereby suspended in accordance with Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those foreign nationals traveling on diplomatic visas, NATO visas, C2 visas for travel to the United Nations, G1, G2, G-3, and G-4 visas. This also includes all immigrant classes of admission, returning resident aliens refugees and asylees.

The Department to State has provided CBP with a letter provisionally revoking all immigrant and non-immigrant visas for nationals of Iran, Iran, Libya, Somalia, Sudan, and Yemen. Revocations may not yet be annotated in the system.

Wherever possible, (b)(	7)(E) will coordinate the den	ial of boarding through	(b)(7)(E)	
(b)(7)(E)	locations, and	(b)(7)(E)		
Should alians subject to	o the Executive Order arriv	yo at the nort of entry CDD a	efficars are instructed to tale	tha

Should aliens, subject to the Executive Order, arrive at the port of entry, CBP officers are instructed to take the following actions:

Applicants bearing Non-Immigrant Visas and First Time Arriving Immigrants:

- (1) All case processing will be recorded in **(b)(7)(E)** system, according to current policy/procedure.
- (2) Subjects will be allowed to withdraw their application for admission on Form I-275, *without a sworn statement*. All other procedures pertaining to the processing of Form I-275 withdrawal cases apply.
- (3) Should the alien decline to withdraw their application for admission, the alien will be placed in Expedited Removal in accordance with standard operating procedures.
- (4) Aliens claiming fear of return will be referred to an asylum officer, and processed for Expedited Removal/Credible Fear (ERF). Aliens processed under ERF procedures will be referred to ERO for detention. Field Offices should clearly indicate to both CIS and ERO that aliens are subject to Executive Order during the referral process.

Returning Residents,

(1)	Lawful Permanent Residents should be referred for	(b)(7)(E)	and held at the port of
	entry until an exemption to the Executive Order is g	ranted. The authority to g	rant an exemption has been
	delegated to the Commissioner of CBP, and further	delegated to Directors of	Field Operations and SES
	Port Directors. Once an exemption has been granted	d results of (b)(7)(E)	should be notated in
	(b)(7)(E) with the following language: Individual is suit	bject to Presidential Exec	utive Order and barred
	from entry pursuant to 212(f) of the INA but has bee	en granted an exemption p	per (insert DFO/SES PD).

Refugees, Asylees, Unaccompanied Children, and subjects returning to the US with Advanced Parole:

(1)	Aliens from the above group who are prevented from entry solely as a result of the Executive Order,
	should be referred for (b)(7)(E) and held at the port of entry until such time as an
	exemption to the Executive Order can be obtained. This exemption falls to the Secretary of State and
	Secretary of Homeland Security. Further guidance will be forthcoming on processing these
	exemptions.

Individuals who fall within any of the above may not be paroled, which includes port parole and deferred inspection. To the extent that there is an emergent medical issue related to an alien who falls within the Executive Order, CBP officers must accompany the alien for any medical care.

Returning aliens ineligible who withdraw their application for admission:

- (1) Aliens arriving via air or sea: Commercial carriers are required to remove foreign aliens found ineligible for entry under this order pursuant to 241(c)(1) of the INA.
- (2) Aliens arriving via land will be returned per current established procedures with the contiguous country.

Please ensure that this memorandum and attached muster are disseminated to all ports of entry within your jurisdiction. If you have any questions or require additional information, please contact (b)(6), (b)(7)(C)

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

(A) Director, Enforcement Programs Division, at (b)(6), (b)(7)(C)

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: HUTTON, JAMES R

Sent: Tuesday, January 31, 2017 7:41 PM

To: (b)(6), (b)(7)(C)

**Subject:** FW: FAQs

**Attachments:** Final QA v5 (Q1-25).docx

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

See attached

These were just approved by C1 but will not yet be publically released.

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

Sent: Tuesday, January 31, 2017 7:12:09 PM

To: (b)(6), (b)(7)(C)

HUTTON, JAMES R; HOFFMAN, TODD A; FRIEL, MICHAEL J

Cc: FLANAGAN, PATRICK S

Subject: RE: FAQs

All,

(b)(5)

(b)(5) Please let me know if you have any additional questions.

Best,

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

Office of the Commissioner

U.S. Customs and Border Protection

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

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals Frequently Asked Questions
10/3/2017 4:43:04 AM

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals Frequently Asked Questions  $\frac{10/3/2017\ 4:43:04\ AM}{}$ 

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals Frequently Asked Questions 10/3/2017 4:43:04 AM

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals Frequently Asked Questions  $\frac{10/3/2017\ 4:43:04\ AM}{}$ 

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals Frequently Asked Questions  $\frac{10/3/2017\ 4:43:04\ AM}{}$ 

From: HUTTON, JAMES R

Sent: Friday, January 27, 2017 6:44 PM

To: HOWE, RANDY J

**Subject:** FW: FINAL SIGNED EO FOR ACTION

**Attachments:** 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC

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



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

Sent: Friday, January 27, 2017 6:41 PM

To: HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)

Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K

Sent: Friday, January 27, 2017 6:41 PM

To: WAGNER, JOHN P (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

FLANAGAN, PATRICK S	(b)(6), (b)(7)(C)	]
	(b)(6), (b)(7)(C)	

Subject: FINAL SIGNED EO FOR ACTION

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 9:36 AM

To: (b)(6), (b)(7)(C)

**Subject:** FW: Executive Order Report: Protecting the Nation from Foreign Terrorist Entry Into

the United States 1/28/2017

Attachments: 20170127 Executive Order Reporting attachment.xlsx; 01-27-2017.xlsx; Executive

Order Projected Counts for 01-28-2017.xlsx

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC

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



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From: (b)(6), (b)(7)(C) On Bel	half Of OFO-FIELD LIAISO	ON		
Sent: Saturday, January 28	3, 2017 8:08 AM			
To: Owen, Todd C (AC OFC	D) < (b)(6), (b)(7)(C)	; WAGNER, JOHN F	(b)(6), (b)(7)(C)	<b>&gt;</b> ;
CAMPBELL, CARL S <	(b)(6), (b)(7)(C)	; MURDOCK, JUDSON W	< (b)(6), (b)(7)(C)	<b>&gt;</b> ;
HOFFMAN, TODD A ◀	(b)(6), (b)(7)(C)	j:[ (t	o)(6), (b)(7)(C)	; HUTTON
JAMES R ₹ (b)(6)	, (b)(7)(C) >			
Cc: OFO-FIELD LIAISON <	()	b)(6), (b)(7)(C)		
<b>₹</b>	(b)	(6), (b)(7)(C)		

Subject: Executive Order Report: Protecting the Nation from Foreign Terrorist Entry Into the United States 1/28/2017

U.S. Customs and Border Protection
Office of Field Operations
Bullets for the Executive Assistant Commissioner

## **January 28, 2017**

## Washington, DC: Executive Order Report - Protecting the Nation from Foreign Terrorist Entry Into the U.S.

Executive Order Tracking									
Field Office: Consolidated Re	port	Date	28-Jan-17						
Country	Number of Non- Immigrant Encounters	Number Inmigrant/LPR Encounters	Number of Refugees Encounters	Number of Widthdrawls Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of LPR Waivers Granted by DFO		
kan	12	13		18			8		
kaq	6	11	1	7			2		
Lbya									
Smale						(b)(6), (b)(7)(C)			
Sudan	1	8		S			1		
Syria	3	1		4					
Yemen	0	1							

### **NTC-Passenger:**

Executive Order Tracking									
Feld Office:	NTC-P	Date:	27-Jan-17						
Country	Number of Non- Immigrant Encounters	Number Immigrant/LPR Encounters	Number of Refugees Encounters	Number of Widthdrawls Granted	Number of Expedited Removals	Number of Expedited Removals wif	Number of LPR Waivers h Granted by DFO		
ken	2	5	٥						
Iraq	٥	0	٥						
Libya	0	¢	0						
Somalia	0	0	0			(b)(6), (b)(7)(C)			
Sudan	4	2	0		***************************************				
Symia	1	4	0						
Yessen	1	2	Ò			Tl			

### **NTC Executive Order Projected Counts:**

Date	CTRY	LPR	NIV	IV	Total
	IQ	21	20	21	62
1/28/2017	IR	129	89	56	274
	SD	16	26	18	60
	50	1	0	0	1
	SY	23	29	12	64
***************************************	YE	2	16	39	57
Totals		192	130	146	518

## (b)(7)(E)

Submitted by: (b)(6), (b)(7)(c) / Field Liaison Division Date / Time: January 28, 2017 / 0800 hours

# Executive Order Tracking Field Office: Consolidated Report

Field Office: Consolidated Report Date: 28-Jan-17

Country	Number of Non- Immigrant Encounters	Number Immigrant/LPR Encounters	Number of Refugees Encounters	Number of Widthdrawls Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of LPR Waivers Granted by DFO	
Iran	12	13		18			8	
Iraq	6	11	1	7			2	7 pending
Libya								
Somalia						(b)(6), (b)(7)(C)		
Sudan	1	8		8			1	
Syria	3	1		4				
Yemen	0	1	_					

# Executive Order Tracking Field Office:

Field Office: NTC-P Date: 27-Jan-17

Country	Number of Non- Immigrant Encounters	Number Immigrant/LPR Encounters	Number of Refugees Encounters	Number of Widthdrawls Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of LPR Waivers Granted by DFO
Iran	2	5	0				
Iraq	0	0	0				
Libya	0	0	0				
Somalia	0	0	0			(b)(6), (b)(7)(C)	
Sudan	4	2	0				
Syria	1	4	0				
Yemen	1	2	0				

Date	CTRY	LPR	NIV	IV	Total
	IQ	21	20	21	62
	IR	129	89	56	274
1/28/2017	SD	16	26	18	60
1/28/2017	SO	1	0	0	1
	SY	23	29	12	64
	YE	2	16	39	57
Totals		192	180	146	518

From:	HUTTON, JAMES F	3			
Sent:	Saturday, January	28, 2017 10:16 AM			
То:	(b)(6), (				
Subject:		arifications- Actions T	aken Related <sup>.</sup>	to Executive (	Order
cancel visas					
From: (b)(6), (b)(7)(C) Sent: Saturday, January 28, 2017 To: HUTTON, JAMES R	10:11:55 AM				
Subject: RE: NYFO Need Clarificat	ions- Actions Taken	Related to Executive	Order		
I am going to try to catch a coupl visa (	e of hours sleep as I	have not yet. Only re (b)(5)	eal questions I	have are (1)	cancellation of the
visa ( <b>(b)(5)</b> and (2) let me know if	something comes ou	it of the DoS dual nat	ional issue		
If you need something call my ce	II.				
(b)(6), (b)(7)(C) (A)Director					
Enforcement Programs					
Washington, DC, 20229					
Desk: (b)(6), (b)(7)(C)					
BB: (b)(6), (b)(7)(C)					
Email:	(b)(6), (b)(	7)(C)		<b></b>	
WARNING: This document is LAW	/ ENFORCEMENT SEI	NSITIVE and is designa	ated for OFFIC	IAL USE ONL	Υ.
It contains information that may		_			
document is to be controlled, had	ndled, transmitted, ເ	listributed, and dispo	sed of in acco	rdance with [	OHS policy relating
to FOUO information, and is not	to be released to the	public or personnel	who do not ha	ave a valid "ne	eed-to-know"
without prior approval from CBPs	office of Field Oper	ations.			
_					
From: HUTTON, JAMES R	40.00 414				
Sent: Saturday, January 28, 2017		] 	ļ	(L. V. 2.V. E.)	
To: (b)(6), (b)(7		OFO-FIELD LIAISON		(b)(7)(E)	>;[ (b)(6), (b)(7)(C)
	(b)(6), (	b)(/)(C)			į
Cc:		o)(6), (b)(7)(C)			
HOFFMAN, TODD A (b Subject: RE: NYFO Need Clarificat	)(6), (b)(7)(C)	PEREZ, ROBERT	E < <b>(b)(</b> Order	(6), (b)(7)((	2)
·					
(b)(6), (b)(7)(C)					
Apologize for missing your other	questions.				

1

Please treat 1st time refugees as "Returning Refugees"

Waivers may be authorized by SES PD.

1.

2.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC

## (b)(6), (b)(7)(C)

[cid:image001.png@01D00E30.B35BEEB0]

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From: (b)(6), (b)(7)(C)			
Sent: Saturday, January 28, 2017 9:56	AM		
To: HUTTON, JAMES R	(b)(6), (b)(	(7)(C)	>; OFO-FIELD
LIAISON	(b)(7)(E)		, (b)(6), (b)(7)(C)
	(b)(6), (b)(7	′)(C)	
Cc:	(b)(6), (b)(7)(C	)	
(	b)(6), (b)(7)(C)		; HOFFMAN, TODD A
(b)(	6), (b)(7)(C)	; P	EREZ, ROBERT E
(b)(6	), (b)(7)(C)		
Subject: RE: NYFO Need Clarifications	- Actions Taken Related to E	xecutive Order	

Thank you!!!!!!

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

Border Security Coordinator

U.S. Customs & Border Protection

Office of Field Operations, New York

Office: (b)(6), (b)(7)(C)

Blackberry: (b)(6), (b)(7)(C)

Fax: Email: HSDN: (b)(6), (b)(7)(C)

"A man can be destroyed but not defeated."

**Ernest Hemingway** 

To:	(b)(6), (b)(7)(C)	; OFO-FIELD LIAISO
<	(b)(7)(E)	(b)(6), (b)(7)(C)
۲	(b)(6), (b)(7)(6	<b>C</b> )
Ć.	(b)(6), (b)(7)(C)	
F	(b)(6), (b)(7)(C)	HOFFMAN, TODD A
į	(b)(6), (b)(7)(C)	; PEREZ, ROBERT E
4	(b)(6), (b)(7)(C)	
	eed Clarifications- Actions Taken Related to Execu	tive Order
Importance: High		
o)(6), (b)(7)(C)		
Already spoke with	நடுருமு on this and am on phone with OCC	(b)(5)
(b)(5)		
J. Ryan Hutton		
Deputy Executive Dir		
Admissibility and Pas	senger Programs	
(b)(6), (b)(7)(C)		
Washington, DC		

[cid:image001.png@01D00E30.B35BEEB0]

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From: (b)(6), (b)(7)(C)		
Sent: Saturday, January 28, 2017 9:5	51 AM	
To: OFO-FIELD LIAISON <	(b)(7)(E)	(b)(6), (b)(7)(C)
\	(b)(6), (b)(7)(C)	
HUTTON, JAMES R	(b)(6), (b)(7)(C)	
Cc	(b)(6), (b)(7)(C)	
Subject: NVEO Need Clarifications - A	actions Taken Related to Evecutive Order	

Good morning,

Please have your staff provide answers to the questions below:

Update on the status of refugee processing instructions.

Was it intentionally to exclude other PDs SES from granting waiver, or an oversight.

Regarding the JFK case below( media attentions) should a first time arriving refugee be process as first time immigrant(ER), or process as first time refugee (S1 waiver). A respond back to us as soon as possible will be greatly appreciated.

See below bullets regarding the case.

Bullets for the DFO:

# (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

Respectfully,

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

Border Security Coordinator

U.S. Customs & Border Protection

Office of Field Operations, New York

Office: (b)(6).(b)(7)(C)

Blackberry: (b)(6), (b)(7)(C)

Fax: Email: HSDN

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

**Ernest Hemingway** 

<sup>&</sup>quot;A man can be destroyed but not defeated."

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 1:56 PM

To: (b)(6), (b)(7)(C)

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry

into the United States

Can you call

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

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC



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



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

Sent: Saturday, January 28, 2017 1:56 PM

To: HUTTON, JAMES R (b)(6), (b)(7)(C)

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Just tried to call you and XD, let me know whatever you need

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

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

Director

Traveler Entry Programs

U.S. Customs and Border Protection

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

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 2:50:52 PM

To: (b)(6), (b)(7)(C)

Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

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

Can you please be available for calls today with airlines...

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

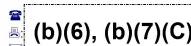
We are heading into the office, can you meet us there.

J. Ryan Hutton

**Deputy Executive Director** 

Admissibility and Passenger Programs

(b)(6), (b)(7)(C) Washington, DC





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F	LIOTI	IAAAAT	TODD	٨
From.	H( 1F	- IV/I (A IVI	1 ( 11 11 1	$\Delta$

Sent: Saturday, January 28, 2017 9:48 AM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Cc: HUTTON, JAMES R (b)(6), (b)(7)(C)

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Please set two calls for carriers/airports at 1230 and us travel, etc. at 1:00.

Ryan, I'm going to the office. Can you meet me there? We need on call for coding. May want of it around.

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

**Sent:** Saturday, January 28, 2017 6:38:03 AM **To:** HOFFMAN, TODD A; (b)(6), (b)(7)(C) **Cc:** HUTTON, JAMES R

Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Travel or do a separate call.
(b)(6), (b)(7)(C)
Director, ESTA, EVUS
Office of Field Operations, APP
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)
Sent from mobile device
From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 9:26:43 AM
To: (b)(6), (b)(7)(C)
Cc: HUTTON, JAMES R  Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Subject. RE. Guidance on Executive Order Protecting the Nation Holl Foreign Ferrorist Entry into the officed States
Who can you get for later today? IATA, AAAE, etc
From: (b)(6), (b)(7)(C)
<b>Sent:</b> Saturday, January 28, 2017 4:20:48 AM
To: HOFFMAN, TODD A; (b)(6), (b)(7)(C)
Cc: HUTTON, JAMES R  Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Subject: RE. Guidance on Executive Order Protecting the Nation from Foreign Terrorist Entry into the officed States
Did you tell all the other airlines yet? And what about other stakeholders.
(b)(6), (b)(7)(C)
Director, ESTA, EVUS
Office of Field Operations, APP
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)
Sent from mobile device
From: HOFFMAN, TODD A
<b>Sent:</b> Saturday, January 28, 2017 1:59:26 AM
To: (b)(6), (b)(7)(C)  Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Subject: 1 W. Guidance on Executive order Trotecting the Nation Holl Foreign Ferrorist Entry into the Office States
Here is the guidance. Please ensure (b)(7)(E) are on board.
we had a call with A4A members at 2200 hours. We addressed their questions bur (b)(6), (b)(7)(c) may have
more tomorrow.
more tomorrow.
From: HOFFMAN, TODD A Sont: Friday, January 27, 2017 10:06:41 PM
Sent: Friday, January 27, 2017 10:06:41 PM  To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; HUTTON, JAMES R; (b)(6), (b)(7)(C)
(b)(0), (b)(1)(C)
Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Yes I can get ACI, probably AAAE, and working to get the IATA guy now. Probably should also include US

Directors,

I apologize for the delay. Please be advised that you have unilateral authority to approve exemptions to the Executive Order for LPRs, no State Department approval required. The exemption process for other categories of aliens as outlined in the policy guidance currently requires the approval of the acting Commissioner. Further guidance for these exemptions is forthcoming.

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs

Office of Field Operations

Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into

the United States"

Effective immediately, and pursuant to Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017), all entry into the United States for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen is hereby suspended in accordance with Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those foreign nationals traveling on diplomatic visas, NATO visas, C2 visas for travel to the United Nations, G1, G2, G-3, and G-4 visas. This also includes all immigrant classes of admission, returning resident aliens refugees and asylees.

The Department to State has provided CBP with a letter provisionally revoking all immigrant and non-immigrant visas for nationals of Iran, Iran, Libya, Somalia, Sudan, and Yemen. Revocations may not yet be annotated in the system.

Wherever possible (b)(7)(E) will co	ordinate the denial of boarding through 🗀	/b\/7\/E\
(b)(7)(E) locati	ons, and (b)(7)(E)	(D)(7)(E)

Should aliens, subject to the Executive Order, arrive at the port of entry, CBP officers are instructed to take the following actions:

Applicants bearing Non-Immigrant Visas and First Time Arriving Immigrants:

- (1) All case processing will be recorded in (b)(7)(E) system, according to current policy/procedure.
- (2) Subjects will be allowed to withdraw their application for admission on Form I-275, *without a sworn statement*. All other procedures pertaining to the processing of Form I-275 withdrawal cases apply.
- (3) Should the alien decline to withdraw their application for admission, the alien will be placed in Expedited Removal in accordance with standard operating procedures.
- (4) Aliens claiming fear of return will be referred to an asylum officer, and processed for Expedited Removal/Credible Fear (ERF). Aliens processed under ERF procedures will be referred to ERO for detention. Field Offices should clearly indicate to both CIS and ERO that aliens are subject to Executive Order during the referral process.

Returning Residents,

(1) Lawful Permanent Residents should be referred for (b)(7)(E) and held at the port of entry until an exemption to the Executive Order is granted. The authority to grant an exemption has been delegated to the Commissioner of CBP, and further delegated to Directors of Field Operations and SES Port Directors. Once an exemption has been granted results of (b)(7)(E) should be notated in (b)(7)(E) with the following language: Individual is subject to Presidential Executive Order and barred from entry pursuant to 212(f) of the INA but has been granted an exemption per (insert DFO/SES PD).
Refugees, Asylees, Unaccompanied Children, and subjects returning to the US with Advanced Parole:  (1) Aliens from the above group who are prevented from entry solely as a result of the Executive Order, should be referred for (b)(7)(E) and held at the port of entry until such time as an exemption to the Executive Order can be obtained. This exemption falls to the Secretary of State and Secretary of Homeland Security. Further guidance will be forthcoming on processing these exemptions.
Individuals who fall within any of the above may not be paroled, which includes port parole and deferred inspection. To the extent that there is an emergent medical issue related to an alien who falls within the Executive Order, CBP officers must accompany the alien for any medical care.
<ul> <li>Returning aliens ineligible who withdraw their application for admission:</li> <li>(1) Aliens arriving via air or sea: Commercial carriers are required to remove foreign aliens found ineligible for entry under this order pursuant to 241(c)(1) of the INA.</li> <li>(2) Aliens arriving via land will be returned per current established procedures with the contiguous country.</li> </ul>
Please ensure that this memorandum and attached muster are disseminated to all ports of entry within your jurisdiction. If you have any questions or require additional information, please contact (b)(6), (b)(7)(C) (A) Director, Enforcement Programs Division, at (b)(6), (b)(7)(C)
Todd A. Hoffman

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: HUTTON, JAMES R

 Sent:
 Saturday, January 28, 2017 9:34 PM

 To:
 (b)(6), (b)(7)(C)

**Subject:** FW: Federal Court Stay Being Ordered

**Attachments:** 20170128212223215.pdf

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC

(b)(6), (b)(7)(C)
Attorney Work Product / Attorney-Client Privileged \*\*

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



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From: (b)(6), (	b)(7)(C)			
Sent: Saturday, Januar	y 28, 2017 9:31 PM			
То:	(b)(6), (b)(7)(C)	>; ALLES, RANDOLPH D ∢	(b)(6), (b)(7)(C)	>;
MCALEENAN, KEVIN K	< (b)(6), (b)(7)(C)	; Owen, Todd C (AC (	OFO) <[(b)(6), (b)(7)(C)	Þ;
WAGNER, JOHN P ◀	(b)(6), (b)(7)(C)	'/>; HOFFMAN, TODD A ⊲	(b)(6), (b)(7)(C)	>;
HUTTON, JAMES R ◀	(b)(6), (b)(7)(C)	<u> </u>		
Cc:	(b)(6),	(b)(7)(C)		
(b)(6), (b)(7)(C)	Þ			
Subject: RE: Federal C	ourt Stay Being Ordered			
	(b)(5)			
(b)(6), (b)(7)(C) CBP Associate Chief Coun	sel (Enforcement and Operations)			

1

From: (b)(6), (b)(7)(C)  Sent: Saturday, January 28, 201	7 0·10 DM		
To: ALLES, RANDOLPH D <	(b)(6), (b)(7)(c)		<del></del> 1
(b)(6), (b)(7)(C)	; MCALEENAN, KEVIN K <	(b)(6), (b)(7)(C)	<u>-</u> >; Owen, Todd C
(AC OFO) ⊲ (b)(6), (b)(7)(C)	>; WAGNER, JOHN P <	(b)(6), (b)(7)(C)	; HOFFMAN, TODD A
⟨ (b)(6), (b)(7)(C)	}; HUTTON, JAMES R <	(b)(6), (b)(7)(C)	
Cc:	(b)(6), (b)(7)(C)		
(b)(6), (b)(7)(C)			j
Subject: RE: Federal Court Stay	Being Ordered		
,,			
(b)(5), (b	)(7)(E)		
From: ALLES, RANDOLPH D Sent: Sunday, January 29, 201 To: (b)(6), (b)(7)(C) TODD A; HUTTON, JAMES R	7 2:16:54 AM MCALEENAN, KEVIN K; Owen, (b)(6), (b)(7)(C)	Todd C (AC OFO); WAGN	NER, JOHN P; HOFFMAN,
Cc: Subject: RE: Federal Court Sta		. <u></u> j	
(b)(5), (b)(	7)(F)		
(2)(0); (2)(	, , , , , , , , , , , , , , , , , , , ,		
From: (b)(6), (b)(7)(C) Sent: Saturday, January 28, 20	EENAN, KEVIN K; Owen, Todd C (AC (b)(6), (b)(7)(C)	OFO); WAGNER, JOHN I	P; HOFFMAN, TODD A;
·			
	(b)(5)		
(b)(6), (b)(7)(C) CBP Associate Chief Counsel (Enforce (b)(6), (b)(7)( ** Attorney Work Product / Attorney-C	ement and Operations)  C)  Client Privileged **		
From: ALLES, RANDOLPH D			
Sent: Saturday, January 28, 201	7 9:00 PM		
То:	(b)(6), (b)(7)(C)	>; MCALEENAN,	KEVIN K
√ (b)(6), (b)(7)(C)	}; Owen, Todd C (AC OFO) ﴿	(b)(6), (b)(7)(C)	; WAGNER, JOHN P
< (b)(6), (b)(7)(C)	>; HOFFMAN, TODD A ﴿	(b)(6), (b)(7)(C)	; HUTTON, JAMES R
< (b)(6),(b)(7)(C)	>		5
Cc:	(b)(6), (b)(7)(C)		
4	(b)(6), (b)(7)(C)		]
Subject: RE: Federal Court Stay	Being Ordered		

## (b)(5), (b)(6), (b)(7)(C)

		/ \ / / / / / / / / / / / / / / / / / /	
V/R			
R. D. "Tex" Alles, (b)(6), (b)(7	<u>v(c) (0)</u>		
11. D. TEX Alles, (b)(0), (b)(1	<u>)(e)</u> (e)		
From: (b)(6), (b)(7)(	(1)		
Sent: Saturday, January 28, 2	2017 20:56		
To: MCALEENAN. KEVIN K	(b)(6), (b)(7)(C)	: Owen, Todd C (AC OFO)	
⟨ (b)(6), (b)(7)(C)	>; WAGNER, JOHN P ⊲	(b)(6), (b)(7)(C) >; ALLES	S, RANDOLPH D
⟨ (b)(6), (b)(7)(C)	⇒; HOFFMAN, TODD A <	(b)(6), (b)(7)(C)	; HUTTON, JAMES R
< (b)(6), (b)(7)(C)	<b></b> >	; Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) ; ALLES (b)(6), (b)(7)(C)	
Cc:			
d	(b)(6), (b)(7)(C)		
Subject: Federal Court Stay E	Being Ordered		
	/= \	/ - \	
		<b>(5)</b>	
	\ -		
(b)(6), (b)(7)(C) CBP Associate Chief Counsel (Enfo (b)(6), (b) ** Attorney Work Product / Attorney	orcement and Operations) (7)(C) ey-Client Privileged **		
From: (b)(6), (b)(7)(C			
Sent: Saturday, January 28, 2			
To: MCALEENAN, KEVIN K ∢		>; Owen, Todd C (AC OFO)	
< (b)(6), (b)(7)(C)	b: WAGNER JOHN P ⊲	(b)(6), (b)(7)(C) ; ALLES	S. RANDOLPH D
(b)(6), (b)(7)(C)			;; HUTTON, JAMES R
< (b)(6), (b)(7)(C)	>		
Cc:	(b)(6), (b)(7)(C)		
	(b)(6), (b)(7)(C)		•
Subject: Section 5(e) Waiver	Approved		
, ,			
	(b)	$\setminus \cup$	
		•	
/b/(c) /b/(7)(o) !			
(b)(6), (b)(7)(C) CBP Associate Chief Counsel (Enf (b)(6), (b)	orcement and Operations)		
(b)(6), (b)	(7)(C)		
** Attornay Work Draduct / Attorn	av Client Privileged **		

UNITED STATES DISTRICT COURT	
EASTERN DISTRICT OF NEW YORK	
	X
	:
HAMEED KHALID DARWEESH and	:
HAIDER SAMEER ABDULKHALEQ ALSHAWI, on behalf of themselves and others	:
similarly situated,	:
Petitioners,	:

**DECISION AND ORDER** 

- against -

17 Civ. 480 (AMD)

DONALD TRUMP, President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY ("DHS"); U.S. CUSTOMS AND BORDER PROTECTION ("CBP"); JOHN KELLY, Secretary of DHS; KEVIN K. MCALEENAN, Acting Commissioner of CBP; JAMES T. MADDEN, New York Field Director, CBP,

Respondents.

X

ANN DONNELLY, District Judge.

On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

**IT APPEARING** to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

The petitioners have a strong likelihood of success in establishing that the removal of the
petitioner and others similarly situated violates their rights to Due Process and Equal
Protection guaranteed by the United States Constitution;

- 2. There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
- 3. The issuance of the stay of removal will not injure the other parties interested in the proceeding;
- 4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

WHEREFORE, IT IS HEREBY ORDERED that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

ENJOINED AND RESTRAINED from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

SO ORDERED.

Ann M. Donnelly United States District Judge

Dated: Brooklyn, New York January 28, 2017

From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 9:13 AM

To: DURST, CASEY OWEN

Subject: RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

Ok

I just don't want something to fall off the table.

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC





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From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 9:02 AM

**To:** HUTTON, JAMES R < (b)(6), (b)(7)(C)

**Subject:** RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

This was approved – just noticed you were not copied. Sent you all I received this morning.

Casey Owen Durst Director, Field Operations **Baltimore Field Office** (b)(6), (b)(7)(C) (office)

(b)(6), (b)(7)(C) (cell)

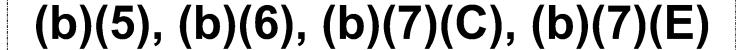
"This document and any attachment(s) may contain restricted, sensitive, and/or law enforcement-sensitive information belonging to the U.S. Government. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient."

From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 8:57 AM

To: MCALEENAN, KEVIN K ←	(b)(6), (b)(7)(C)	<b>&gt;</b>		
Cc: Owen, Todd C (AC OFO) <	(b)(6), (b)(7)(C)	; HOFFMAN, TODD	) A ₹ (b)(6)	, (b)(7)(C) >;
MURDOCK, JUDSON W	(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	);
DURST, CASEY OWEN <	(b)(6), (b)(7)(C)	<b>&gt;</b>		
Subject: FW: EO 212(f) Exem	ption for (b)(6),	(b)(7)(C)		
Commissioner				
For your review and concu	rrence			
(b)(5)				
J. Ryan Hutton				
Deputy Executive Director				
Admissibility and Passenge	er Programs			
(b)(6), (b)(7)(C)				
Washington, DC				
	ገ			
**: (b)(6) (b)(7)(C)				
<b>a</b> : (b)(6), (b)(7)(C)				
23.	!			
G Gerasti				
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Warning: This document is UNCL the Freedom of Information Act (5 U.S.	C. 552). It is to be controlled, store	NLY (U//FOUO). It contains info d. handled. transmitted. distribu	ormation that may be exem ted, and disposed of in acc	opt from public release under
relating to FOUO information and is not	t to be released to the public or oth	er personnel who do not have a	valid "need-to-know" with	out prior approval of an
authorized DHS official. No portion of the may contain confidential and/or sensitive				
the intended recipient(s). Please notify disclosure of this document must be ap			stroy all originals and copie	s of the original. Any
are are are are are are	proton by order outsidence and born			
From: (b)(6), (b)(7)(0	3)			
Sent: Sunday, January 29, 20				
	), (b)(7)(C)	 ; OFO-FIELD LIAISO	N < (b)	(7)(E) >;
HUTTON, JAMES R <	(b)(6), (b)(7)(C)	> >	4	<u> </u>
Cc:	(b)(6), (b)(7)(C)	:	<u> </u>	
<[ (b)(6), (b)(7)(C)	>; Owen, Tod	d C (AC OFO) <	(b)(6), (b)(7)(C)	; WAGNER, JOHN P
(b)(6), (b)(7)(C)	; MURDOCK, JUDS		5), (b)(7)(C)	; HOFFMAN, TODD A
< (b)(6), (b)(7)(C)		(b)(6), (b)(7)		
	>; DURST, CASEY OWEN <	(b)(6), (b)(7)	(C)	
Subject: RE: EO 212(f) Exemp	otion for (b)(6), (I	b)(7)(C)	.2	
,				
(b)(5)				
·	· <del></del>			
(b)(6), (b)(7)(C) CBP Associate Chief Counsel (Enfo	programment and Operations)			
(b)(6), (b)(	7)(C)			
** Attorney Work Product / Attorne	ey-Client Privileged **			
	,			
From: (b)(6), (b)(7)(C)				
Sent: Sunday, January 29, 20	17 5:37 AM			

To: OFO-FIELD LIAISON <	(b)(7)(E)	>; HUTTON, JAMES R ﴿	(b)(6), (b)(7)(C)	<b>&gt;</b>
Cc:	(b)(6), (b)(7)(C)			
4		)(6), (6)(7)(C)		<u>};</u>
Owen, Todd C (AC OFO) <		>; WAGNER, JOHN P <	(b)(6), (b)(7)(C)	<b>}</b> ;
MURDOCK, JUDSON W <	(b)(6), (b)(7)(C)	; HOFFMAN, TODD A		
(b)(6), (b)(7)(C)	i	(b)(6), (b)(7)(C)		<u> </u>
	; DURST, CASEY OWEN <	(b)(6), (b)	(7)(C)	<u>.</u>
(b)(6), (b)(7)(C)	P	1		
Subject: RE: EO 212(f) Exempt	ion for (b)(6), (b	)(/)(C)		
ALCON,				
Revised per (b)(5)				
Regards,				
(b)(6), (b)(7)(C)				
Assistant Director Border Se	ecurity			
U.S. Customs and Border Pr	rotection			
Baltimore Field Office				
Office: Mobile (b)(6), (b)(7)(C)				
Mobile (6)(6), (6)(7)(6)				
Th: 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		1/- 1 6-		1
	775 763 11 <del>-</del> 5	sensitive, and/or law enforcement		
U.S. Government. It is not for rele	ease, review, retransmission	n, dissemination, or use by anyone	other than the intended re	ecipient.
From: (b)(6), (b)(7)(C)				
Sent: Sunday, January 29, 201	7 1.29 AM			
To: OFO-FIELD LIAISON <	(b)(7)(E)	; HUTTON, JAMES R <	(b)(6), (b)(7)(C)	ъ
aCc:	(b)(f),(b)(7)(C)	, HOTTON, SANTES IT N		r
4		)(6),(b)(7)(C)	j	};
Owen, Todd C (AC OFO) <	(b)(6), (b)(7)(C)	}; WAGNER, JOHN P <	(b)(6), (b)(7)(C)	/ >;
MURDOCK, JUDSON W <	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	>; HOFFMAN, TODD A		
< (b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)		
<	(b)(6), (b)(7)(C)	4	; DURST, CASEY OWEN	
(b)(6), (b)(7)(C)	<b>&gt;</b>			
Subject: EO 212(f) Exemption	for (b)(6), (b)(7)(0	<u>)</u>		
Good morning,				
Requesting a waiver as deta	iled below.			
Please see attached request for	EO 212(f) Exemption fo	or (b)(6), (b)(7)(C)	]	
Summary: CBP, OFO, Bal	timore Field Office rec	commends that you	(b)(5)	
/# \ / <del></del> \	/= \ /			
1h1/5	ı /h\/	61 /h1/	7111	
INNJ	1, INN	6), (b)		
\ /\			· / \	



Submitted by: (b)(6), (b)(7)(C) Chief, Washington Dulles POE

Date / Time: January 29, 2017; 0327

### Regards,

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

Assistant Director Border Security U.S. Customs and Border Protection

Baltimore Field Office

Office: Mobile:

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

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From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 1:27 PM

To: (b)(6), (b)(7)(C)

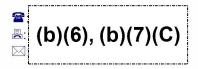
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign

Terrorist Entry into the United States

Yes

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)

Washington, DC





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

Sent: Sunday, January 29, 2017 11:59 AM

To: HUTTON, JAMES R (b)(6), (b)(7)(C)

Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United

States

Ryan,

Are you referring to the Enforcement Programs Division mailbox?

Please advise -thanks.

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

Assistant Director, Field Operations (Trade) Houston Field Office Office of Field Operations U.S. Customs and Border Protection

Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: SHOBERG, ERIK

Sent: Sunday, January 29, 2017 10:52 AM

To: (b)(6), (b)(7)(C)

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

Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United

States

Please pass along.

Erik Shoberg
Acting Director Field Operations
Houston Field Office
Office of Field Operations
Customs and Border Protection

(b)(6), (b)(7)(C) office cell

From: HUTTON, JAMES R

**Sent:** Sunday, January 29, 2017 10:49:13 AM

To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS;

**ENFORCEMENT PROGRAMS DIVISION** 

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

**Subject:** RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

DFO's

Kindly request that you all Enforcement Programs Division (group mailbox) to all waiver requests. This will helps us track the waivers and alleviate field reporting.

Thank very much for all of your flexibility. We are striving not to burden the Field.

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC



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From: HUTTON, JAMES R				
Sent: Saturday, January 28, 201	7 9:34 PM			
To: HOFFMAN, TODD A	(b)(6), (b)(7)(C)	DIRECTORS FIELD	OPS	_
(b)(7)(E)	EXECUTIVE DIRECT	ΓORS HQ ₹	(b)(7)(E)	; BORDER
SECURITY ASST DIRECTORS	(b)(7)(E	<u> </u>		
Cc: Owen, Todd C (AC OFO)	(b)(6), (b)(7)(C)	WAGNER, JOHN P	(b)(6), (b)(7)(C)	<u>;</u>
	(b)(6),	(b)(7)	(C)	

Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United

States

Importance: High

#### DFO's

As a follow up from guidance sent last night. In addition to waivers for LPRs, the Secretary of Homeland Security has delegated waiver authority to the Commissioner of CBP for **only** the following categories of individuals subject to the EO:

- Returning Refugees (to include any 1<sup>st</sup> time refugees encountered);
- Returning Asylees;
- Individuals in possession of a valid I-512 issued by CIS;
- UAC

The request for said waiver will need to follow the below format sent initially to the below distro

- (b)(6), (b)(7)(C)
- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman
- (a) DXD (b)(6), (b)(7)(C)
- DXD Hutton
- OFO Field Liaison

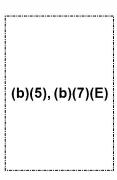
I have also attached some samples that were submitted for approval today.

### Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

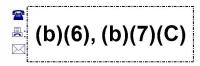
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(7)(E)



J. Ryan Hutton Deputy Executive Director Admissibility and Passenger Programs

(b)(6), (b)(7)(C) Washington, DC





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From: HOFFMAN, TODD A

Sent: Saturday, January 28, 2017 1:07 AM

To: DIRECTORS FIELD OPS (b)(7)(E) ; EXECUTIVE DIRECTORS HQ

⟨ (b)(7)(E) ; BORDER SECURITY ASST DIRECTORS

(b)(7)(E)

Cc: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) ; WAGNER, JOHN P ⟨ (b)(6), (b)(7)(C)

HUTTON, JAMES R ⟨ (b)(6), (b)(7)(C)

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

Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Directors,

Importance: High

I apologize for the delay. Please be advised that you have unilateral authority to approve exemptions to the Executive Order for LPRs, no State Department approval required. The exemption process for other categories of aliens as outlined in the policy guidance currently requires the approval of the acting Commissioner. Further guidance for these exemptions is forthcoming.

Memorandum For:	Directors, Field Operations
From:	Todd A. Hoffman Executive Director Admissibility and Passenger Programs Office of Field Operations
Subject:	Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Entry into the United from Iran, Iraq, Libya 212(f) of the INA. T nationals traveling on	y, and pursuant to Executive Order entitled, "Protecting the Nation from Foreign Terrorist States" (January 27, 2017), all entry into the United States for aliens who are nationals a, Somalia, Sudan, Syria and Yemen is hereby suspended in accordance with Section This includes all non-immigrant classifications, with the exception of those foreign a diplomatic visas, NATO visas, C2 visas for travel to the United Nations, G1, G2, G-3, also includes all immigrant classes of admission, returning resident aliens refugees and
	tate has provided CBP with a letter provisionally revoking all immigrant and non- ationals of Iran, Iran, Libya, Somalia, Sudan, and Yemen. Revocations may not yet be em.
Wherever possible, (b)(7)(E)	(b)(7)(E) will coordinate the denial of boarding through locations, and (b)(7)(E)
Should aliens, subject following actions:	t to the Executive Order, arrive at the port of entry, CBP officers are instructed to take the
<ul> <li>(1) All case proces system, according to a considerate system, according to a considerate system.</li> <li>(2) Subjects will statement. All (3) Should the ali Expedited Research</li> <li>(4) Aliens claiming Removal/Created detention. Field</li> </ul>	ding to current policy/procedure.  be allowed to withdraw their application for admission on Form I-275, without a sworn other procedures pertaining to the processing of Form I-275 withdrawal cases apply. Then decline to withdraw their application for admission, the alien will be placed in moval in accordance with standard operating procedures.  In a fear of return will be referred to an asylum officer, and processed for Expedited dible Fear (ERF). Aliens processed under ERF procedures will be referred to ERO for ld Offices should clearly indicate to both CIS and ERO that aliens are subject to Executive the referral process.
entry until an delegated to the Port Directors (b)(7)(E) with the	anent Residents should be referred for (b)(7)(E) and held at the port of exemption to the Executive Order is granted. The authority to grant an exemption has been the Commissioner of CBP, and further delegated to Directors of Field Operations and SES once an exemption has been granted results of (b)(7)(E) should be notated in a following language: Individual is subject to Presidential Executive Order and barred around to 212(f) of the INA but has been granted an exemption per (insert DFO/SES PD).

Refugees, Asylees, Unaccompanied Children, and subjects returning to the US with Advanced Parole:

(1)	Aliens from the above group who	are prevented	from entry solely as a	result of the Executive Order,
	should be referred for (b)(	7)(E)	and held at the port of	entry until such time as an
	exemption to the Executive Order	can be obtain	ed. This exemption fall	s to the Secretary of State and
	Secretary of Homeland Security.	Further guida	nce will be forthcomin	g on processing these
	exemptions.			

Individuals who fall within any of the above may not be paroled, which includes port parole and deferred inspection. To the extent that there is an emergent medical issue related to an alien who falls within the Executive Order, CBP officers must accompany the alien for any medical care.

Returning aliens ineligible who withdraw their application for admission:

- (1) Aliens arriving via air or sea: Commercial carriers are required to remove foreign aliens found ineligible for entry under this order pursuant to 241(c)(1) of the INA.
- (2) Aliens arriving via land will be returned per current established procedures with the contiguous country.

Please ensure that this memorandum and attached muster are disseminated to all ports of entry within your	
jurisdiction. If you have any questions or require additional information, please contact (b)(6), (b)(7)(C)	
(b)(6), (b)(7)(c) (A) Director, Enforcement Programs Division, at (b)(6), (b)(7)(C)	

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 2:25 PM

To: (b)(6), (b)(7)(C)

Subject: RE: Waiver Request - 212 F Executive Order- (b)(6), (b)(7)(C)

On it

J. Ryan Hutton
Deputy Executive Director

Admissibility and Passenger Programs

(b)(6), (b)(7)(C) Washington, DC

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



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From: (b)(6), (b)(7)(C)	
Sent: Sunday, January 29, 2017 2:04 PM	
To: HUTTON, JAMES R (b)(6), (b)(7)(C)	
Subject: RE: Waiver Request- 212 F Executive Order	r- (b)(6), (b)(7)(C)
Rvan –	(h)/5)

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

Port Director

U.S. Customs and Border Protection

JFK Airport

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

From: HUTTON, JAMES R

Sent: Sunday, January 29, 2017 1:38 PM

То:	(b)(6), (b)(7)(C)	
Subject: RE: V	Vaiver Request- 212 F Executive Order-	(b)(6), (b)(7)(C)
	(b)	(5)
L		

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC

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



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

Sent: Sunday, January 29, 2017 12:49 PM

To: HUTTON, JAMES R (b)(6), (b)(7)(C)

Subject: RE: Waiver Request- 212 F Executive Order- (b)(6), (b)(7)(C)

Ryan – Any update on this one?

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

Port Director

U.S. Customs and Border Protection

JFK Airport

From: HUTTON, JAMES R				
Sent: Sunday, January 29, 2017 1	1:50 AM			
To: MCALEENAN, KEVIN K	(b)(6), (b)(7)(C)			
Cc: Owen, Todd C (AC OFO)	(b)(6), (b)(7)(C)	HOFFMAN, TODD A	(b)(6), (b)(7)(C)	
ENFORCEMENT PROGRAMS DIVIS	SION	(b)(7)(E)	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(	C)		
(b)(6), (b)(7)(C)				
Subject: FW: Waiver Request- 21	2 F Executive Order-	(b)(6), (b)(7)(C)		

Commissioner

(b)(5)

J. Ryan Hutton

**Deputy Executive Director** 

Admissibility and Passenger Programs

Sent: Sunday, January 29, 2017 11:36:12 AM

To:

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

Washington, DC

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



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From (b)(6), (b)(7)(C)				
Sent: Sunday, January 29, 2017				
To:	(b)(6), (b)(7)		<u> </u>	
	(b)(6), (b)(7)(	C)		
	(6), (b)(7)(C)	HOFFMAN, TO	DD A	
(b)(6), (b)(7)(C)	HUTTON, JAMES R	(b)(6), (b)	(7)(C)	
	(b)(6), (b)(7)(C)		OFO-FIELD LIAISON	
(b)(7)(E)	Owen, Todd C (AC OFO)	(b)(6), (b)(7)(C)	WAGNER, JOHN P	
(b)(6), (b)(7)(C)				
Cc:	(b)(6), (b	)(7)(C)		
	(b)(6), (b)			
<b>Subject:</b> RE: Waiver Request- 23	12 F Executive Order- (b)(6), (t	b)(7)(C)		
(b)(5)				
(b)(6), (b)(7)(C) CBP Associate Chief Counse	l (Enforcement and Operations	)		
	(6), (b)(7)(C)			
** Attorney Work Product / A	Attorney-Client Privileged **	<del></del>		
From: (b)(6), (b)(7)(C)				

(b)(6), (b)(7)(C) HOFFMAN, TODD A; HUTTON, JAMES R;  LIAISON; Owen, Todd C (AC OFO); WAGNER, JOHN P  Cc: (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)  Subject: Waiver Request- 212 F Executive Order- (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	OFO-FIELD
(b)(5), (b)(6), (b)(7)	(C), (b)(7	7)(E)

Respectfully,

(b)(6), (b)(7)(C)
Border Security Coordinator
U.S. Customs & Border Protection
Office of Field Operations, New York

"A man can be destroyed but not defeated."

Ernest Hemingway

From: HUTTON, JAMES R

 Sent:
 Monday, January 30, 2017 12:18 PM

 To:
 (b)(6)

To: (b)(6)

Subject: RE: heads up on a front office tasker

**Attachments:** 01202017 - S1 tasking.docx

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)

Washington, DC

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



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From: HUTTON, JAMES R

**Sent:** Monday, January 30, 2017 12:16 PM

To: (b)(6)

Subject: FW: heads up on a front office tasker

(b)(6)

Can you give me a call when you get a chance.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC

(b)(6)



From:

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Sent: Monday, January 30, 2017 11:59 AM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C)
Cc: (b)(6)
Subject: RE: heads up on a front office tasker
Todd,
Could you send what you have so far. We are running out of time here and the front office has not allowed an extension.
Thanks (b)(6)
From (b)(6) Sent: Monday, January 30, 2017 11:00 AM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C)
Cc: (b)(6)
Subject: FW: heads up on a front office tasker
Todd,
I will give you a call to discuss as well. But here is some background that I provided to as to the Front Office questions.
Thanks
(b)(6)
From: (b)(6) Sent: Monday, January 30, 2017 9:21 AM
To: (b)(6), (b)(7)(C)

Cc: [	(b)(6)	]
Subject: heads up on	a front office tasker	
,		
(b)(6), (b)(7)(C)		

I can only imagine your weekend!

We have a hot tasker from the DHS front office that will require coordination with CBP and OGC. I wanted to give you a heads up as our policy chief of staff is calling over to Patrick Flannigan to request some assistance and knowing this might fall on you.

The Secretary is looking to make some legislative calls today and wants to be better informed on the policy concerns and the operator impacts. The paper is due to the front office by noon.

What we have been told is required in the paper is the following:

Volume context – sort of what you had read to me on Friday How secondary screening works for any of the persons affected by the EO – Do you have a paper on the secondary inspection process?

How Dual Nationals are handled

How SIV's are handled

Students and workers

"Multi entry visa holders" This is the term they used but we believe this to be b1/b2

LPR's and how they are processed what is being done in secondary it was reported additional checks were being done

This is also an opportunity that if there are additional policy questions you need answered please raise them as well.

Thanks (b)(6)

### For Official Use Only / Law Enforcement Sensitive Office of Field Operations Admissibility and Passenger Programs January 30, 2017

**Action Required:** Informational

**Issue:** Operational impact and policy concerns following Executive Order "Protecting the Nation from Foreign Terrorist Entry In to the United States"

### **Summary:**

The President's Executive Order, "Protecting the Nation from Foreign Terrorist Entry In to the United States," was signed on January 27, 2017. This order suspends the entry of any class of aliens the President deems detrimental to the interests of the United States, stated as Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, with limited exceptions, pursuant to section 212(f) of the Immigration and Nationality Act.

### **Background:**

U.S. Customs and Border Prote persons and goods who seek to States are subject to inspection	enter the United States. A and search by CBP Office	All travelers attempting to ent ers to determine identity, alie	er the United enage, and
admissibility of the traveler and	, , , , ,	2	•
available, CBP officers may ask	k additional questions, re	view additional documents, as	nd search a
traveler, vehicle, baggage, elect	tronic devices, or examin	e any other goods that a trave	ler seeks to bring
into the United States in a proce	ess called secondary insp	ection. <b>(b)(7)</b>	(E)
······································	(b)(7)(E)		
(b)(7)(E)	Since implements	ation of this order, approxima	tely 1253
individuals entering the United	States at our Port of Entr	y have been effected, with an	additional 682
individuals (b)(	<b>(7)(E)</b> to de	eny boarding of U.S. bound a	ircraft by
commercial carriers.			

### **Current Status:**

- The entry of all citizens or nationals of Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen as immigrant or non-immigrant aliens has been suspended.
- U.S. law does not recognize dual nationality. All travelers are being processed by the documentary requirements of the country of citizenship they utilize to apply for entry.
- Non-Immigrant aliens with diplomatic, NATO, or Non-Governmental Organization visas are exempt from this order (e.g. A, NATO, C2, and G1-G4).
- A multiple entry visa is a descriptor of some non-immigrant visas that permit the lawful holder to apply for entry to the United States at a Port of Entry. It does not confer an immigration benefit or guarantee admission to the United States. Individuals with multiple entry visas under any classification may have their visa revoked or be found inadmissible to the United States at any time.
- Initial entry immigrants, to include those Special Interest Visa (SIV) holders, are being evaluated on a case by case basis for exceptions by Department of Homeland Security and Department of State. This exception is granted to those individuals whose admission to the United States is in the national interest and if they do not pose a national security threat.

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• Non-Immigrant aliens, such as students and temporary workers, can also be evaluated on a case by case basis for exceptions by Department of Homeland Security and Department of State. This exception is granted to those individuals whose admission to the United States is in the national interest and if they do not pose a national security threat.

For Official Use Only / Law Enforcement Sensitive

From: HUTTON, JAMES R

Sent: Tuesday, January 31, 2017 7:23 AM

To: (b)(6), (b)(7)(C) (OCC)

FW: Executive Order Update on Seaport Operations and Consolidated Guidance Subject: Guidance on Withdrawal - Court Compliance; Re-Delegation of EO Section 5 Refugee

> Waiver Authority; Arrival of Central American Minors (CAM) Parolees - Jan 31st; RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; UPDATED Guidance on Executive Order "Protecting the

Nation from Foreign Terrorist Entry into the United States; Signed memo

This may be helpful for future

From: HOFFMAN, TODD A

Sent: Tuesday, January 31, 2017 7:17:20 AM

To: DIRECTORS FIELD OPS

(b)(6), (b)(7)(C) Cc: HUTTON, JAMES R;

(b)(6), (b)(7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN P; EXECUTIVE DIRECTORS HO

Subject: FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Directors,

Attachments:

Here is a quick summary regarding the Executive Order:

### (b)(5), (b)(7)(E)

For convenience, I have also attached the previously issued guidance to Field Offices since the Executive Order:

1/30 email: court compliance on WD

1/30 email: Delegation of Authority Documentation for 842 Refugee Arrivals

1/30 email: Arrival of Central Am	nerican Minors (CAM) Parolees – Jan 31 arriva	.1
1/28 email: Waiver Routing	(b)(7)(E)	added to routing
on 1/29.		
1/28: Executive Order Guidance	to the Field – Signed Memo	
I appreciate your efforts during this imple	ementation. Please let me know if you have an	y questions. Also, the
Crisis Action Team is staffed 24/7 and ca	in be reached at (b)(7)(E)	or <b>(b)(7)(E)</b>
(b)(7)(E)	<u> </u>	

Also, please let me know if you have any reportable issues for the 0900 senior leadership meeting.

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: HUTTON, JAMES R

Sent: Monday, January 30, 2017 9:17 PM

To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS

HQ

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

**Subject:** Guidance on Withdrawal - Court Compliance

#### DFO's

As pertains to applicants for admission subject to the EO, please ensure Officers within your AOR receive the below guidance from OCC:

(b)(5)

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC



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



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From:		(b)(6),	(b)(7)(C)	
-------	--	---------	-----------	--

**Sent:** Monday, January 30, 2017 7:17 PM

 To: Owen, Todd C (AC OFO)  $\leq$  (b)(6), (b)(7)(C)
 WAGNER, JOHN P  $\leq$  (b)(6), (b)(7)(C)

 Cc: HOFFMAN, TODD A
 (b)(6), (b)(7)(C)
 ; HUTTON, JAMES R  $\leq$  (b)(6), (b)(7)(C)

Subject: Guidance on Withdrawal

## (b)(5), (b)(7)(E)

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

Deputy Associate Chief Counsel
Office of Chief Counsel
U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (office)

From: HUTTON, JAMES R

Sent: Monday, January 30, 2017 4:03 PM

DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS To:

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

Re-Delegation of EO Section 5 Refugee Waiver Authority Subject:

**Attachments:** S Signed Action Memo Refugees.pdf; Copy of 30Jan-2 Feb Booking Spreadsheet

Details (2).xlsx;

2017 protecting the Nation from Terror is tEntry into the United States. eo. rel. docx

Importance: High

#### **DFOs**

In conjunction with Secretary of State and the Secretary of Homeland Security, approx. 842 refugees (complete list attached) have been authorized to travel to the United States from January 30<sup>th</sup> – February 2<sup>nd</sup> . These are first time entrants and thus should only arrive to the seven (7) designated POEs:

**JFK** 

Newark

Miami

Chicago

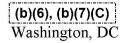
Dulles

LAX

Houston

# (b)(5), (b)(7)(E)

J. Ryan Hutton **Deputy Executive Director** Admissibility and Passenger Programs







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From: MCALEENAN, KEVIN K				
Sent: Monday, January 30, 2017 3	:06 PM			
To: ALLES, RANDOLPH D <	(b)(6), (b)(7)(C)	; Owen, Todd C (AC OFO) <	(b)(6), (b)(7)(C)	
Cc:	(b)(6), (b)(7)(C)	(OCC)		
(b)(6), (b)(7)(C)	FLANAGAN, P	ATRICK S (b)(6), (b)(7)(C)		
Subject: Redelegation of Refugee	Waiver Authority	i		

Acting Deputy Commissioner/EAC,

(b)(5), (b)(7)(E)

### SUMMARY OF NATIONALITY CODES

- AF Afghanistan ВΙ Burundi
- ВТ Bhutan
- Democratic Republic of Congo CD
- CF Central African Republic CI Cote d'Ivoire
- CM Cameroon
- CO Colombia
- ER Eritrea
- ET Ethiopia GN
- Guinea Honduras HN
- ID India
- JO Jordan
- LK Sri Lanka
- MMBurma
- NP Nepal
- Pakistan PK
- PS Palestine
- RW Rwanda Sierra Leone SL
- SS South Sudan
- SV El Salvador
- UA Ukraine UG Uganda

### ARRIVALS - 30 JANUARY 2017

PF#	DOA PoE	Arr Time	Carrier	Flt	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	То	DEP Time	Arr Time	Carrier	Flt #	Dep time	
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						14	N	Y	01/30/2017	UA	4506	ORD	MCI	18:15	19:51				
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[File] 1/28/2017 1:33:22 AM Page 2 of 30

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	4			4		1-5	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30
	-		-	-		1-5	IN	IN.	01/30/2017	IAA .	1243	LAX	DFVV	11:30	10:46	HAA	1301	16.50
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						21-23	N	Υ	01/30/2017	AA	2513	LAX	ATL	16:10	23:33			
						6	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30
						16-19	N	N	01/30/2017	AA	1798	LAX	CLT	11:15	19:08			
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				ĬI.		7	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30
						8-11	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	5763	18:50
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1113017	01/30/17	13.43	QIN	713	10	15	Y	<u></u>	01/31/2017	UA	1403	IAH	ORD	10:15	12:53	UA	3822	13:50
	-		-	-	+ -	1	N	Υ	01/30/2017	UA	1295	IAH	OMA	21:26	23:47	I OA	3022	15.50
				-	$\vdash$			3									_	
	-		-	4	-	11-13	Y	100	01/31/2017	UA	3441	IAH	SLC	09:00	11:24			
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						23-24	Υ	8	01/31/2017	UA	1403	IAH	ORD	10:15	12:53	UA	3822	13:50
								G										
						17-20	Y		01/31/2017	UA	3807	IAH	SDF	12:52	16:11			
								S										
								it.					0140					
						16	Y	5	01/31/2017	DL	3512	IAH	DTW	09:24	13:15	DL	3523	16:25
						2	N	Υ	01/30/2017	UA	1295	IAH	OMA	21:26	23:47			
						14	N	N	01/30/2017	UA	5940	IAH	BNA	20:00	21:55			
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NPH5032	01/30/17	12:10	СХ	830	12			05			1			100				
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						1-3	N	Y	01/30/2017	DL	4128	JFK	ROC	21:10	22:46			-
						6	N	Υ	01/30/2017	DL	4044	JFK	DCA	19:25	21:01			
		i				11-12	N	Y	01/30/2017	DL	4128	JFK	ROC	21:10	22:46			-
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RWH0038	01/30/17	13:30	UA	973	1													
						1	N	Y	01/30/2017	UA	4556	ORD	STL	19:25	20:44			
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RWH0039	01/30/17	13:30	UA	973	2													1
						1-2	N	N	01/30/2017	UA	728	ORD	GRR	17:40	19:38			
					SubTotal	Y:	0	0										
SVH0012	01/30/17	11:50	AV	310	4									-	_			+-
		33333333333333				3	N	Υ	01/30/2017	AA	2254	MIA	JFK	17:01	19:59			+
					1 1	4	N	Y	01/30/2017	AA	1477	MIA	BOS	17:00	20:12			1
						2	N	Υ	01/30/2017	AA	2239	MIA	DCA	16:50	19:23			1
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SVH0014	01/30/17	17:45	AA	1520	10													
						8	Y		01/31/2017	AA	1006	MIA	BOS	11:21	14:36			
						9	Υ		01/31/2017	AA	1006	MIA	BOS	11:21	14:36			
						1	· <b>Y</b> ·		01/31/2017	AA	1533	MIA	DCA	09:25	11:57			
						2	Y		01/31/2017	AA	969	MIA	DFW	11:05	13:18			
						4	Y		01/31/2017	AA	2305	MIA	DFW	09:20	11:42	AA	3684	14:4
						10	Υ	-35	01/31/2017	AA	4640	MIA	ATL	12:15	14:15			
						5-7	Y	0	01/31/2017	AA	1976	MIA	IAD	14:14	16:43	2		
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						3	Y	T.	01/31/2017	AA	969	MIA	DFW	11:05	13:18			
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97 pax

### ARRIVALS - 31 JANUARY 2017

PF#	DOA PoE	Arr Time	Carrier	Fit	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	То	DEP Time	Arr Time	Carrier	Flt#	Dep time	e FD	Source	PNR	
ATH0545	01/31/17	16:50	UA	085	5				Juic													
						1	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31				TPA	MiM	ISGC3H	
						5	Y		02/01/2017	UA	1078	EWR	IAH	08:50	12:10	UA	6039	14:35	SAT	MiM	ITS634	
						4	Y		02/01/2017	UA	1115	EWR	LAS	08:18	11:12				LAS	MiM	ITSX0X	
						2	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31				TPA	MiM	ITPM58	
						3	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31				TPA	MiM	ITPM58	
					SubTotal	Y:	5	0														
ETH0074	01/31/17	13:25	QR	725	3																	
						1-2	N	N	01/31/2017	UA	5783	ORD	DFW	17:31	20:15				DFW	RMI	PNKLHQ	
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					SubTotal	Y:	0	1														
TH0075	01/31/17	19:15	ET	508	6																	
						1-6	ĺ							ĺ	1	Î		1	DSM	RMI		
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GHH0002	01/31/17	15:05	UA	951	19							1								3		
	25-17-10-10-12		- 45-15	V-0.000	5,500,4	12	Υ	1	02/01/2017	UA	6018	IAD	DFW	12:30	15:08		1	1	DFW	MiM	MBDF8H	
						13-14	Y	-	02/01/2017	UA	6018	IAD	DFW	12:30	15:08	1		1	DFW	MiM	MBDF8H	/
																1					1	/ <b>                                  </b>
						4	Υ	1	02/01/2017	UA	735	IAD	DEN	12:30	14:32	UA	5214	16:50	cos	МіМ	M61HZ3	
						5	Υ		02/01/2017	UA	735	IAD	DEN	12:30	14:32	UA	5214	16:50	cos	MiM	M61HZ3	(b)(6), (b)(7)(C)
						15	Y		02/01/2017	UA	6018	IAD	DFW	-	15:08				_	MiM	MBDF8H	-
						16	Y	4	02/01/2017	UA	6018	IAD	DFW		15:08				-	MiM	MBDF8H	
						17	Y	1	02/01/2017	UA	6018	IAD	DFW	12:30	15:08		1	1	DFW	MiM	MBDF8H	
						18-19	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08		-	1	DFW	MiM	MBDF8H	
																		1				
						1-2	Υ	1	02/01/2017	UA	4842	IAD	GSO	12:35	14:10	1		1	GSO	МіМ	M6547R	
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						3						1							DCA			
						6-11	Y	1	02/01/2017	UA	1055	IAD	ATL	12:30	14:28				1-0-C-DAG	MiM	M6X5S9	
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					SubTotal	Y:	18	0														
HNH0002	01/31/17	18:24	AA	1531	9																	
-79-CA-210-3-00		District Tr	1.50		1.7	7-9	Y	+	02/01/2017	AA	295	MIA	LAX	09:20	12:29	1	+	<del>                                     </del>	LAX	MiM	LXIBLC	-
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						1	Y	+	02/01/2017	AA	1521	MIA	RDU	15:26	17:31	-		+	RDU	MiM	ILPFMY	
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	1		1	1	1	6	Y		02/01/2017	AA	2305	MIA	DEW	09:20	11:42	AA	3526	12:45	SUX	MiM	YTNFWU	
			-	+		2	Y		02/01/2017	AA	1053	MIA	-5 22	09:20	10:26	AA .	3320	12.43	TPA	MiM	YUEFQP	
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IDH0017	01/31/17	14:15	QR	701	1				1		-	-		-	-			-				1
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						1	Υ		02/01/2017	DL	462	JFK	SLC	11:12	14:39				SLC	RMI	JM5U0E	
					SubTota	Y:	1	0														
KEH7013	01/31/17	16:00	LX	008	20																	
						30	Y		02/01/2017	UA	771	ORD	DFW	09:05	11:47				DFW	MiM	YNFLI7	
		CONTROL VICENCE		2000000	SubTota		16	0														
KEH7330	01/31/17	11:50	AA	087	1				-	-	-	-	-		-			-				(b
					SubTota	1	0	0											ORD			
MYH0014	01/31/17	12:15	QR	739	11		U	0				4										
W1110014	01/31/17	13.13	QN	/33	11	4-6	Y	-	02/01/2017	AA	706	LAX	IND	10:00	17:17	-	6.5	+	IND	MiM	OVTLKQ	
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NPH4011	01/31/17	08:10	EK	231	4									ž.		Ì	6:					
						1-4	N	Y	01/31/2017	UA	4749	IAD	STL	17:25	18:57				STL	RMI	FMHMYT	
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NPH4015	01/31/17	07:55	QR	703	5	1	N	Y	01/31/2017	AA	1223	JFK	DFW	14:55	18:04				DFW	MiM	CE100490	<u> </u>
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						1-2	N	Y	01/31/2017	AA	4659	ORD	SDF	18:35	20:58				SDF	MiM	2WBNRG	
					SubTota		0	2														
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11.5 15.5																					
,						1	N	N	01/31/2017	AA	2375	ORD	DFW	18:25	20:53			DFW	MiM	OSFDNS	pio nantaz li india vassak lor nor norda lain lalogo.
						2	N	Υ	01/31/2017	AA	2894	ORD	LAN	18:50	20:59			LAN	MiM	SDCDVO	
						3	N	Y	01/31/2017	AA	3467	ORD	CLE	18:40	20:57			CLE	MiM	AZYUPH	
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				-		22.24			04 /04 /0047	1	1505			20.00	22.52	-				T41010/D	<u>                                     </u>
				-		20-21	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52			SDF	RMI	TAYWXD	
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						11-14	N.	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38			DEN	RMI	OVXYNQ	T/
														5							
						23-26	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52			SDF	RMI	NWTNQY	
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			1	1	+	8-9	N	N	01/31/2017	AA	2203	MIA	LAS	20:14	22:54	+		LAS	MiM	NSCXMS	
				1						0.00		CLASS C				1				1000000000	†
						27	N	Y	01/31/2017	AA	3833	MIA	GSO	21:50	23:58			GSO	MiM	TQJAAU	<del> </del>
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NPH5019	01/31/17	14:55	EK	235	24																${ m I\hspace{1em}I}$
						11-13	N	Y	01/31/2017	UA	795	ORD	PIT	21:15	23:43			PIT	RMI	BPP9XY	
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						6-8	N	N	01/31/2017	UA	1420	ORD	CLE	19:30	21:51	1		CLE	RMI	BPMPWW	[
						3					-					1		7			<u>                                     </u>
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						9-10	N	N	01/31/2017	UA	146	ORD	DSM	19:45	21:14			DSM	RMI	BPN9NJ	
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						15-17	N	Y	01/31/2017	UA	795	ORD	PIT	21:15	23:43				PIT	RMI	BPP9XY
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RUH0051	01/31/17	13:29	DL	049	1														,		
						1	N	N	01/31/2017	DL	2837	JFK	AUS	18:25	21:58				AUS	MiM	2ATGY5
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RWH0037	01/31/17	13:35	QR	725	2	:				1											
	370.7 100					1	N	N	01/31/2017	AA	3707	ORD	GRR	18:20	20:12			1	GRR	MiM	2C48LW
						2	N	Y	01/31/2017	AA	3275	ORD	BNA	20:15	21:39				BNA	MiM	2C4793
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[File] 1/28/2017 1:33:22 AM Page 8 of 30

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288 pax

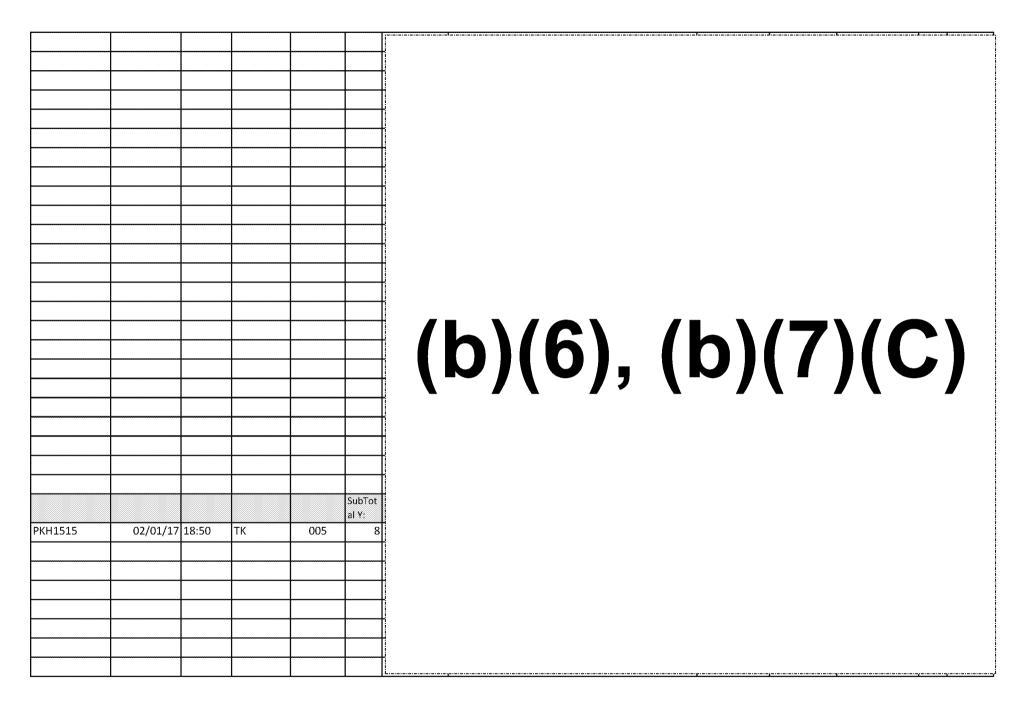
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EGH0039	02/01/17	13:10	LH	430	33	
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EGH4022	02/01/17	13:10	LH	430	2	
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GHH0013	02/01/17	16:34	DL	220	SubTot	
GHH0020	02/01/17	18:50	TK	005	SubTot al Y: 7	(b)(6), (b)(7)(C)
JOH5033	02/01/17	16:15	RJ		SubTot al Y: 40	
NPH5020	02/01/17	12:25	СХ	806	SubTot al Y: 25	

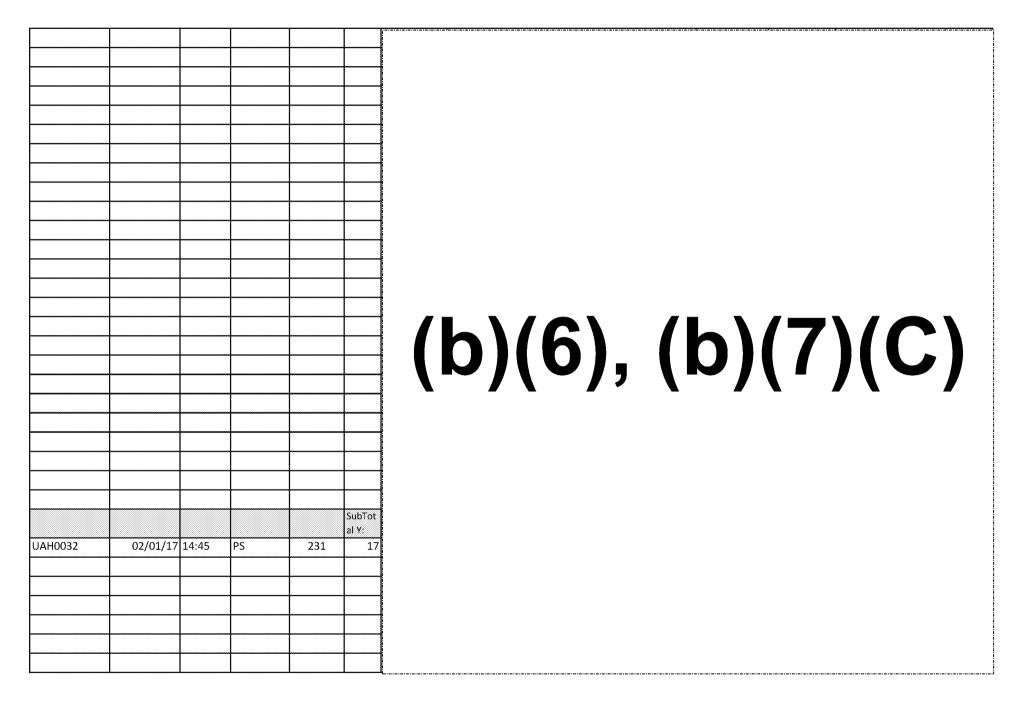
[File] 1/28/2017 1:33:22 AM Page 13 of 30



[File] 1/28/2017 1:33:22 AM Page 14 of 30

SVH0018	02/01/17	17:45	AA	1520	SubTot al Y: 11	
TRH0019	02/01/17	11:50	TK		SubTot al Y: 38	(b)(6), (b)(7)(C)
TZH0393	02/01/17	07:55	QR	703	34	

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[File] 1/28/2017 1:33:22 AM Page 16 of 30

UAH0036	02/01/17	12:55	LH	456	SubTot al Y:	(b)(6), (b)(7)(C)
UGH5026	02/01/17	19:05	TK	007	SubTot al Y: 21	

[File] 1/28/2017 1:33:22 AM Page 17 of 30

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178 pax

2-Feb-17

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[File] 1/28/2017 1:33:22 AM Page 19 of 30

ETH0011	02/02/17	14:00	QR	725	SubTot al Y:	
ETH0012	02/02/17	15:45	QR	713	SubTot al Y:	(b)(6), (b)(7)(C)

[File] 1/28/2017 1:33:22 AM Page 20 of 30

JOH5112 KEH7014	02/02/17		RJ	261	SubTot al Y:  1 SubTot al Y: 31	(b)(6), (b)(7)(C)
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[File] 1/28/2017 1:33:22 AM Page 21 of 30

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[File] 1/28/2017 1:33:22 AM Page 22 of 30

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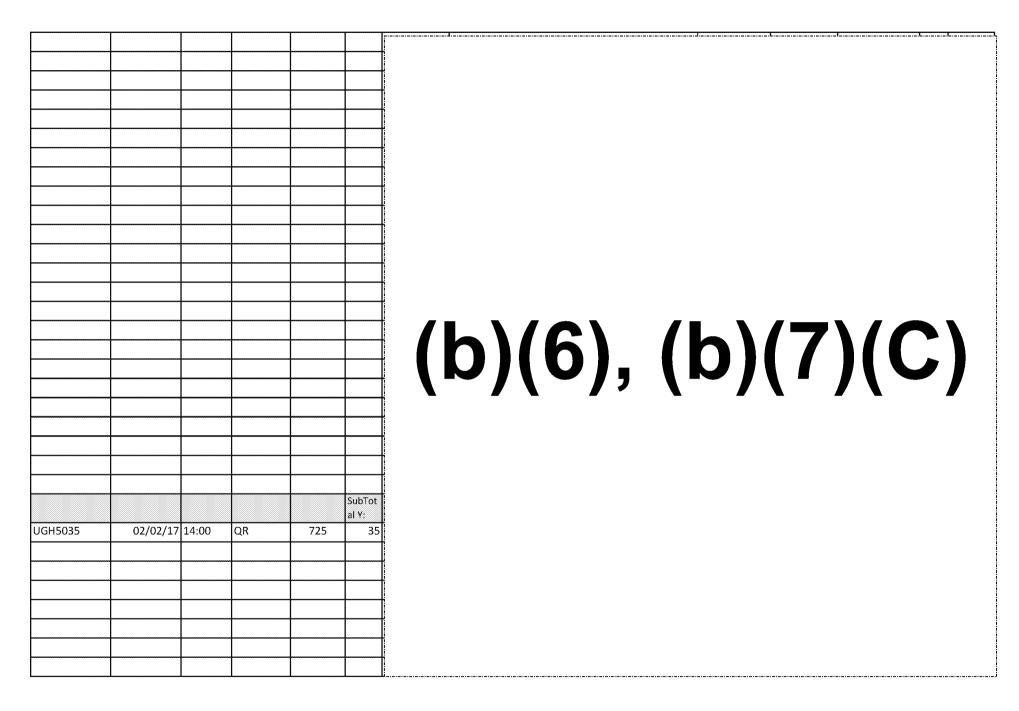
[File] 1/28/2017 1:33:22 AM Page 24 of 30

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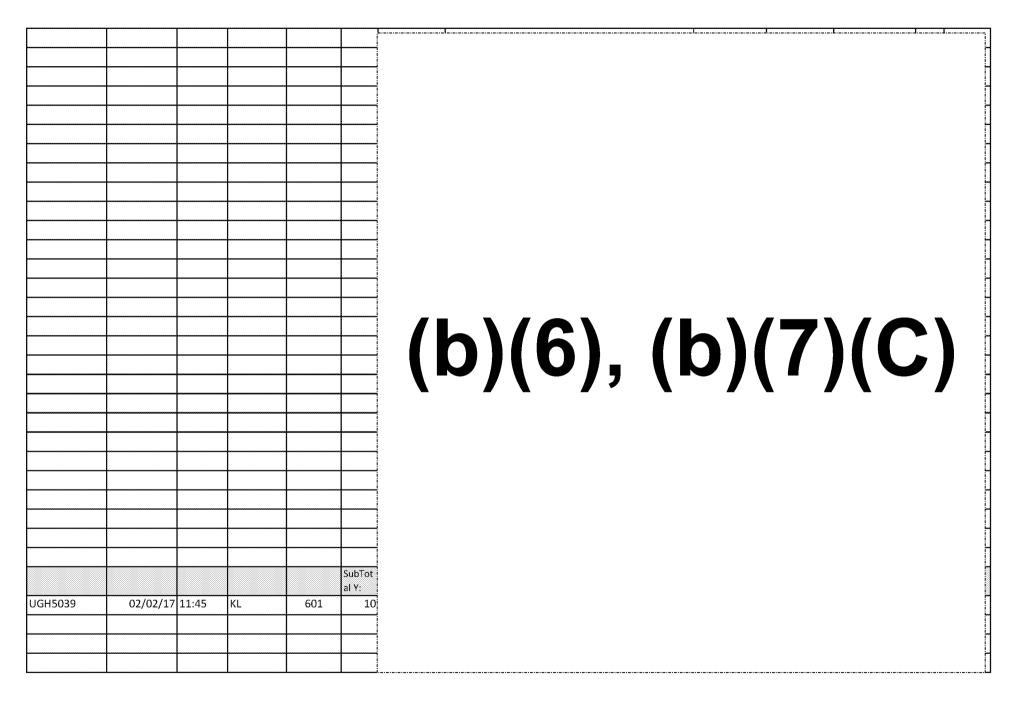
[File] 1/28/2017 1:33:22 AM Page 25 of 30

THH0170 TRH0151	02/02/17		KE LH	037	SubTot al Y: 1 SubTot al Y: 5	
UAH0011	02/02/17	13:45	PS	231	SubTot al Y: 40	(b)(6), (b)(7)(C)

[File] 1/28/2017 1:33:22 AM Page 26 of 30



[File] 1/28/2017 1:33:22 AM Page 27 of 30



[File] 1/28/2017 1:33:22 AM Page 28 of 30

UGH5043	02/02/17	08:15	EK	203	SubTot al Y:	
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[File] 1/28/2017 1:33:22 AM Page 29 of 30

309 pax

From: HUTTON, JAMES R

Sent: Monday, January 30, 2017 9:05 AM

To: SABATINO, DIANE J; (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) MARTEL, CARLOS C; MURDOCK, JUDSON W; (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C) HOFFMAN,

TODD A

**Subject:** Arrival of Central American Minors (CAM) Parolees - Jan 31st

Attachments: PAROLEE 30JAN-2FEB EL SALVADOR\_HONDURAS.XLS; Form I-512L CAM Parole

Authorization Letter.pdf

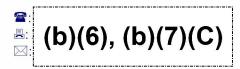
Importance: High

#### DFO/PDs

Starting on January 31<sup>st</sup>, the Ports of Miami, Houston and LA will encounter Central American Minors that have been authorized parole into the United States for a period of two (2) years. I have attached a list of the individuals scheduled to arrive to include a exemplar of the document they will present on primary. Just to alleviate any potential confusion, while these are adjudicated by CIS Refugee Office, these are not refugees, nor subject to the EO.

Please do not hesitate to contact me should the need arise.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC





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	ARRIVAL 30 JANUARY										
PF#	DOA PoE	Arr Time		Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationality	Size Po E
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PF#	DOA PoE	Arr Time	Carrier	$\pi$
SVH3013	31-Jan-2017	+		
			-	
SVH3029	31-Jan-2017	11:25	AV	
				(b)(6), (b)(7)(C)
SVH3025	31-Jan-17	11:07	AV	
SVH3024	31-Jan-17	11:50	AV	
	24 1 47	10.24		
HNH3002	31-Jan-17	18:24	- AA	
			-	
			-	
			-	

	PF # SVH3014	DOA PoE  1-Feb-2017	Arr Time 17:45	<del></del>	(b)(6), (b)(7)(C)
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PF#	DOA PoE	Arr Time	Carrier	
SVH3015	2-Feb-2017	17:45	AA	
***************************************				
***************************************	•			
				(b)(6), (b)(7)(C)
ARROWANAMANAMANAMANAMANAMANAMANAMANAMANAMANA				
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***************************************				

From: HUTTON, JAMES R

**Sent:** Sunday, January 29, 2017 11:49 AM

**To:** HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER

SECURITY ASST DIRECTORS; ENFORCEMENT PROGRAMS DIVISION

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign

Terrorist Entry into the United States

#### DFO's

Kindly request that you all Enforcement Programs Division (group mailbox) to all waiver requests. This will helps us track the waivers and alleviate field reporting.

Thank very much for all of your flexibility. We are striving not to burden the Field.

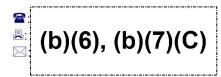
#### J. Ryan Hutton

**Deputy Executive Director** 

Admissibility and Passenger Programs

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

Washington, DC





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From: HUTTON, JAMES R					
Sent: Saturday, January 28, 2017 9	:34 PM				
To: HOFFMAN, TODD A ﴿	(b)(6), (b)(7)(C)	; DIRE	CTORS FIELI	O OPS	
< (b)(7)(E)	EXECUTIVE DIRECT	ORS HQ ∢		(b)(7)(E)	; BORDER
SECURITY ASST DIRECTORS <	(b)(7)(E	)			
Cc: Owen, Todd C (AC OFO) ◀	(b)(6), (b)(7)(C)	WAGN	ER, JOHN P	(b)(6), (b)(7)(C)	
	(b)(6),	(b)	<b>(7)</b>	(C)	

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

Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United

States

Importance: High

DFO's

As a follow up from guidance sent last night.

(b)(5), (b)(7)(E)

(b)(5), (b)(7)(E)

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

(b)(5), (b)(7)(E)

2

(b)(5), (b)(7)(E)

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)

Washington, DC



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



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From: HOFFMAN, TODD A										
Sent: Saturday, January 28, 2017	1:07 AM									
To: DIRECTORS FIELD OPS <	(b)(7)(E)	; EXECUTIVE DIRECTO	DRS HQ							
(b)(7)(E)	; BORDER SECI	JRITY ASST DIRECTORS								
(b)(7)( <u>戶</u> )										
Cc: Owen, Todd C (AC OFO) ₹	(b)(6), (b)(7)(C)	; WAGNER, JOHN P <	(b)(6), (b)(7)(C)							
HUTTON, JAMES R		(b)(6), (b)(7)(C)								
	(b)(6), (b)(7)(C)									
Subject: Guidance on Executive (	Order "Protecting the Na	ation from Foreign Terrorist I	Entry into the United States							
Importance: High										
Directors,										
I apologize for the delay.		(b)(5), (b)(7)(E	<b>E)</b>							
(b)(5), $(b)(7)(F)$										

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs

Office of Field Operations

Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into

the United States"

# (b)(5), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 9:34 PM

To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER

SECURITY ASST DIRECTORS

Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist"

Entry into the United States

Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for

212(1) in re (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C)

(MINOR)

**Importance:** High

DFO's

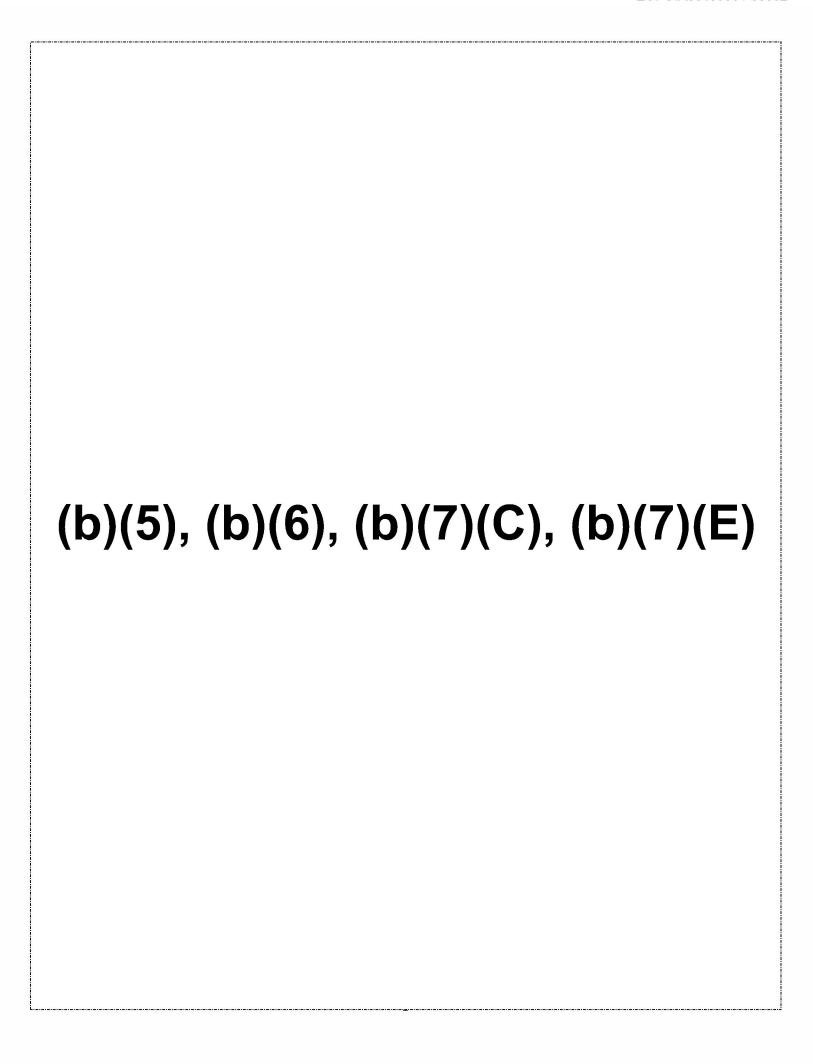
As a follow up from guidance sent last night.

(b)(5), (b)(7)(E)

(b)(5), (b)(7)(E)

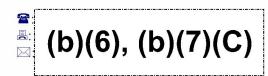
(b)(6), (b)(7)(C)

(b)(5), (b)(7)(E)



## (b)(5), (b)(7)(E)

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC





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From: HOFFMAN, TODD A										
Sent: Saturday, January 28, 2017										
To: DIRECTORS FIELD OPS	(b)(7)(E)	; EXECUTIVE DIRECTO	RS HQ							
(b)(7)(E)	PODDED SECTION	DITY ACCT DIDECTORS								
(b)(7)(E)										
Cc: Owen, Todd C (AC OFO) 4	(b)(6), (b)(7)(C)	WAGNER, JOHN P	(b)(6), (b)(7)(C)							
HUTTON, JAMES R		(b)(6), (b)(7)(C)								
	(b)(7)(E)  (c: Owen, Todd C (AC OFO) < (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)  HUTTON, JAMES R (b)(6), (b)(7)(C)  (b)(6), (b)(7)(C)									
Subject: Guidance on Executive C Importance: High	Order "Protecting the Nat	ion from Foreign Terrorist E	ntry into the United States							
Directors,										
I apologize for the delay. (b)(5), (b)(7)(E)										
(b)(5), (b)(7)(E)										

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman

**Executive Director** 

Admissibility and Passenger Programs
Office of Field Operations

Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into

the United States"

(b)(5), (b)(7)(E)

Todd A. Hoffman Executive Director, Admissibility and Passenger Programs Office of Field Operations U.S. Customs and Border Protection From: Owen, Todd C (AC OFO)

Sent: Saturday, January 28, 2017 5:23 PM

To: HUTTON, JAMES R

Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C) HOFFMAN, TODD A; MURDOCK, JUDSON

W; (b)(6), (b)(7)(C)

Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

#### (b)(5), (b)(7)(E)

Todd C. Owen
Executive Assistant Commissioner
Office of Field Operations
U.S. Customs & Border Protection

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 5:03 PM

To: Owen, Todd C (AC OFO)
Cc: DURST, CASEY OWEN < (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C); HOFFMAN, TODD A { (b)(6), (b)(7)(C); MURDOCK, JUDSON W (b)(6), (b)(7)(C)

Subject: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

Importance: High

#### **Exemption to Executive Order Request**

January 28, 2017

<u>Title:</u> Exemption to Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" Request

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

#### (b)(5), (b)(7)(E)

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6), (b)(7)(C)
Washington, DC



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



**From:** Owen, Todd C (AC OFO)

Sent: Saturday, January 28, 2017 1:13 PM

**To:** HUTTON, JAMES R

Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C)

MURDOCK, JUDSON W

**Subject:** RE: Waiver Request for 212(1) in re **(b)(6), (b)(7)(C)** 

#### (b)(5), (b)(7)(E)

Todd C. Owen
Executive Assistant Commissioner
Office of Field Operations
U.S. Customs & Border Protection

From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 5:56:22 PM

To: Owen, Todd C (AC OFO)

Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C) MURDOCK, JUDSON W

Subject: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

### (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

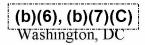
J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC

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

(b)(7)(E)

From:	HUTTON, JAMES R	
Sent:	Saturday, January 28, 2017 7:37 PM	
То:	Owen, Todd C (AC OFO);	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	
Cc:	HOFFMAN, TODD A; MURDOCK, JUDSON W	/; (b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	_
Subject:	EO 212(f) Waiver for <b>(b)(6), (b)(7)(C)</b>	(MINOR)
Importance:	High	
OCC		

J. Ryan Hutton Deputy Executive Director Admissibility and Passenger Programs





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



From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 12:58 AM

To: HOFFMAN, TODD A

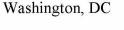
Cc: (b)(6), (b)(7)(C)

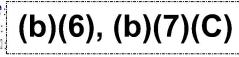
**Subject:** Signed memo

Attachments: Executive Order - Protecting the Nation from Foreign Terrorist Entry into the United

States.pdf

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)







1300 Pennsylvania Avenue NW Washington, DC 20229



JAN 28 2017

Memorandum For:

Directors, Field Operations

From:

Todd A. Hoffman

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

Executive Director

Admissibility and Passenger Programs

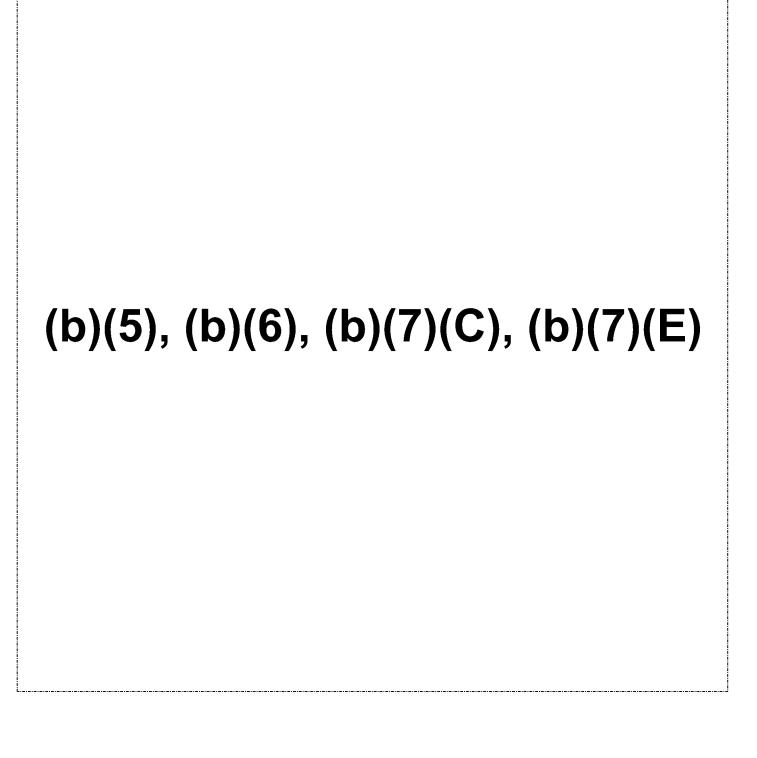
Office of Field Operations

Subject:

Guidance on Executive Order "Protecting the Nation from Foreign

Terrorist Entry into the United States"

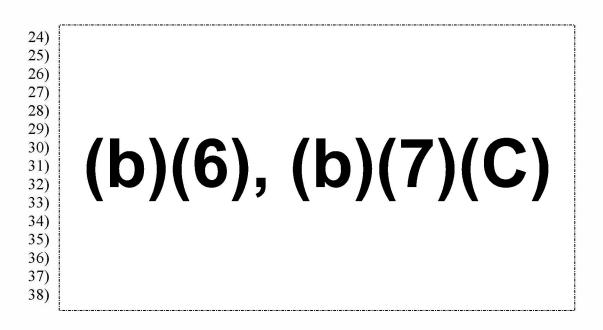
# (b)(5), (b)(7)(E)



From:	HUTTON, JAMES R
Sent: To:	Saturday, February 04, 2017 5:53 PM (b)(6), (b)(7)(C)
Subject:	RE: Mohammed CDCA
Subject.	NE. WORKHING COCA
His msg to you is there CYA m	nessage so they can tell Court we are in compliance.
Do you have some at (b)(7)(E) we	can send the rollout plan to for your equities etc.
From: (b)(6), (b)(7)(C)  Sent: Saturday, February 04, 201  To: HUTTON, JAMES R  Subject: RE: Mohammed CDCA	.7 5:50:50 PM
Thx. Just found the email. Occ	should ask the cat we sent al the info on Thursday.
From: HUTTON, JAMES R Sent: Saturday, February 04, 201 To: (b)(6), (b)(7)(C) Subject: RE: Mohammed CDCA LA was advised	.7 5:45:23 PM
From: (b)(6), (b)(7)(C) Sent: Saturday, February 04, 201 To: HUTTON, JAMES R Subject: FW: Mohammed CDCA	.7 5:23:46 PM
Ryan, did this get to port? (b)(6), (b)	)(7)(C)
From: (b)(6), (b)(7)(C)  Sent: Saturday, February 04, 201  To: (b)(6), (k)  Cc: (b)(6), (k)  Subject: RE: Mohammed CDCA  XD (b)(6), (b)(7)(C)	
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(b)(6), (b)(7)(C)
Attorney, Enforcement and Operations
Office of Chief Counsel
U.S. Customs and Border Protection
Tel: (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)	
Sent: Friday, February 03, 2017 6:42 PM	
То:	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	
Subject: RE: Mohammed CDCA	
·	

Actually if you can send it to that is probably easier.

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

Sent: Friday, February 03, 2017 6:35:14 PM

To: (b)(6), (b)(7)(C)

Subject: RE: Mohammed CDCA

I think once you see the email from it will take you 15 minutes to do this. And if you get it done tonight, perhaps send to the CAT for official OFO clearance? Thanks again.

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

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

CBP Associate Chief Counsel (Enforcement and Operations)

T.[ (b)(6), (b)(7)(C)  ** Attorney Work Product / Attorney-Client Privileged **
From: (b)(6), (b)(7)(C)  Sent: Friday, February 03, 2017 6:31:09 PM  To: (b)(6), (b)(7)(C)  Subject: RE: Mohammed CDCA
Ok I'll shoot to put something together tonight after the kids go down. If you could send what you got, that would be great I think all I have is the email from the DFO to carriers.
From: (b)(6), (b)(7)(C)  Sent: Friday, February 03, 2017 6:22:06 PM  To: (b)(6), (b)(7)(C)  Subject: RE: Mohammed CDCA  [I'll forward you what I have from (b)(6), (b)(7)(C)]
From: (b)(6), (b)(7)(C)  Sent: Friday, February 03, 2017 6:19:15 PM  To: (b)(6), (b)(7)(C)  Subject: Mohammed CDCA
(b)(5), (b)(6), (b)(7)(C)

And if this email doesn't make complete sense just give me a call. Short and sweet. Thanks as always.

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

CBP Associate Chief Counsel (Enforcement and Operations)

T. (b)(6), (b)(7)(C)

\*\* Attorney Work Product / Attorney-Client Privileged \*\*

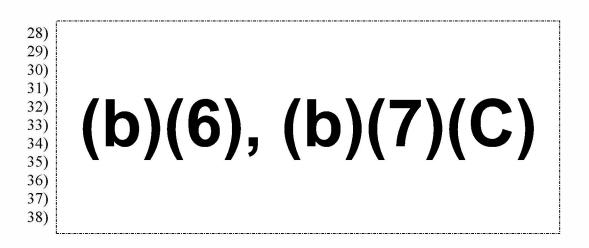
From: HUTTON, JAMES R Saturday, February 04, 2017 5:55 PM Sent: To: (b)(6), (b)(7)(C) Subject: RE: Mohammed CDCA (b)(6), (b)(7)(C)From: (b)(6), (b)(7)(C) **Sent:** Saturday, February 04, 2017 5:53:00 PM To: HUTTON, JAMES R Subject: RE: Mohammed CDCA What is you cell? From: HUTTON, JAMES R Sent: Saturday, February 04, 2017 5:45:23 PM **To:** (b)(6), (b)(7)(C) Subject: RE: Mohammed CDCA LA was advised From: (b)(6), (b)(7)(C) **Sent:** Saturday, February 04, 2017 5:23:46 PM To: HUTTON, JAMES R Subject: FW: Mohammed CDCA Ryan, did this get to port? (D)(5),(D)(7)(C) From: (b)(6), (b)(7)(C) **Sent:** Saturday, February 04, 2017 4:53:53 PM To: (b)(6), (b)(7)(C)Cc: Subject: RE: Mohammed CDCA XD (b)(6), (b)(7)(C) (b)(5), (b)(6), (b)(7)(C)

CBPBATES00101309

\* \* \* \* \*

## (b)(5)

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(b)(6), (b)(7)(C)
Attorney, Enforcement and Operations
Office of Chief Counsel
U.S. Customs and Border Protection
Tel: (b)(6), (b)(7)(C)
```

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From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 6:42 PM
To (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: Mohammed CDCA
(D)(S), (D)(T)(C)
\ <del></del>
Actually if you can send it to well-built that is probably easier.
<u>L</u>
(b)(6), (b)(7)(C)
From: (b)(6), (b)(7)(C)
<b>Sent:</b> Friday, February 03, 2017 6:35:14 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Mohammed CDCA

I think once you see the email from it will take you 15 minutes to do this. And if you get it done tonight, perhaps send to the CAT for official OFO clearance? Thanks again.

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

CBP Associate Chief Counsel (Enforcement and Operations)

T. (b)(6), (b)(7)(C)

\*\* Attorney Work Product / Attorney-Client Privileged \*\*

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

Sent: Friday, February 03, 2017 6:31:09 PM

To:	(b)(6), (b)(7)(C)
Subject: RE: Mohammed	CDCA

Ok I'll shoot to put something together tonight after the kids go down. If you could send what you got, that would be great -- I think all I have is the email from the DFO to carriers.

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

Sent: Friday, February 03, 2017 6:22:06 PM

To: (b)(6), (b)(7)(C)

Subject: RE: Mohammed CDCA

[b)(6), (b)(7)(C)

[b)(6), (b)(7)(C)

[b)(6), (b)(7)(C)

[c)(6), (b)(7)(C)

[c)(7)(C)

[c)(8), (b)(7)(C)

[c)(8), (b)(7)(

**From:** (b)(6), (b)(7)(C) Sent: Friday, February 03, 2017 6:19:15 PM

Cc: (b)(6), (b)(7)(C)
Subject: Mohammed CDCA

## (b)(5), (b)(6), (b)(7)(C)

And if this email doesn't make complete sense just give me a call. Short and sweet. Thanks as always.

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

CBP Associate Chief Counsel (Enforcement and Operations)

T. (b)(6), (b)(7)(C)

\*\* Attorney Work Product / Attorney-Client Privileged \*\*

Subject:	FW: OIG Investigation on EOs
Location:	OCC Helm Conference Room (or call (b)(6), (b)(7)(C) if not in RRB)
Start:	2/3/2017 1:00 PM
End:	2/3/2017 1:30 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Received
Organizer:	(b)(6), (b)(7)(C)
Required Attende	ees: (b)(6), (b)(7)(C)
Resources:	OCC Helm Conference Room (or call (b)(6), (b)(7)(C) if not in RRB)
From: (b)(6), Sent: Friday, Febr To: ( Subject: OIG Invo When: Friday, Fel Where: OCC He	(b)(7)(C) uary 03, 2017 11:31:44 AM (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) estigation on EOs bruary 03, 2017 1:00 PM-1:30 PM. elm Conference Room (or call (b)(6), (b)(7)(C) if not in RRB)
(b)(6), (b)(	7)(C)