

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 8:50 PM  
**To:** OFO-FIELD LIAISON; ENFORCEMENT PROGRAMS DIVISION  
**Cc:** FERRARA, WILLIAM; Boston Field Office Leadership; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C); BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES  
**Subject:** Boston Field Office Executive Order Reporting Spreadsheet February 1, 2017 2100  
**Attachments:** Feb 1 2017 Boston Field Office 2100 Executive Order Action Sprea... (003).xlsx

All,

Attached is the Boston Field Office report for the 2100 time frame detailing actions taken in regards to the Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States.

Please note, the Boston Field Office had one Advanced Parole (I-512) waiver approved by C-1 this evening. Passenger Details: (b)(5), (b)(6)

At this time the Boston Field Office does not have anyone in custody due to the Executive Order.

Please let me know if you have any questions or need further information.

Respectfully,

(b)(6), (b)(7)(C)  
 Program Manager-Recruiting  
 Boston Field Office  
 Office of Field Operations  
 U.S. Customs & Border Protection

Office: (b)(6), (b)(7)(C)  
 Cell: (b)(6), (b)(7)(C)  
 E-Mail: (b)(6), (b)(7)(C)

<https://www.cbp.gov/careers>

# Executive Order Tracking - Cumulative Totals

Field Office: ALL

Date: 1/27/2017 -1/29/2017

Report Time: 0500

## Cumulative

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	60	31	275	1	55	0	(b)(6), (b)(7)(C)	3	0	0	0	1	287
Iraq	55	63	114	0	58	0		0	0	0	1	0	165
Libya	0	0	3	0	0	0		0	0	0	0	0	3
Somalia	0	6	3	0	2	0		0	0	0	0	0	8
Sudan	14	16	14	0	25	0		0	0	0	0	0	15
Syria	28	19	37	0	31	2		0	0	0	0	0	42
Yemen	12	18	9	0	13	0		0	0	0	0	0	16
<b>Total</b>	<b>169</b>	<b>153</b>	<b>455</b>	<b>1</b>	<b>184</b>	<b>2</b>		<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>536</b>

# Executive Order Tracking - Reporting Period Totals

## 2100-0500 January 29, 2017

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	9	7	71	1	7	0	(b)(6), (b)(7)(C)	0	0	0	0	0	63
Iraq	6	21	67	0	5	0		0	0	0	0	0	79
Libya	0	0	1	0	0	0		0	0	0	0	0	1
Somalia	0	0	1	0	0	0		0	0	0	0	0	4
Sudan	1	0	3	0	0	0		0	0	0	0	0	3
Syria	4	3	12	0	1	0		0	0	0	0	0	13
Yemen	3	1	5	0	0	0		0	0	0	0	0	10
<b>Total</b>	<b>23</b>	<b>32</b>	<b>160</b>	<b>1</b>	<b>13</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Executive Order Tracking - Cumulative Totals

Field Office: Atlanta

Date: 1/29/2017

Report Time:

500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	11	0	0	0	0	0	0	0	0	0	11
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	1	0	0	0	0	0	0	0	0	0	1
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	2	0	0	0	0	0	0	0	0	0	3
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: Baltimore

Date: 1/29/2017

Report Time:

0500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	1	1	20	0	2	0	(b)(6), (b)(7)(C)	0	0	0	0	0	20	
Iraq	0	7	7	0	2	0		0	0	0	0	0	0	11
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	3	1	0	1	0		0	0	0	0	0	0	4
Sudan	0	1	1	0	1	0		0	0	0	0	0	0	1
Syria	6	7	0	0	11	0		0	0	0	0	0	0	1
Yemen	0	15	1	0	9	0		0	0	0	0	0	0	7

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	0	1	10	0	0	0	(b)(6), (b)(7)(C)	0	0	0	0	0	0	
Iraq	0	0	2	0	0	0		0	0	0	0	0	0	0
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0		0	0	0	0	0	0	3
Sudan	0	0	0	0	0	0		0	0	0	0	0	0	0
Syria	1	1	0	0	0	0		0	0	0	0	0	0	1
Yemen	0	0	1	0	0	0		0	0	0	0	0	0	6



## Executive Order Tracking - Cumulative Totals

Field Office: Boston

Date: 2/1/2017

Report Time: 2100

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	3	0	33	0	0	0	0	3	0	0	0	0	33
Iraq	0	1	15	0	0	0	0	0	0	0	1	0	15
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	0	0	3	0	0	0	0	0	0	0	0	0	3
Yemen	0	0	1	0	0	0	0	0	0	0	0	0	1

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: BUFFALO, NY

Date: 1/27/2017 -1/29/2017

Report Time: 0500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	2	1	10	0	3	0	0	0	0	0	0	1	9
Iraq	0	0	6	0	0	0	0	0	0	0	0	0	6
Libya	0	0	1	0	0	0	0	0	0	0	0	0	1
Somalia	0	0	2	0	0	0	0	0	0	0	0	0	2
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	1	0	0	0	1	0	0	0	0	0	0	0	0
Yemen	0	0	1	0	0	0	0	0	0	0	0	0	1

## Executive Order Tracking - Reporting Period Totals

2100-0300

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	1	0	2	0	1	0	0	0	0	0	0	0	2
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	1	0	0	0	0	0	0	0	0	0	1
Somalia	0	0	1	0	0	0	0	0	0	0	0	0	1
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	1	0	0	0	0	0	0	0	0	0	1



### Executive Order Tracking - Cumulative Totals

Field Office: Chicago Date: 01/29/2017

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	4	0	0	0	0	0	0	0	0	0	0	4
Iraq	0	1	0	0	0	0	0	0	0	0	0	0	1
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	2	0	0	0	0	0	0	0	0	0	0	2
Sudan	0	1	0	0	0	0	0	0	0	0	0	0	1
Syria	1	4	0	0	1	0	0	0	0	0	0	0	4
Yemen	0	1	0	0	0	0	0	0	0	0	0	0	1

### Executive Order Tracking Reporting Period Total

Field Office: Chicago Date: 01/29/2017 Reporting Period: 1400-2000 hrs CST

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: Detroit

Date: 1/29/2017

Report Time: 0500 hours

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	10	0	0	0	0	0	0	0	0	0	10
Iraq	36	0	51	0	36	0	0	0	0	0	0	0	51
Libya	0	0	1	0	0	0	0	0	0	0	0	0	1
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	2	0	1	0	3	0	0	0	0	0	0	0	0
Yemen	2	0	4	0	2	0	0	0	0	0	0	0	4

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	1	0	1	0	1	0	0	0	0	0	0	0	1
Iraq	5	0	48	0	5	0	0	0	0	0	0	0	48
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	1	0	0	0	1	0	0	0	0	0	0	0	0
Yemen	0	0	2	0	0	0	0	0	0	0	0	0	2



### Executive Order Tracking - Cumulative Totals

Field Office: El Paso Date: 1/29/2017

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	0	0	0	0	0	0	(b)(6), (b)(7)(C)	0	0	0	0	0	0	
Iraq	0	0	0	0	0	0		0	0	0	0	0	0	0
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0		0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0		0	0	0	0	0	0	0
Syria	0	0	0	0	0	0		0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0		0	0	0	0	0	0	0

### Executive Order Tracking Reporting Period Total

Field Office: El Paso Date: Reporting Period: 0300 hours (MST)

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: Houston

Date: 1/29/2017

Report Time:

500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	3	2	13	0	5	0	0	0	0	0	0	0	13
Iraq	1	0	4	0	1	0	0	0	0	0	0	0	4
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	2	0	1	0	2	0	0	0	0	0	0	0	1
Syria	2	0	1	0	0	2	0	0	0	0	0	0	1
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	3	2	7	0	5	0	0	0	0	0	0	0	7
Iraq	0	0	1	0	0	0	0	0	0	0	0	0	1
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0



# Executive Order Tracking - Cumulative Totals

Field Office: Laredo

Date: 1/29/2017

Report Time:

0500 hours (EST)

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

# Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: LOS

Date: 1/28/2017

Report Time: 1800

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	6	2	71	1	2	0	0	0	0	0	0	0	71
Iraq	3	0	4	0	1	0	0	0	0	0	0	0	4
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	1	0	2	0	0	0	0	0	0	0	0	0	2
Syria	2	1	6	0	0	0	0	0	0	0	0	0	6
Yemen	7	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	4	0	22	1	0	0	0	0	0	0	0	0	22
Iraq	1	1	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	1	0	0	0	0	0	0	0	0	0	0	0	0
Syria	2	1	1	0	0	0	0	0	0	0	0	0	1
Yemen	3	0	0	0	0	0	0	0	0	0	0	0	0



## Executive Order Tracking - Cumulative Totals

Field Office: Miami/Tampa

Date:

1/29/2017

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	1	3	0	1	0	0	0	0	0	0	0	3
Iraq	0	0	1	0	0	0	0	0	0	0	0	0	1
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	5	0	1	0	5	0	0	0	0	0	0	0	1
Syria	4	0	0	0	4	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking Reporting Period Total

Field Office: Miami/Tampa

Date:

1/29/2017

Reporting Period:

5:00

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	1	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

# Executive Order Tracking - Cumulative Totals

Field Office: New Orleans

Date: 12/29/2017

Report Time: 0500 EST

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	0	0	0	0	0	0	(b)(6), (b)(7)(C)	0	0	0	0	0	0	
Iraq	0	0	0	0	0	0		0	0	0	0	0	0	0
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0		0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0		0	0	0	0	0	0	0
Syria	0	0	0	0	0	0		0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0		0	0	0	0	0	0	0

# Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0



## Executive Order Tracking - Cumulative Totals

Field Office: NYFO

Date: 1/29/2017

Report Time: 0500 hours

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	12	0	14	0	1	0	0	0	0	0	0	0	14
Iraq	3	1	16	0	6	0	0	0	0	0	0	0	16
Libya	0	0	1	0	0	0	0	0	0	0	0	0	1
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	1	0	5	0	0	0	0	0	0	0	0	0	5
Syria	2	2	14	0	0	0	0	0	0	0	0	0	14
Yemen	2	2	2	0	1	0	0	0	0	0	0	0	2

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	4	0	0	0	0	0	0	0	0	0	4
Iraq	0	0	13	0	0	0	0	0	0	0	0	0	13
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	1	0	0	0	0	0	0	0	0	0	1
Syria	0	0	6	0	0	0	0	0	0	0	0	0	6
Yemen	0	1	1	0	0	0	0	0	0	0	0	0	1

## Executive Order Tracking - Cumulative Total

Field Office: PR

Date: 1/29/2017

Report Time: 0500 hours

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Total

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0



## Executive Order Tracking - Cumulative Totals

Field Office: San Diego FO

Date:

1/28/2017

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	11	0	0	0	0	0	0	0	0	0	0	9
Iraq	0	53	0	0	0	0	0	0	0	0	0	0	46
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	2	0	0	0	0	0	0	0	0	0	0	1
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking Reporting Period Total

Field Office: San Diego FO

Date:

1/28/2017

Reporting Period: 1600-2400

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	4	0	0	0	0	0	0	0	0	0	0	2
Iraq	0	20	0	0	0	0	0	0	0	0	0	0	14
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	1	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

San Francisco Field Office

Date: 1/29/2017

Report Time: 5:00 AM

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	5	0	34	0	4	0	(b)(6), (b)(7)(C)	0	0	0	0	0	34	
Iraq	0	0	3	0	0	0		0	0	0	0	0	0	3
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0		0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0		0	0	0	0	0	0	0
Syria	1	0	7	0	1	0		0	0	0	0	0	0	7
Yemen	0	0	0	0	0	0		0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO	
Iran	0	0	22	0	0	0	(b)(6), (b)(7)(C)	0	0	0	0	0	22	
Iraq	0	0	3	0	0	0		0	0	0	0	0	0	3
Libya	0	0	0	0	0	0		0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0		0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0		0	0	0	0	0	0	0
Syria	0	0	5	0	0	0		0	0	0	0	0	0	5
Yemen	0	0	0	0	0	0		0	0	0	0	0	0	0



## Executive Order Tracking - Cumulative Totals

Field Office: Blaine AOR Date: 1/28/2017

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	8	0	18	0	8	0	0	0	0	0	0	0	18
Iraq	10	0	1	0	10	0	0	0	0	0	0	0	1
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	1	0	0	1	0	0	0	0	0	0	0	0
Sudan	1	0	1	0	1	0	0	0	0	0	0	0	1
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	1	0	0	0	1	0	0	0	0	0	0	0	0

## Executive Order Track Reporting Period Total

Field Office: Seattle Field Office Date: 1/28/2017 Reporting Period: 1600-2400

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: TUCSON Date: 1/29/2017 Report Time: 500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0



## Executive Order Tracking - Cumulative Totals

Field Office: PreClearance

Date: 1/29/2017

Report Time: 500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	20	9	38	0	29	0	0	0	0	0	0	0	38
Iraq	2	0	6	0	2	0	0	0	0	0	0	0	6
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	4	14	0	0	16	0	0	0	0	0	0	0	0
Syria	7	3	4	0	10	0	0	0	0	0	0	0	4
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Cumulative Totals

Field Office: Preclearance--Shannon, Ireland

Date: 1/29/2017

Report Time:

500

Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0

## Executive Order Tracking - Reporting Period Totals

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0



---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 1:27 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

10-4

Thanks sir...

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 1:23:07 AM  
**To:** Boston Field Office Leadership  
**Subject:** FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

All:

Attached and below is the detailed guidance with respect to the EO discussed tonight. Please share this information with your staffs. The approval of exemptions to the EO for LPRs still remains with me. All other approvals for exemptions lie with the Commissioner.

When more information is made available it will be shared.

Thanks

William A. Ferrara  
 Director, Field Operation  
 Boston Field Office  
 U.S. Customs and Border Protection

---

**From:** HOFFMAN, TODD A  
**Sent:** Saturday, January 28, 2017 1:06:41 AM  
**To:** DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS  
**Cc:** Owen, Todd C (AC OFO); WAGNER, JOHN P; HUTTON, (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,

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 denial of boarding through (b)(7)(E) (b)(7)(E) locations, 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:

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



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

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:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:47 PM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Sir,

I acknowledge receipt of this message and fully understand your instruction.

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 8:38:08 PM  
**To:** Boston Field Office Leadership; BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES; Boston Field Office Port Directors  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Team,

As per the message below from C1 "suspend any and all actions implementing the affected sections of the Executive Order 13769 entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017). Field Offices are instructed to immediately resume inspection of travelers in accordance with standard policy and procedure."

We will provide more guidance as it becomes available. Be on the look-out tonight as given the experience of the past week, things could move quickly.

APDs or designees, please acknowledge receipt of this message. Any questions please send to me and the BS team.

Thanks,  
Bill

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Friday, February 03, 2017 8:23 PM  
**To:** 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) DIRECTORS FIELD OPS (b)(7)(E)  
**Cc:** ALLES, RANDOLPH D (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C) FLANAGAN, PATRICK S  
(b)(6), (b)(7)(C)  
**Subject:** IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

All,



Per the Department of Justice:

(b)(5)

Accordingly, effective immediately, U.S. Customs and Border Protection will suspend any and all actions implementing the affected sections of the Executive Order 13769 entitled, “*Protecting the Nation from Foreign Terrorist Entry into the United States*” (January 27, 2017). Field Offices are instructed to immediately resume inspection of travelers in accordance with standard policy and procedure.

This will include actions to suspend targeting system rules that flag travelers for operational action subject to the Executive Order including the State Department’s letter revoking visas based on that Executive Order (attached).

Please communicate this suspension as appropriate with key stakeholders such as airlines.

(b)(5) We will update you with further guidance as soon as it is received.

Thank you,



Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

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

*We are the guardians of our Nation’s borders.  
We are America’s frontline.*

*Vigilance • Service • Integrity*

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:34 PM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

My bad, obvious oversight. Was rushing to get this done.

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) mobile)

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 10:24:27 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: EO 212(f) Exemption for (b)(6), (b)(7)(C)

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

(b)(7)(E)

Nice work.


William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---



**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 10:20:24 PM  
**To:** FERRARA, WILLIAM  
**Subject:** FW: EO 212(f) Exemption for (b)(6), (b)(7)(C)

See  
We don't always suck

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

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



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



**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 10:20 PM  
**To:** (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C) MURDOCK, JUDSON W (b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** OFO-FIELD LIAISON (b)(7)(E)  
**Subject:** RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

Waiver approved by C1, 2219 hours.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:07 PM  
**To:** 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) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** OFO-FIELD LIAISON (b)(7)(E)  
**Subject:** EO 212(f) Exemption for (b)(6), (b)(7)(C)  
**Importance:** High

EAC Owen, et al., Sent on behalf of DFO Ferrara:

**Waiver Narrative**

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

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

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

Area Port Director  
Area Port of Boston

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:51 PM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Louhghalam v. Trump

Concerning

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (mobile)

---

**From:** FERRARA, WILLIAM  
**Sent:** Sunday, January 29, 2017 8:42:54 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Louhghalam v. Trump

FYSA. I'll keep you posted.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:36:58 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Louhghalam v. Trump

Bill,

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

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

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

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

Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:09:00 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Louhghalam v. Trump

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

Wanted to let you know that I am handling the D. Mass case for OIL-DCS (still jointly with the USAO); we will forward you the amended complaint once filed.

Best,

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

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

**Trial Attorney**  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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





**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 7:55 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: 212(f) PASSENGERS SCHEDULED FOR 01/31/2017  
**Attachments:** 212(f) PASSENGERS FOR 01-31-2017.xlsx

**Importance:** High

For today as of last night.

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (mobile)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 11:37:31 PM  
**To:** TTRT-Boston; (b)(6), (b)(7)(C)  
**Subject:** RE: 212(f) PASSENGERS SCHEDULED FOR 01/31/2017

**UPDATE** as of 2330hrs on 01/30/2017

**UPDATE:** FOUR additional subjects have been added to the spreadsheet and the "Bottom Line."

Queries last run at 2325hrs.

**BOTTOM LINE**

01/31/2017

Total Hits: 21

Total scheduled to land in Boston: 10

Total scheduled to be offloaded: 5 per NTC; awaiting on NTC Events on LH 424 subjects that should additionally be offloaded; total of 7

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

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

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

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

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

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

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

Have a good night 😊

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

*US Customs and Border Protection Officer  
TTRT  
Boston Honor Guard Commander  
Logan International Airport  
Boston, MA*

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



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

**Sent:** Monday, January 30, 2017 8:18 PM

**To:** TTRT-Boston **(b)(7)(E)**

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

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



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

Subject: 212(f) PASSENGERS SCHEDULED FOR 01/31/2017

Importance: High

ALCON,

Please see the attached spreadsheet containing scheduled inbound 212(f) passengers on 01/30/2017. Information is as of 01/30/2017 at 2000hrs. Queries last run at 1950hrs.

BOTTOM LINE:

Total Hits: 17

Total scheduled to land in Boston: 14

Total scheduled to be offloaded: 3

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

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

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

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

I will send another update before I leave for the night.

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

*US Customs and Border Protection Officer  
TTRT  
Boston Honor Guard Commander  
Logan International Airport*

*Boston, MA*

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





NAME	DOB	COC	LPR	A#	VISA FOIL	VISA COA	ATS HIT	JRCLG SCHEDULED FOR OFFLOAD	FLIGHT	STATUS	BOS POE STATUS
<b>(b)(6), (b)(7)(C)</b>		IRAN	YES	<b>(b)(6), (b)(7)(C)</b>			YES		EK 239	OBD	
		IRAQ	YES				YES		EK 237		
		SYRIA	YES				YES		AF 334		
		IRAQ	NEW IMM (SQ3)				YES		EK 239	NBD	
		IRAQ	NEW IMM (SQ1)				YES		EK 239	NBD	
		IRAQ	NEW IMM (SQ2)				YES		EK 239	NBD	
		SOMALIA	NEW IMM (IR2)				YES		QR 743		
		SOMALIA	NEW IMM (IR2)				YES		QR 743		
		IRAN	YES				NO		EK 239	OBD	
		IRAQ	ADVANCED PAROLE				NO		EK 239	OBD	
		IRAN	YES				??		QR 743		
		IRAN	YES				??		QR 743		
		IRAN	NO			F1	<b>(b)(6), (b)(7)(C)</b>	YES	EK 239	NBD	
		IRAN	YES				YES		QR 743		
		IRAN	YES				YES		QR 743		
	IRAN	YES			YES		QR 743				
	SUDAN	YES			NO		EK 239	NBD			
<i>Update as of 2315hrs</i>											
<b>(b)(6), (b)(7)(C)</b>		SYRIA	NEW IMM (K1)				YES	YES	BA 213		
		YEMEN	NEW IMM (IR1) REVOKED				YES	YES	JL 8		
		IRAN	NEW IMM (DV1)				YES	??	LH 424		
		IRAN	NEW IMM (DV1)				YES	??	LH 424		

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 8:37 AM  
**To:** FERRARA, WILLIAM  
**Subject:** UPDATED: 212(f) PASSENGERS SCHEDULED FOR 01/31/2017  
**Attachments:** Copy of 212(f) PASSENGERS FOR 01-31-2017.xlsx

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 8:36 AM  
**To:** (b)(6), (b)(7)(C); TTRT-Boston (b)(7)(E); (b)(6), (b)(7)(C)

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

**Subject:** 212(f) PASSENGERS SCHEDULED FOR 01/31/2017

BOTTOM LINE

01/31/2017

Total Hits: 21

Total scheduled to land in Boston: 10

Total scheduled to be offloaded: 6

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

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

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

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



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

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

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

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

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

Respectfully,

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

CBP Officer- TTRT

NAME	DOB	COC	LPR	A#	VISA COA	VISA FOIL	ATS HIT	JRCLG SCHEDULED FOR OFFLOAD	FLIGHT	STATUS	BOS POE STATUS
<b>(b)(6), (b)(7)(C)</b>		IRAN	YES	<b>(b)(6), (b)(7)(C)</b>			YES	NO	EK 239	<b>OBD</b>	
		IRAQ	YES				YES	NO	EK 237	OBD	
		SYRIA	YES				YES	??	AF 334	NBD	
		IRAQ	NEW IMM (SQ3)				YES	NO	EK 239	NBD	
		IRAQ	NEW IMM (SQ1)				YES	NO	EK 239	NBD	
		IRAQ	NEW IMM (SQ2)				YES	NO	EK 239	NBD	
		SOMALIA	NEW IMM (IR2)				YES	YES	QR 743	NBD	
		SOMALIA	NEW IMM (IR2)				YES	YES	QR 743	NBD	
		IRAN	YES				YES	NO	EK 239	<b>OBD</b>	
		IRAQ	ADVANCED PAROLE				YES	NO	EK 239	<b>OBD</b>	
		IRAN	YES				YES	YES	QR 743	NBD	
		IRAN	YES				YES	NO	QR 743	OBD	
		IRAN	NO			F1		YES	EK 239	NBD	
		IRAN	YES					YES	NO	QR 743	OBD
		IRAN	YES					YES	NO	QR 743	OBD
		IRAN	YES					YES	NO	QR 743	NBD
		SUDAN	YES					YES	NO	EK 239	NBD
		SYRIA	NEW IMM (K1)					YES	YES	BA 213	NBD
		YEMEN	NEW IMM (IR1) REVOKED					YES	YES	JL 8	NBD
		IRAN	NEW IMM (DV1)					YES	??	LH 424	
	IRAN	NEW IMM (DV1)				YES	YES	LH 424	NBD		
	YEMEN	NEW IMM (IR1)			IR1	YES	YES	BA 239			
	IRAN	NO			J-1	YES	YES	LX 52	NBD		
	IRAN	YES				YES	NO	BA 213	OBD		

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:50 AM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Subject:** RE: E.O. Passengers as of 0800 hours  
**Attachments:** UPDATED (b)(7)(E) PASSENGERS FOR 02-03-2017.xlsx; LH Flight - 9 EO Travelers.xlsx

(b)(7)(E)

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (mobile)

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 8:30 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: E.O. Passengers as of 0800 hours

(b)(7)(E)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:15 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: E.O. Passengers as of 0800 hours

(b)(7)(E)

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (mobile)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:49 AM  
**To:** (b)(6), (b)(7)(C) (b)(7)(E) (b)(6), (b)(7)(C)

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



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

Cc: BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES

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

Subject: E.O. Passengers as of 0800 hours

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

**(b)(6)**

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

Sent: Thursday, February 02, 2017 11:17 PM

To: **(b)(7)(E)**

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

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

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

Cc: BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES

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

Subject: E.O. end of shift report

All:

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

NAME	DOB	COC	LPR	A#	VISA COA	VISA FOIL	ATS HIT	JRCLG SCHEDULED FOR OFFLOAD	ETA	FLIGHT	STATUS	
<b>(b)(6), (b)(7)(C)</b>		Libya	NO	<b>(b)(6), (b)(7)(C)</b>	IR1	<b>(b)(6), (b)(7)(C)</b>	YES	YES		<b>(b)(6)</b>		
		Libya	NO		IR2		YES	YES				
		Libya	NO		IR2		YES	YES	1805			
		Libya	NO		IR2		YES	YES				
		Libya	NO		IR5		YES	YES				
		Iraq	NO		AOS		YES	NO	800		NBD/ NO SHOW	
		Iraq	NO		SQ1		YES	NO			NBD/ NO SHOW	
		Syria	NO		F1		YES	YES			OBD	
		Iran	NO		F1		YES	YES			OBD	
		Iran	NO		F1		YES	YES			OBD	
		Iran	NO		DV1		YES	YES	1300		OBD	
		Iran	NO		DV3		YES	YES			OBD	
		Iran	NO		DV3		YES	YES			OBD	
		Iran	NO		DV2		YES	YES			OBD	
		Iran	NO		DV1		YES	YES			OBD	
		Iran	NO		J1		<b>(b)(6), (b)(7)(C)</b>	YES			OBD	
		Iran	NO		F1		<b>(b)(6), (b)(7)(C)</b>	YES			OBD	
		Iran	NO		B1/B2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		B1/B2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F41		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F42		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F43		<b>(b)(6), (b)(7)(C)</b>	Yes	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F43		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	1835
		Iran	NO		F2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Sudan	NO		IR1		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		B1/B2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F24		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F2		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	
		Iran	NO		F11		<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>		YES	1400
	Iran	NO	F1	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	YES					
	Iraq	NO	SQ3	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	NO					
	Iraq	NO	SQ3	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	NO					
	Iraq	NO	SQ3	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	NO	1820				
	Iraq	NO	SQ1	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	NO					
	Iraq	NO	SQ2	<b>(b)(6), (b)(7)(C)</b>	YES	<b>(b)(7)(E)</b>	NO					

FULL NAME	DOB	COC	VISA CLASS	EVENT(S)	DEROGATORY INFO	TIME REFERRED	PRIOR OFFLOAD EVENT(S)					
						TO IAP	DATE	EVENT#	DATE	EVENT#	DATE	EVENT#
<b>(b)(6), (b)(7)(C)</b>		IR	F1	<b>(b)(7)(E)</b>	NO DEROG	2/2/17 @ 0931	1/28/2017		1/29/2017		1/30/2017	
		IR	IV		NO DEROG	2/3/17 @ 0218	1/28/2017					
		IR	IV		NO DEROG	2/3/17 @ 0218	1/28/2017					
		IR	IV		NO DEROG	2/3/17 @ 0218	1/28/2017					
		IR	IV		NO DEROG	2/3/17 @ 0218	1/28/2017	(b)(7)(E)		(b)(7)(E)		(b)(7)(E)
		SY	F1		NO DEROG	2/2/17 @ 1604	1/29/2017		2/1/2017			
		IR	F1		NO DEROG	2/2/17 @ 2330	1/28/2017					
		IR	E14/PA		NO DEROG	2/2/17 @ 2326	NO PRIOR					
		IR	F1		NO DEROG	2/2/17 @ 2305	NO PRIOR					



**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:15 AM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Subject:** FW: E.O. Passengers as of 0800 hours  
**Attachments:** 212(f) PASSENGERS FOR 02-03-2017.xlsx

(b)(7)(E)

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (mobile)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:49 AM  
**To:** (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)  
**Cc:** BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES  
(b)(6), (b)(7)(C)  
**Subject:** E.O. Passengers as of 0800 hours

(b)(7)(E)

(b)(6)

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

Sent: Thursday, February 02, 2017 11:17 PM

To: (b)(7)(E)

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

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

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

Cc: BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES

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

Subject: E.O. end of shift report

All:

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

NAME	DOB	COC	LPR	A#	VISA COA	VISA FOIL	ATS HIT		JRCLG SCHEDULED FOR OFFLOAD	ETA	FLIGHT	STATUS			
<b>(b)(6), (b)(7)(C)</b>	Libya	NO		<b>(b)(6), (b)(7)(C)</b>	IR1		YES	<b>(b)(7)(E)</b>	YES		<b>(b)(6)</b>				
	Libya	NO			IR2		YES		YES						
	Libya	NO			IR2		YES		YES						
	Libya	NO			IR2		YES		YES						
	Libya	NO			IR5		YES		YES						
	Iraq	NO							YES			NO	800		NBD/ NO SHOW
	Iraq	NO				SQ1			YES			NO			NBD/ NO SHOW
	Syria	NO				F1			YES			YES			OBD
	Iran	NO				F1			YES			YES			OBD
	Iran	NO				F1			YES			YES	1300		OBD
	Iran	NO				DV1			YES			YES			OBD
	Iran	NO				J1			YES			YES			OBD
	Iran	NO				F1			YES			YES			OBD
	Iran	NO				B1/B2			YES			YES			
	Iran	NO				B1/B2			YES			YES			
	Iran	NO				F41			YES			YES			
	Iran	NO				F42			YES			YES			
	Iran	NO				F43			Yes			YES			
	Iran	NO				F43			YES			YES	1835		
	Iran	NO				F2			YES			YES			
	Sudan	NO				IR1			YES			YES			
	Iran	NO				B1/B2			YES			YES			
	Iran	NO				F2			YES			YES			
	Iran	NO				F24			YES			YES			
	Iran	NO				F2			YES			YES			NBD/ NO SHOW
	Iran	NO				F11			YES			YES	1400		NBD/ NO SHOW
	Iran	NO				F1			YES			YES			NBD/ NO SHOW
	Iraq	NO				SQ3			YES			NO			
	Iraq	NO				SQ3			YES			NO			
	Iraq	NO				SQ3			YES			NO	1820		
Iraq	NO			SQ1		YES		NO							
Iraq	NO			SQ2		YES		NO							



**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 12:30 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Sen Markey letter to APD (b)(6), (b)(7)(C) re EO

(b)(5)

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (mobile)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 12:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Sen Markey letter to APD (b)(6), (b)(7)(C) re EO

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

(b)(5)

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

(b)(6), (b)(7)(C) Senior Attorney  
Tel: (b)(6), (b)(7)(C)

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 11:47 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Sen Markey letter to APD (b)(6), (b)(7)(C) re EO

(b)(5)

(b)(6), (b)(7)(C) Boston Area Port Director

Office of Field Operations  
U.S. Customs and Border Protection

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

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

**Sent:** Thursday, February 02, 2017 9:39 AM

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

**Cc:** FERRARA, WILLIAM <(b)(6), (b)(7)(C)>

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

(b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION

(b)(7)(E) BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES

(b)(7)(E)

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

**Subject:** Sen Markey letter to APD (b)(6), (b)(7)(C) re EO

OCA,

Note Sen Markey (with the support of other members of the MA delegation) has issued a press release with a letter to Area Port Director (b)(6), (b)(7)(C) APD (b)(6), (b)(7)(C) has not yet received a hard copy. Can you please advise how a response will be handled?

<http://www.markey.senate.gov/news/press-releases/massachusetts-delegation-calls-on-customs-and-border-protection-to-comply-with-court-order-blocking-trumps-immigration-executive-order-at-logan-international-airport>

Thank you,

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

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

Boston Field Office  
Office of Field Operations  
U.S. Customs and Border Protection

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 2:44 PM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: DHS-OIG REQUESTS FOR DOCUMENTS

Will do

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(office)  
(b)(6), (b)(7)(C) (mobile)

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 1:00 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: DHS-OIG REQUESTS FOR DOCUMENTS

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

(b)(6), (b)(7)(C) will be the POC to consolidate the information requested by OIG. Please have your team provide the following:

- A roster of all U.S. Customs and Border Protection (CBP) Chiefs assigned to BOS.
- A roster of CBP personnel for January 27-31, 2017.
- Within that roster, please identify all CBP Officers who directly participated in the secondary examinations of any individual pursuant to the EO.
- A list of all individuals processed by CBP at BOS pursuant to the EO.

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

You are responsible for the following:

- A timeline of EO policy received and disseminated by your field office.
- Daily reports provided four times a day to CBP Headquarters related to implementation of the EO at Logan International Airport (BOS), Boston, MA.
- A list of all individuals processed by CBP at BOS pursuant to the EO.

Gents,

Please note that the last bullet is the same for both of you. I want to make sure that we an accurate account of the passengers we encountered. I will handle the timeline.

Thanks,  
Bill



William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:29 AM  
**To:** FERRARA, WILLIAM <(b)(6), (b)(7)(C)>  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** DHS-OIG REQUESTS FOR DOCUMENTS

Bill—

Pursuant to a congressional request, on January 31, 2017, the U.S. Department of Homeland Security (DHS), Office of Inspector General (OIG) initiated a review of DHS implementation of the Executive Order (EO) titled "Protecting the Nation from Foreign Terrorist Entry into the United States," signed on Friday, January 27, 2017.

Thank you for the cooperation that we have received from you and your staff.

In furtherance of this review, DHS-OIG requests the following documents:

- A timeline of EO policy received and disseminated by your field office.
- Daily reports provided four times a day to CBP Headquarters related to implementation of the EO at Logan International Airport (BOS), Boston, MA.
- A roster of all U.S. Customs and Border Protection (CBP) Chiefs assigned to BOS.
- A roster of CBP personnel for January 27-31, 2017.
- Within that roster, please identify all CBP Officers who directly participated in the secondary examinations of any individual pursuant to the EO.
- A list of all individuals processed by CBP at BOS pursuant to the EO.

Thank you.

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

(b)(6), (b)(7)(C)  
Special Agent

U.S. Department of Homeland Security  
Office of Inspector General

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

(b)(6), (b)(7)(C) O  
F

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 10:38 AM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Subject:** FW: EO - Carrier Liaison Notice  
**Attachments:** Carrier Notice .docx

Provided to Logan carriers and Massport.

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(office)  
(b)(6), (b)(7)(C) (mobile)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 9:17 AM  
**To:** (b)(6), (b)(7)(C)

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

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

**Subject:** FW: EO - Carrier Liaison Notice

All,  
Please see the attached carrier notice which gives guidance on the Executive Order.  
(b)(6), (b)(7)(C) if you can send out to Volpe group in case anyone is missing from this list.

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

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

Assistant Port Director (A)  
Passenger Processing  
Logan Airport





# U.S. Customs and Border Protection

## Carrier Liaison Program

February 1, 2017

CLP@dhs.gov

### Executive Order (EO) *Protecting the Nation from Foreign Terrorist Entry into the United States*

- On 27 January 2017, the President of the United States signed Executive Order (EO) *Protecting the Nation from Foreign Terrorist Entry into the United States*.
  - Effective immediately in accordance with the new EO, all immigrant and nonimmigrant persons of Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen *are suspended entry* into the U.S. for the next 90 days.
- The suspension does not affect foreign nationals traveling on diplomatic visas, NATO visas, C-2 visas for travel to the United Nations and G-1, G-2, G-3 and G-4.
- U.S. Lawful Permanent Residents (green card holders)
  - In accordance with White House Guidance issued on February 1, 2017, Sections 3(c) and 3(e) of Executive Order Entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” do not apply to Lawful Permanent Residents.
- Dual citizens: EO applies to Dual Citizens, but travelers are being treated according to the travel document they present. For example, if they present a Canadian passport, that is how they are processed for entry.
- Someone who is in the Federal Inspection Area right now: Each person who may be admissible from one of the seven countries, has to have an individual waiver. Processing the waivers may delay the release of the individual.
- What about refugees who are considered to be “in transit?”
  - There are currently 872 refugees who are considered to be in transit who are scheduled to arrive in the United States this week. The Secretaries of State and DHS have coordinated and will process the 872 individuals consistent with the terms of the Executive Order, which we’ve operationalized by assessing each traveler on a case-by-case basis.
- Documents that can be used by citizens identified by the EO to enter the United States are:
  - Any diplomatic visa (A, G, C-2, or NATO)
  - An I-551 (Green Card)
  - An advance parole document
  - Any SQ immigrant visa

If they are not in possession of one of the above travel documents, they will not be allowed to enter the U.S.



# U.S. Customs and Border Protection

## Carrier Liaison Program

February 1, 2017

CLP@dhs.gov

### **Executive Order (EO) *Protecting the Nation from Terrorist Attacks by Foreign Nationals***

- To obtain current and accurate information of an effected individual, or if you have questions, please contact U.S. Customs and Border Protection directly.

#### Regional Carrier Liaison Group:

RCLG	SERVICE AREA	PHONE NUMBER
Honolulu	Asia, Pacific Rim	808-237-4632
Miami	Latin America, Caribbean	305-874-5444
New York	Europe, Africa, Mid-East	718-553-1783

- Suzy Shepherd, Director, Travel and Tourism Initiative at 202-344-2073 or cell 202-344-1170.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 11:35 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Airlines not notified of court ruling?

Up next for haircut. Boss said I was an embarrassment

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (mobile)

---

**From:** FERRARA, WILLIAM  
**Sent:** Sunday, January 29, 2017 11:25:53 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Airlines not notified of court ruling?

I'll call you.

William A. Ferrara  
Director, Field Operation  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 11:22:18 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Airlines not notified of court ruling?

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

(b)(6), (b)(7)(C) Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (mobile)

---

**From:** FERRARA, WILLIAM  
**Sent:** Sunday, January 29, 2017 11:06:04 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Airlines not notified of court ruling?



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

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 11:03:36 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Fwd: Airlines not notified of court ruling?

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

(b)(6), (b)(7)(C)  
CBP Associate Chief Counsel (Enforcement and Operations)  
T (b)(6), (b)(7)(C) C (b)(6), (b)(7)(C)  
\*\* Attorney Work Product / Attorney-Client Privileged \*\*

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 11:01 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)

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

**Subject:** FW: Fwd: Airlines not notified of court ruling?

**(b)(5)**

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 10:53:44 AM  
**To:** (b)(6), (b)(7)(C)

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

Subject: Fwd: Airlines not notified of court ruling?

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

Begin forwarded message:

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

Date: January 29, 2017 at 10:52:05 AM EST

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

Subject: Airlines not notified of court ruling?

Hi (b)(6), (b)(7)(C) I'm writing about the executive orders for the Globe today and we had heard that airlines had not been notified about the court ruling before this morning. I wanted to check in and see why ICE hadn't notified airlines about the late night ruling. Do you have insight about why this didn't happen? I'll be at my desk: (b)(6), (b)(7)(C)

Thanks,

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

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

Reporter, The Boston Globe

w: (b)(6), (b)(7)(C) | c: (b)(6), (b)(7)(C)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:38 PM  
**To:** FERRARA, WILLIAM; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Scanned Documents  
**Attachments:** doc20170129132413.pdf

I just received this from an AILA attorney now.

(b)(6), (b)(7)(C), Boston Area Port Director  
Office of Field Operations  
U.S. Customs and Border Protection

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

-----Original Message-----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:34 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Scanned Documents

-----Original Message-----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:32 PM  
**To:** (b)(6), (b)(7)(C) 'gov.'  
**Subject:** FW: Scanned Documents

Dear Area Director Ferrara and Port Director (b)(6), (b)(7)(C) I am the local CBP liaison with AILA and wanted to be sure that you have received the Federal Order from Judge Allison D. Burroughs of the United States District Court For Massachusetts in the event you wished to make your officers aware of the action taken by the federal court in this state. In the event I can be of any further assistance please contact me.

-----Original Message-----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:24 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Scanned Documents

See Attached File

TASKalfa 3501i  
[00:c0:ee:b8:07:51]



**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

January 31, 2017

MEMORANDUM FOR: The Honorable Chip F. Fulghum  
Acting Deputy Secretary

Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

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

Acting Director  
U.S. Immigration & Customs Enforcement

Lori Scialabba  
Acting Director  
U.S. Citizenship & Immigration Services

FROM:

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

Inspector General

SUBJECT:

Notice of Obligation to Preserve Documents  
Related to Executive Order dated January 27,  
2017, "Protecting the Nation from Terrorist  
Entry into the United States by Foreign  
Nationals"

In connection with a request from Congress, the Office of Inspector General (OIG) has opened an investigation of the Department's implementation of the President's January 27, 2017 Executive Order "Protecting the Nation from Terrorist Entry into the United States by Foreign Nationals" ("Executive Order"). This memorandum serves as notice to you, and to all personnel within your organization, of the obligation to preserve all potentially relevant documents and information, as specified below. Further, this serves as notice that you are obligated to disseminate this document preservation notice throughout your organization and ensure that all agency personnel (including employees, contractors, and members of the Senior Executive Service) comply with its terms.



## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

---

### **Preservation Instructions**

While specific document requests will be forthcoming, effective immediately, you must preserve (i.e., prevent destruction or substantive alteration of) all documents<sup>1</sup> and information that contain or constitute information that is potentially relevant to DHS OIG's investigation, or that might reasonably lead to the discovery of relevant information, relating to implementation of any and all provisions of the Executive Order. This includes, but is not limited to, all communication, training, and/or guidance related to implementation of the Executive Order; information reflecting actions taken to implement the Executive Order; the receipt and handling of complaints; the public dissemination of information; notice of and compliance with court orders affecting implementation of the Executive Order; instances of violations of any court order; video and audio recordings; the handling of detained individuals; and, the disposition of individual detention cases.

For the duration of this hold, any information described by this notice that is within your individual possession or control must be preserved in the exact form as it currently exists. This obligation extends to both the content of any document and any metadata associated with electronic documents. Employees should take all steps necessary, to prevent the intentional or accidental destruction, deletion, alteration, or removal of information described by this notice.

### **Sources of Material That Must Be Preserved:**

Any and all files and records over which you have control which pertain to the subject matter of this notice in the following locations:

- Handheld devices (wired and wireless) such as iPhones, Blackberries, other smart phones, cell phones, pagers,

---

<sup>1</sup> As used in this notice, the word "documents" is defined in the broadest sense possible, to include the original and any non-identical copies, all drafts and final versions, audio recordings, video recordings, transcripts, polygraph examination records, e-mails, instant message communications, other communications, summaries, work papers, typed or handwritten notes, telephone message slips, appointment books, calendars, photographs, or other format.





## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

---

- personal data assistants (PDA), iPads and digital cameras
- Office computers and laptops
  - Network servers and other network attached storage
  - Hard copy files
  - Network servers and other network attached storage
  - Backup/disaster recovery tapes
  - Special purpose storage such as Outlook and Blackberry e-mail servers and storage for communications and file sharing services such as Microsoft Lync, SMS messaging, Social media (*e.g.*, Facebook), and Webmail accounts
  - Removable media such as CDs, DVDs, external hard drives, and flash/thumb drives
  - Databases
  - Video systems (including CCTV)
  - Audio systems (including voicemail)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:39 AM  
**To:** (b)(6), (b)(7)(C) FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) et al. v. Trump et al.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:30:51 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

DFO Ferrara,

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

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

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:19:17 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

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

Date: 2/3/17 5:46 AM (GMT-05:00)

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

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

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

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

Subject: Re: (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

We can confirm that (b)(6), (b)(7)(C) is aboard Lufthansa flight 422, en route to Boston from Frankfurt and scheduled to arrive at approximately 1:00 p.m. EST. We trust that she will deplane and clear customs without difficulty and we ask that you notify us immediately if we should expect otherwise. Thank you for your continued attention to this matter.

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

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

Morgan, Lewis & Bockius LLP

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

On Feb 2, 2017, at 5:31 PM, (b)(6), (b)(7)(C) wrote:

Counsel,

As a separate matter, please note that Judge Burroughs has scheduled a hearing on (b)(6), (b)(7)(C) emergency motion for Monday, February 6, 2017, at 10:00 a.m. in Courtroom 17 at the John Joseph Moakley U.S. Courthouse. Judge Burroughs's electronic order is available on PACER and is reproduced below for ease of reference.

Thank you very much.

Sincerely yours,

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

02/02/2017

6

ELECTRONIC NOTICE Setting Hearing on Motion 5<<https://ecf.mad.uscourts.gov/doc1/09517887116>> Emergency MOTION for Temporary Restraining Order : Motion Hearing set for 2/6/2017 10:00 AM in Courtroom 17 before Judge Allison D. Burroughs. Counsel for plaintiff shall inform defendants of the scheduled hearing. (b)(6), (b)(7)(C) (Entered: 02/02/2017)

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

Morgan, Lewis & Bockius LLP

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

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

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

Sent: Thursday, February 02, 2017 4:50 PM

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for that information, (b)(6), (b)(7)(C)

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

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

Sent: Thursday, February 02, 2017 4:39 PM

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

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

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Dear Attorney (b)(6), (b)(7)(C)

We recently learned that Lufthansa has issued a travel advisory that it is complying with the Temporary Restraining Order (the "Order") issued by Judge Burroughs on January 29, 2017, and permitting valid visa holders to board flights to Boston. See: <http://www.lufthansa.com/de/en/Travel-information> <<https://urldefense.proofpoint.com/v2/url?u=http-3A-www.lufthansa.com-de-en-Travel-2Dinformation&d=DwMFAg&c=wbMekZ1iboz3wtx3IILi8YgCUSSh7g3G58syakvKORs&r=S9yYdHw5JLGzd03CGnXPt0vMdV8APB6I2Ga5lSjygBw&m=ZsXx7mGSiaotXvNI4ysrjB3oG5fqKBVYqzm4j9qM6bg&s=QMRd8ve9In6Z0VecByK8pBySG5qhBk6sk9LMCVwDO9k&e=>>>

Accordingly, (b)(6), (b)(7)(C) has booked passage tomorrow (Friday, February 3, 2017) from Zurich to Boston, via Frankfurt. Details regarding her itinerary are below and her booking confirmation is attached to this email. We are providing this information to you in advance so that you can ensure full compliance with the Order.

We are available to provide any additional information as needed. Thank you for your attention to this matter.

Sincerely yours,  
(b)(6), (b)(7)(C)

Itinerary for (b)(6), (b)(7)(C) February 3, 2017 (all times local)

08:05 Zurich to Frankfurt aboard Lufthansa LH1183, Arriving 09:10  
10:55 Frankfurt to Boston aboard Lufthansa LH422, Arriving 13:10

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

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

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



To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you; can you provide the attachment?

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 12:40 PM  
To: (b)(6), (b)(7)(C)

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

Cc: (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

Attached, please find a copy of Plaintiff (b)(6), (b)(7)(C) Emergency Motion Seeking a Temporary Restraining Order and Hearing Before the Court, filed in the matter of (b)(6), (b)(7)(C) v. Trump et al. (b)(6), (b)(7)(C)

Per Attorney (b)(6), (b)(7)(C) email yesterday declining to accept service on behalf of the Defendants, we are currently in the process of effectuating service as required by Federal Rule of Civil Procedure 4.

Sincerely,

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

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

Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 5:06 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

Thank you for providing this. Service of process will need to be made per FRCP 4(i).

Regards,

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

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

Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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

From: (b)(6), (b)(7)(C)  
 Sent: Wednesday, February 01, 2017 4:44 PM  
 To: (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
 Cc: (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
 Subject: RE: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); Trump et al.

Counsel,

Attached, please find the complaint and accompanying exhibits that we have filed on behalf of our client, (b)(6), (b)(7)(C) in the United States District Court for the District of Massachusetts (b)(6), (b)(7)(C) v. Trump, (b)(6), (b)(7)(C). Please confirm whether you will accept service on behalf of all defendants. If so, we will provide a form of waiver as required by Federal Rule of Civil Procedure 4.

Sincerely yours,  
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
 Sent: Wednesday, February 01, 2017 3:04 PM  
 To: (b)(6), (b)(7)(C)  
 Cc: (b)(6), (b)(7)(C)  
 Subject: RE: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); v. Trump et al.

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

Thanks very much. We are preparing to file suit, but my colleagues will be delighted to discuss a resolution of this matter if that is possible. As I will be traveling please contact this list first by email if there is any opportunity to resolve the matter. Someone can get back to you quickly to set up a call.

The suit will allege, and we can show that CPB specifically instructed SWISS to refuse boarding after being aware of the January 29 order.

Thanks again.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
 Sent: Wednesday, February 01, 2017 11:00 AM

To: (b)(6), (b)(7)(C)  
 Cc: (b)(6), (b)(7)(C)  
 Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for this additional information. I passed along your request regarding a waiver to the appropriate agencies earlier today, and will get back to you as soon as I can.

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

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

Trial Attorney  
 United States Department of Justice  
 Office of Immigration Litigation – District Court Section

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

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

Sent: Wednesday, February 01, 2017 8:45 AM

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

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

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

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

Subject: (b)(6), (b)(7)(C) v. Trump et al.

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

Thanks for your response yesterday. Our client (b)(6), (b)(7)(C) is a doctoral research scientist invited by the Brigham & Women's hospital to perform pediatric tubercular research with other scientists at the hospital in Boston.

Her flight departed about five hours before your email arrived yesterday. (b)(6), (b)(7)(C) was not permitted to board.

We disagree about the scope of the District Court's January 29, 2017 order ("Order"). (b)(6), (b)(7)(C) was prevented by CBP from boarding a Lufthansa flight from Frankfurt to Boston on 28 January. As a holder of a valid J-1 non-immigrant visa, she falls squarely within the individuals protected by Sections I.b and I.d of the Order, which protects "holders of valid immigrant and non-immigrant visas . . . who, absent the Executive Order, would be legally authorized to enter the United States." As she was protected by the Order, Section I.d required CBP to notify SWISS, and other airlines, that (b)(6), (b)(7)(C) would not be "detained or returned" upon her arrival at Logan. Order at I.d. ("[CBP] shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order.").

Relying on the Order, she rebooked with SWISS. Instead of notifying SWISS that (b)(6), (b)(7)(C) "will not be detained or returned" upon her arrival at Logan, CBP did the opposite, and, on either January 30 or January 31 issued a directive instructing SWISS to deny boarding to (b)(6), (b)(7)(C) on Jan. 31, when she attempted to board Flight 52 from Zurich to Boston. That directive was issued after the Order entered and was served on the United States. The directive violates the Order, and is the proximate cause of (b)(6), (b)(7)(C) being denied the opportunity to present her visa at the Boston port of entry.

We are aware of the government's notice of supplemental authority. However, (b)(6), (b)(7)(C) visa was issued on January 27, the date of the executive order, and as the government has assured the public that the rollout of the Executive Order was seamless across all departments, it is plain that the government did not intend that (b)(6), (b)(7)(C) visa be governed by its revocation.

While we deny that any waiver is legally required, and reserve all rights on that question, we are open to attempting to resolve the dispute, if your office can facilitate through CBP a prompt waiver for (b)(6), (b)(7)(C).



Regards,

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Tuesday, January 31, 2017 3:58 PM

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

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

Subject: RE: MOST URGENT (b)(6), (b)(7)(C) v. Trump et al.

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

Thank you for your email. We do not read the Court's order to require such action, but we have passed the information along to CBP.

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

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

Trial Attorney

United States Department of Justice

Office of Immigration Litigation – District Court Section

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

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

Sent: Tuesday, January 31, 2017 11:17 AM

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

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

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

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

Subject: RE: MOST URGENT (b)(6), (b)(7)(C) v. Trump et al.

I am resending with corrected stationmanager email address.

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Tuesday, January 31, 2017 11:12 AM

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

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

(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: MOST URGENT (b)(6), (b)(7)(C) Trump et al.

Dear counsel –

Our client (b)(6), (b)(7)(C) who holds a J-1 visa and is within the scope of (b)(6), (b)(7)(C) Sunday order, having been ticketed to Logan on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court’s order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that (b)(6), (b)(7)(C) may board and the aircraft will be given permission to land at Logan without penalty.

Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of Judge Burroughs’ order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.

Need asap, plane is now boarding.

Very truly yours,

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

DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:03 AM  
**To:** HUTTON, JAMES R; FERRARA, WILLIAM; HOFFMAN, TODD A  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

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

**From:** HUTTON, JAMES R  
**Sent:** Friday, February 03, 2017 8:02 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Thanks  
We are working with OCC to see what our options are.

(b)(6), (b)(7)(C)  
Airline ignored our no board request and boarded (b)(6), (b)(7)(E) destined to Boston.

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:50:18 AM  
**To:** HOFFMAN, TODD A; HUTTON, JAMES R  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

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

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:48 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Also note that because one of these pax is in litigation with the Agency, I have communicated this matter to DHS OGC to confirm no exemptions/waivers will be authorized.



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

Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:41:46 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

(b)(7)(E) They are going to provide guidance on how to proceed. Will keep you posted.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:51 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:47:55 AM  
**To:** (b)(6), (b)(7)(C) NTC-PASSENGER CWC  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Spread sheet below, all were referred over this morning for offload.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:56 AM  
**To:** NTC-PASSENGER CWC (b)(7)(E)  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

Please get a spreadsheet together (b)(7)(E) and let me know the results.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:51:07 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC; HOFFMAN, TODD A; HUTTON, JAMES R; (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

LH acknowledged the IAP no board recommendation but advised that due to additional guidance received from the U.S., due to pending litigation, LH will accept nationals from EO countries with valid visas on the Boston-bound flight until February 5<sup>th</sup>.

(b)(5), (b)(7)(E) the flight departs in 15 minutes.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:19 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
(b)(7)(E) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E) HOFFMAN, TODD A  
(b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

(b)(7)(E) in receipt.

Respectfully,

(b)(6), (b)(7)(C)  
Chief Watch Commander  
U.S. Customs and Border Protection  
National Targeting Center-Passenger  
(b)(6), (b)(7)(C)

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)  
**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes

only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:14 AM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
 (b)(7)(E) FENCEL, ROBERT A <[ROBERT.A.FENCEL@CBP.DHS.GOV](mailto:ROBERT.A.FENCEL@CBP.DHS.GOV)>;  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E) HOFFMAN, TODD A  
 (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

IAP FRA confirms that the [redacted] has been issued a boarding pass for the LH Boston flight.

LH has also advised IAP that they have received verbal guidance from an unspecified source to board EO nationals on the Boston flight and have issued four to eight boarding for additional EO nationals on the same flight.

IAP has confirmed that only the [redacted] has been authorized by CBP/CAT to board the flight; they others have not been authorized to board.

The flight will begin boarding in the next few minutes; we'll find out shortly if LH will comply with IAP boarding recommendations or if they will board the additional EO nationals.

Update to follow.

[redacted]

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 2:11 AM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
 (b)(7)(E) FENCEL, ROBERT A <[ROBERT.A.FENCEL@CBP.DHS.GOV](mailto:ROBERT.A.FENCEL@CBP.DHS.GOV)>;  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

All,

As of 0207 EST [redacted] (b)(6), (b)(7)(C), (b)(7)(E) will confirm boarding on the US bound flight.

Respectfully,

(b)(6), (b)(7)(C)  
 Chief Watch Commander  
 U.S. Customs and Border Protection



National Targeting Center-Passenger

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

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)  
**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 11:10 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
(b)(7)(E) FENCEL, ROBERT A <[ROBERT.A.FENCEL@CBP.DHS.GOV](mailto:ROBERT.A.FENCEL@CBP.DHS.GOV)>;  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Thx. Please inform CAT as soon as we have confirmed boarding. They will let occ and leadership know.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 11:08:06 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

All,

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

We are in contact with (b)(7)(E)

Respectfully,

(b)(6), (b)(7)(C)  
Chief Watch Commander  
U.S. Customs and Border Protection  
National Targeting Center-Passenger

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

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)  
**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes

only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 11:02 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(6), (b)(7)(C)  
**Subject:** Request for IAP FRA Boarding Assist on 2/03/17 T

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

This is a high-profile casse; we've received clearance to authorize/facilitate boarding for the subject posted below. I don't have all the identifiers, but we're coordinating with (b)(7)(E) should have additional info for you later this morning.

Subject is female, likely with a J-1 visa; please advise Lufthansa CBP authorizes boarding.

Pls acknowledge receipt.

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

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

**From:** HOFFMAN, TODD A  
**Sent:** Thursday, February 02, 2017 10:46 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** Owen, Todd C (AC OFO) (b)(6)  
**Subject:** FW: (b)(6), (b)(7)(C) v. Trump - Travel and Recommend No Board

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

Please work with the (b)(7)(E) and others to ensure boarding.

**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

January 31, 2017

MEMORANDUM FOR: The Honorable Chip F. Fulghum  
Acting Deputy Secretary

Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

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

Acting Director  
U.S. Immigration & Customs Enforcement

Lori Scialabba  
Acting Director  
U.S. Citizenship & Immigration Services

FROM:

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

Inspector General

SUBJECT:

Notice of Obligation to Preserve Documents  
Related to Executive Order dated January 27,  
2017, "Protecting the Nation from Terrorist  
Entry into the United States by Foreign  
Nationals"

In connection with a request from Congress, the Office of Inspector General (OIG) has opened an investigation of the Department's implementation of the President's January 27, 2017 Executive Order "Protecting the Nation from Terrorist Entry into the United States by Foreign Nationals" ("Executive Order"). This memorandum serves as notice to you, and to all personnel within your organization, of the obligation to preserve all potentially relevant documents and information, as specified below. Further, this serves as notice that you are obligated to disseminate this document preservation notice throughout your organization and ensure that all agency personnel (including employees, contractors, and members of the Senior Executive Service) comply with its terms.





## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

---

### **Preservation Instructions**

While specific document requests will be forthcoming, effective immediately, you must preserve (i.e., prevent destruction or substantive alteration of) all documents<sup>1</sup> and information that contain or constitute information that is potentially relevant to DHS OIG's investigation, or that might reasonably lead to the discovery of relevant information, relating to implementation of any and all provisions of the Executive Order. This includes, but is not limited to, all communication, training, and/or guidance related to implementation of the Executive Order; information reflecting actions taken to implement the Executive Order; the receipt and handling of complaints; the public dissemination of information; notice of and compliance with court orders affecting implementation of the Executive Order; instances of violations of any court order; video and audio recordings; the handling of detained individuals; and, the disposition of individual detention cases.

For the duration of this hold, any information described by this notice that is within your individual possession or control must be preserved in the exact form as it currently exists. This obligation extends to both the content of any document and any metadata associated with electronic documents. Employees should take all steps necessary, to prevent the intentional or accidental destruction, deletion, alteration, or removal of information described by this notice.

### **Sources of Material That Must Be Preserved:**

Any and all files and records over which you have control which pertain to the subject matter of this notice in the following locations:

- Handheld devices (wired and wireless) such as iPhones, Blackberries, other smart phones, cell phones, pagers,

---

<sup>1</sup> As used in this notice, the word "documents" is defined in the broadest sense possible, to include the original and any non-identical copies, all drafts and final versions, audio recordings, video recordings, transcripts, polygraph examination records, e-mails, instant message communications, other communications, summaries, work papers, typed or handwritten notes, telephone message slips, appointment books, calendars, photographs, or other format.



## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

---




- personal data assistants (PDA), iPads and digital cameras
- Office computers and laptops
  - Network servers and other network attached storage
  - Hard copy files
  - Network servers and other network attached storage
  - Backup/disaster recovery tapes
  - Special purpose storage such as Outlook and Blackberry e-mail servers and storage for communications and file sharing services such as Microsoft Lync, SMS messaging, Social media (*e.g.*, Facebook), and Webmail accounts
  - Removable media such as CDs, DVDs, external hard drives, and flash/thumb drives
  - Databases
  - Video systems (including CCTV)
  - Audio systems (including voicemail)

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 11:33 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

Sure, I'm on my cell

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs  
RRB #2.4G-56  
Washington, DC

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



**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 10:05 AM  
**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"

Funny question. Do you have a minute for a call?

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 9:32 AM  
**To:** HOFFMAN, TODD A; (b)(6), (b)(7)(C); 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)




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

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

DFOs

Just spoke with Department of State and there are at least 146 Afghan nations with valid Special Immigrant Visas (SIV) and more within the coming weeks. To ensure clarity and avoid confusion, Afghanistan was not subject to the EO. In addition, Refugees coming from another country, e.g. Mongolia, not listed in the guidance should be processed as normal.

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs  
RRB #2.4G-56  
Washington, DC

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



**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

**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

**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 denial of boarding through (b)(7)(E) (b)(7)(E) locations, 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.
- (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.

*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:** Saturday, January 28, 2017 10:20 PM  
**To:** FERRARA, WILLIAM  
**Subject:** FW: EO 212(f) Exemption for (b)(6), (b)(7)(C)

See  
We don't always suck

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

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




**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 10:20 PM  
**To:** (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C) MURDOCK, JUDSON W (b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** OFO-FIELD LIAISON (b)(7)(E)  
**Subject:** RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

(b)(5), (b)(7)(E) 2219 hours.

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

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

**Sent:** Saturday, January 28, 2017 10:07 PM

**To:** 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); HOFFMAN, TODD A

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

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

**Cc:** OFO-FIELD LIAISON <(b)(7)(E)>

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

**Importance:** High

EAC Owen, et al., Sent on behalf of DFO Ferrara:

**Waiver Narrative**

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

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

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

Area Port Director  
Area Port of Boston

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



**From:** HUTTON, JAMES R  
**Sent:** Friday, February 03, 2017 9:53 AM  
**To:** FERRARA, WILLIAM  
**Subject:** FW: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

Bill

(b)(5)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:39:32 AM  
**To:** HUTTON, JAMES R  
**Cc:** HOFFMAN, TODD A; (b)(6), (b)(7)(C)  
**Subject:** FW: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

(b)(5)

(b)(6), (b)(7)(C)  
Deputy Associate Chief Counsel  
Office of Chief Counsel  
U.S. Customs and Border Protection  
(office)  
(b)(6), (b)(7)(C) (cell)

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:18 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

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

(b)(5)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:31 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Fwd: (b)(6), (b)(7)(C) v. Trump et al.  
**Importance:** High

DFO Ferrara,

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

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

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:19:17 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: (b)(6), (b)(7)(C) v. Trump et al.

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----  
**From:** (b)(6), (b)(7)(C)  
**Date:** 2/3/17 5:46 AM (GMT-05:00)  
**To:** (b)(6), (b)(7)(C)

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

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

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

Subject: Re: (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

We can confirm that (b)(6), (b)(7)(C) is aboard Lufthansa flight 422, en route to Boston from Frankfurt and scheduled to arrive at approximately 1:00 p.m. EST. We trust that she will deplane and clear customs without difficulty and we ask that you notify us immediately if we should expect otherwise. Thank you for your continued attention to this matter.

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

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

Morgan, Lewis & Bockius LLP

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

On Feb 2, 2017, at 5:31 PM, (b)(6), (b)(7)(C) wrote:

Counsel,

As a separate matter, please note that Judge Burroughs has scheduled a hearing on (b)(6), (b)(7)(C) emergency motion for Monday, February 6, 2017, at 10:00 a.m. in Courtroom 17 at the John Joseph Moakley U.S. Courthouse. Judge Burroughs's electronic order is available on PACER and is reproduced below for ease of reference.

Thank you very much.

Sincerely yours,

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

02/02/2017

6

ELECTRONIC NOTICE Setting Hearing on Motion 5<<https://ecf.mad.uscourts.gov/doc1/09517887116>> Emergency MOTION for Temporary Restraining Order : Motion Hearing set for 2/6/2017 10:00 AM in Courtroom 17 before Judge Allison D. Burroughs. Counsel for plaintiff shall inform defendants of the scheduled hearing. (b)(6), (b)(7)(C) (Entered: 02/02/2017)

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Thursday, February 02, 2017 4:50 PM

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for that information (b)(6), (b)(7)(C)

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

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

Sent: Thursday, February 02, 2017 4:39 PM

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

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

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Dear Attorneys (b)(6), (b)(7)(C)

We recently learned that Lufthansa has issued a travel advisory that it is complying with the Temporary Restraining Order (the "Order") issued by (b)(6), (b)(7)(C) on January 29, 2017, and permitting valid visa holders to board flights to Boston. See: [http://www.lufthansa.com/de/en/Travel-information<https://urldefense.proofpoint.com/v2/url?u=http-3A\\_www.lufthansa.com\\_de\\_en\\_Travel-2Dinformation&d=DwMFAg&c=wbMekZ1iboz3wtx3IILi8YgCUSSh7g3G58syakvKORs&r=S9yYdHw5JLGzd03CGnXPt0vMdV8APB6I2Ga5lSjygBw&m=ZsXx7mGSiaotXvNI4ysrjB3oG5fqKBVYqzm4j9qm6bg&s=QMRd8ve9In6Z0VecByK8pBySG5qhBk6sk9LMCVwDO9k&e=>](http://www.lufthansa.com/de/en/Travel-information<https://urldefense.proofpoint.com/v2/url?u=http-3A_www.lufthansa.com_de_en_Travel-2Dinformation&d=DwMFAg&c=wbMekZ1iboz3wtx3IILi8YgCUSSh7g3G58syakvKORs&r=S9yYdHw5JLGzd03CGnXPt0vMdV8APB6I2Ga5lSjygBw&m=ZsXx7mGSiaotXvNI4ysrjB3oG5fqKBVYqzm4j9qm6bg&s=QMRd8ve9In6Z0VecByK8pBySG5qhBk6sk9LMCVwDO9k&e=>)

Accordingly (b)(6), (b)(7)(C) has booked passage tomorrow (Friday, February 3, 2017) from Zurich to Boston, via Frankfurt. Details regarding her itinerary are below and her booking confirmation is attached to this email. We are providing this information to you in advance so that you can ensure full compliance with the Order.

We are available to provide any additional information as needed. Thank you for your attention to this matter.

Sincerely yours,  
(b)(6), (b)(7)(C)

Itinerary for (b)(6), (b)(7)(C) February 3, 2017 (all times local)

08:05 Zurich to Frankfurt aboard Lufthansa LH1183, Arriving 09:10  
10:55 Frankfurt to Boston aboard Lufthansa LH422, Arriving 13:10

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

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

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

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you; can you provide the attachment?

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

Sent: Thursday, February 02, 2017 12:40 PM



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

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

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

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

Subject: RE: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

Attached, please find a copy of Plaintiff (b)(6), (b)(7)(C) Emergency Motion Seeking a Temporary Restraining Order and Hearing Before the Court, filed in the matter of (b)(6), (b)(7)(C) Trump et. al (b)(6), (b)(7)(C)

Per Attorney (b)(6), (b)(7)(C) email yesterday declining to accept service on behalf of the Defendants, we are currently in the process of effectuating service as required by Federal Rule of Civil Procedure 4.

Sincerely,

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

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Wednesday, February 01, 2017 5:06 PM

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

Thank you for providing this. Service of process will need to be made per FRCP 4(i).

Regards,

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

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

Trial Attorney

United States Department of Justice

Office of Immigration Litigation – District Court Section

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

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

Sent: Wednesday, February 01, 2017 4:44 PM

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

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

(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

Attached, please find the complaint and accompanying exhibits that we have filed on behalf of our client, (b)(6), (b)(7)(C) in the United States District Court for the District of Massachusetts (b)(6), (b)(7)(C) v. Trump, (b)(6), (b)(7)(C). Please confirm whether you will accept service on behalf of all defendants. If so, we will provide a form of waiver as required by Federal Rule of Civil Procedure 4.

Sincerely yours,

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

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 3:04 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

Thanks very much. We are preparing to file suit, but my colleagues will be delighted to discuss a resolution of this matter if that is possible. As I will be traveling please contact this list first by email if there is any opportunity to resolve the matter. Someone can get back to you quickly to set up a call.

The suit will allege, and we can show that CPB specifically instructed SWISS to refuse boarding after being aware of the January 29 order.

Thanks again.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 11:00 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for this additional information. I passed along your request regarding a waiver to the appropriate agencies earlier today, and will get back to you as soon as I can.

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

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

Trial Attorney

United States Department of Justice

Office of Immigration Litigation – District Court Section

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

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

Sent: Wednesday, February 01, 2017 8:45 AM

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

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

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

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

Subject: (b)(6), (b)(7)(C) v. Trump et al.

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

Thanks for your response yesterday. Our client, (b)(6), (b)(7)(C), is a doctoral research scientist invited by the Brigham & Women’s hospital to perform pediatric tubercular research with other scientists at the hospital in Boston.

Her flight departed about five hours before your email arrived yesterday. (b)(6), (b)(7)(C) was not permitted to board.

We disagree about the scope of the District Court’s January 29, 2017 order (“Order”). (b)(6), (b)(7)(C) was prevented by CBP from boarding a Lufthansa flight from Frankfurt to Boston on 28 January. As a holder of a valid J-1 non-immigrant visa, she falls squarely within the individuals protected by Sections I.b and I.d of the Order, which protects “holders of valid immigrant and non-immigrant visas . . . who, absent the Executive Order, would be legally authorized to enter the United States.” As she was protected by the Order, Section I.d required CBP to notify SWISS, and other airlines, that (b)(6), (b)(7)(C) would not be “detained or returned” upon her arrival at Logan. Order at I.d. (“[CBP] shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order.”).

Relying on the Order, she rebooked with SWISS. Instead of notifying SWISS that (b)(6), (b)(7)(C) will not be detained or returned” upon her arrival at Logan, CBP did the opposite, and, on either January 30 or January 31 issued a directive instructing SWISS to deny boarding to (b)(6), (b)(7)(C) on Jan. 31, when she attempted to board Flight 52 from Zurich to Boston. That directive was issued after the Order entered and was served on the United States. The directive violates the Order, and is the proximate cause of (b)(6), (b)(7)(C) being denied the opportunity to present her visa at the Boston port of entry.

We are aware of the government’s notice of supplemental authority. However, (b)(6), (b)(7)(C) visa was issued on January 27, the date of the executive order, and as the government has assured the public that the rollout of the Executive Order was seamless across all departments, it is plain that the government did not intend that (b)(6), (b)(7)(C) visa be governed by its revocation.

While we deny that any waiver is legally required, and reserve all rights on that question, we are open to attempting to resolve the dispute, if your office can facilitate through CBP a prompt waiver for (b)(6), (b)(7)(C)

Regards,

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

Morgan, Lewis & Bockius LLP

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



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

From: **(b)(6), (b)(7)(C)**  
Sent: Tuesday, January 31, 2017 3:58 PM  
To: **(b)(6), (b)(7)(C)**  
Cc: **(b)(6), (b)(7)(C)**  
Subject: RE: MOST URGENT **(b)(6), (b)(7)(C)** v. Trump et al.

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

Thank you for your email. We do not read the Court's order to require such action, but we have passed the information along to CBP.

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

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

Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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

From: **(b)(6), (b)(7)(C)**  
Sent: Tuesday, January 31, 2017 11:17 AM  
To: **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
Cc: **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
Subject: RE: MOST URGENT **(b)(6), (b)(7)(C)** v. Trump et al.

I am resending with corrected stationmanager email address.

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

Morgan, Lewis & Bockius LLP

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

From: **(b)(6), (b)(7)(C)**  
Sent: Tuesday, January 31, 2017 11:12 AM  
To: **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
Cc: **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
Subject: MOST URGENT **(b)(6), (b)(7)(C)** v. Trump et al.

Dear counsel –

Our client **(b)(6), (b)(7)(C)** who holds a J-1 visa and is within the scope of **(b)(6), (b)(7)(C)** Sunday order, having been ticketed to Logan



on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court's order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that Ms. [REDACTED] may board and the aircraft will be given permission to land at Logan without penalty.

Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of Judge Burroughs' order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.

Need asap, plane is now boarding.

Very truly yours,

[REDACTED]

#### DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

1300 Pennsylvania Avenue NW  
Washington, DC 20229



**U.S. Customs and  
Border Protection**

FEB 01 2017

MEMORANDUM FOR: Directors, Field Operations  
Director, Field Operations Academy

FROM: Todd A. Hoffman (b)(6), (b)(7)(C)  
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:

1. 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 that this memorandum is 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) Director, Enforcement Programs Division 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)  
 (b)(6), (b)(7)(C)  
**Subject:** FW: Redelegation

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Team**

S1 has concurred 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)  
**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. (b)(7)(E)

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

This authority may not be further delegated.



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

**From:** 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: Redlegation of 3(g) Authority  
**Attachments:** Executive Order Redlegation 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:** Redlegation 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)



**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

**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, National Targeting Center – Passenger  
 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

**From:** MCALEENAN, KEVIN K

**Sent:** Wednesday, February 1, 2017 9:55 PM

**To:** (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)

**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

---

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

**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

(b)(5)

**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, National Targeting Center – Passenger  
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

---

**From:** **(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, National Targeting Center  
 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, Regional Carrier Liaison Groups and the **(b)(7)(E)** should update records to ensure there is no impediment to these individuals boarding commercial carriers and take any other appropriate steps to facilitate travel.

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)
- 8)

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

- 9)
- 10)
- 11)
- 12)
- 13)
- 14)
- 15)
- 16)
- 17)
- 18)
- 19)
- 20)
- 21)
- 22)
- 23)
- 24)
- 25)
- 26)
- 27)
- 28)
- 29)
- 30)
- 31)
- 32)
- 33)
- 34)
- 35)
- 36)
- 37)
- 38)

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

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

**(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, JAMES 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:

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)
- 8)
- 9)
- 10)
- 11)
- 12)
- 13)
- 14)
- 15)
- 16)
- 17)
- 18)
- 19)
- 20)
- 21)
- 22)
- 23)

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



- 24)
- 25)
- 26)
- 27)
- 28)
- 29)
- 30)
- 31)
- 32)
- 33)
- 34)
- 35)
- 36)
- 37)
- 38)

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

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 7:21 AM  
**To:** FERRARA, WILLIAM  
**Cc:** MURDOCK, JUDSON W  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Thx...tired and angry!

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

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:20 AM  
**To:** HOFFMAN, TODD A (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

There is NO reason to apologies. We can't thank you enough for what you have done during the implementation of the EO. Really, thank you.

William A. Ferrara  
 Director, Field Operations  
 Boston Field Office  
 U.S. Customs and Border Protection

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 7:19 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Sorry, I'm tired and didn't fully read your e-mail.

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

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:17 AM  
**To:** HOFFMAN, TODD A (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

I am aware. Thanks

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 7:16 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

For clarity, you have 9 additional onboard that the carrier boarded against our recommendation.

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

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:14 AM  
**To:** HOFFMAN, TODD A (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

OCC notified me of her arrival. I am asking for their particular guidance on processing the J1 and the additional 9.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 7:10 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
**Subject:** FW: (b)(6), (b)(7)(C) Travel and Recommend No Board

In flight, coming your way.

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

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 6:22 AM  
**To:** (b)(6), (b)(7)(C) MCALEENAN, KEVIN K (b)(6)  
(b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; (b)(6), (b)(7)(C) ALLES, RANDOLPH D; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

In addition, our IAP Team Lead was on site and actively engaged and clearly recommended no boards for the 9. The carrier said they received clear instruction to board all EO subjects destined to Boston until February 5th due to Court order.

---

From: (b)(6), (b)(7)(C)  
Sent: Friday, February 03, 2017 3:16:02 AM  
To: MCALEENAN, KEVIN K; (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; ALLES, RANDOLPH D; HOFFMAN, TODD A; (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Commissioner, in addition reports indicate that they have boarded approximately 9 additional PAX subject to the EO. We are working through that now with the cat. Troy

---

From: MCALEENAN, KEVIN K  
Sent: Friday, February 03, 2017 6:03:10 AM  
To: (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Thank you

---

From: (b)(6), (b)(7)(C)  
Sent: Friday, February 03, 2017 4:46:36 AM  
To: MCALEENAN, KEVIN K; (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Confirmed onboard.

---

From: MCALEENAN, KEVIN K  
Sent: Thursday, February 02, 2017 11:05:59 PM  
To: (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Thank you: (b)(6), (b)(7)(C)

---

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 11:01:37 PM  
To: (b)(6), (b)(7)(C) MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
Cc: FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board



Being worked through IAP and RCLG in cases like this I am never completely comfortable until wheels up with PAX onboard. Troy

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 10:55:56 PM  
**To:** MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
**Cc:** FLANAGAN, PATRICK S; ALLES, RANDOLPH D; (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Understood. Thanks.

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

**From:** MCALEENAN, KEVIN K  
**Sent:** Thursday, February 02, 2017 10:55 PM  
**To:** (b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** FLANAGAN, PATRICK S; (b)(6), (b)(7)(C) ALLES, RANDOLPH D (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Yes; understanding that we still have to coordinate with the carrier.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 10:50:35 PM  
**To:** Owen, Todd C (AC OFO); MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
**Cc:** FLANAGAN, PATRICK S; ALLES, RANDOLPH D; MILLER, TROY A  
**Subject:** RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Mr. McAleenan,

Please let me know if you're o.k. with OCC communicating this with DOJ given the hearing tomorrow.

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

-----Original Message-----

**From:** Owen, Todd C (AC OFO)  
**Sent:** Thursday, February 02, 2017 10:48 PM  
**To:** MCALEENAN, KEVIN K (b)(6) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** FLANAGAN, PATRICK S (b)(6), (b)(7)(C) ALLES, RANDOLPH D (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
Subject: (b)(6), (b)(7)(C) Travel and Recommend No Board

C1, spoke to Troy. (b)(7)(E)

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

From: MCALEENAN, KEVIN K  
Sent: Friday, February 03, 2017 3:33:04 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C); Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Understood. I would rather have us make a case by case national interest decision than beg an adverse judicial order with bad facts.  
Calling Todd.

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 10:31:13 PM  
To: MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C); Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

(b)(5)

(b)(6), (b)(7)(C)  
CBP Associate Chief Counsel (Enforcement and Operations) T (b)(6), (b)(7)(C) / C (b)(6), (b)(7)(C)  
\*\* Attorney Work Product / Attorney-Client Privileged \*\*

From: MCALEENAN, KEVIN K  
Sent: Thursday, February 02, 2017 10:26:21 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C); Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

What is the risk of allowing her to board intending to issue a waiver?

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 10:24:22 PM  
To: MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C); Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

Commissioner -- (b)(5)  
(b)(5)

We are available to discuss tonight if helpful. Thanks as always.

(b)(6), (b)(7)(C)  
CBP Associate Chief Counsel (Enforcement and Operations) T (b)(6), (b)(7)(C) / C (b)(6), (b)(7)(C)  
\*\* Attorney Work Product / Attorney-Client Privileged \*\*

From: MCALEENAN, KEVIN K  
Sent: Thursday, February 02, 2017 10:06:44 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
Subject: RE: (b)(6), (b)(7)(C) Travel and Recommend No Board

As a strategic matter, are we better off letting a J-1 in who is trying to help kids with tuberculosis and avoid yet another bad facts make bad law case? I understand the concern on exceptions swallowing the rule, but we seem to have crossed that Rubicon. Until DoJ is ramped up and actually beating back the judicial overreach we are seeing in multiple districts, I would tend to lean toward avoiding another bad precedent. Would appreciate your thoughts.

EAC Owen?

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 9:04:07 PM  
To: MCALEENAN, KEVIN K  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: (b)(6), (b)(7)(C) Travel and Recommend No Board

Sir,

We are putting together a litigation summary for you in advance of your meeting tomorrow. That will follow shortly.

In the interim we wanted to ensure you were aware of the case of: (b)(6), (b)(7)(C)

This individual, based on the facts in her own complaint, Dr. (b)(6), (b)(7)(C) an Iranian scientist holding a valid J-1 visa to enter the United States to perform research related to pediatric tuberculosis, purchased a ticket to fly on a Swiss International Air Lines ("SWISS") flight from Zurich, Switzerland to Boston, Massachusetts on January 28, 2017 (and again on 1/31/17). She is not among those who arrived in the United States and was turned around in the early hours of implementation to our knowledge. Instead, she is an individual who was seeking to travel to the United States. She made the first quick hop from Zurich to Frankfurt but has not been able to board a flight to the United States. Her claims have been reported in Politico: <http://www.politico.com/blogs/under-the-radar/2017/02/lawsuit-trump-travel-ban-samira-asgari-234551>.

We have had a number of discussions with the DOJ litigators in the separate D. Mass case, (b)(6), (b)(7)(C) (D. Mass Jan. 29, 2017) today. That is the case where there is a temporary restraining order that has a paragraph that ordered CBP to issue guidance to the airlines, including providing them with a copy of her order. There is a hearing on that case tomorrow. OGC plans to send an e-mail to DOJ Office of Immigration Litigation leadership later this evening/early tomorrow, providing them with (1) a description of what we are doing vis a vis travelers overseas; (2) a reminder that we reached consensus with OIL that the D. Mass. and E.D.N.Y. TROs do not extend to travelers overseas (and the reasons); and (3) that we are not inclined to make exceptions where there is no court order requiring us to do so (otherwise the exceptions will begin to swallow the E.O.).

That said, we wanted to ensure that you were aware of the litigation, the fact that that there has been a complaint filed and that there is a hearing tomorrow. We do not want to make decisions for you about how you may wish to address this matter. The travel we received this evening from her counsel is summarized below and attached here.

We're available to discuss if you would like as well. My cell is (b)(6), (b)(7)(C)

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

**(b)(5), (b)(6), (b)(7)(C), (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)  
{cell)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:18 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** (b)(5)

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 10:14:59 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** (b)(5)

(b)(5)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:12 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** (b)(5)

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C) on behalf of FERRARA, WILLIAM  
**Sent:** Friday, January 27, 2017 8:56:11 PM

**To:** Boston Field Office Port Directors; § (b)(6), (b)(7)(C)

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

**Subject:** Single Issue Call with DFO Ferrara \*\*\*\*THIS EVENING\*\*\*\*

**When:** Friday, January 27, 2017 9:15 PM-9:45 PM.

**Where:** Conference Line # (b)(7)(E) Participant code: (b)(7)(E)

All;

Please be advised that DFO Ferrara is asking for your participation on this very important conference call that will discuss critical and sensitive information regarding the Executive Order that was signed by the President earlier this evening. Please be on the call if possible by 9:15 p.m. or 2115 this evening. DFO Ferrara will be most likely joining us at that time or very shortly after in order to brief us.

Call in information for you to utilize is stated above in the invitation.

Thank you;

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 11:08 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 10:24:09 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Thank you!

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:23 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Good morning.

(b)(6), (b)(7)(C) have a recurring issue with these smartphones; unless we hit the send/receive button messages do not always come in. (b)(5) If you need to reach me, the phone option on the smartphone always works. The number is: (b)(6), (b)(7)(C)

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

Senior Attorney

Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Saturday, January 28, 2017 10:15:48 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States  
Guidance.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 9:32 AM  
**To:** HOFFMAN, TODD A (b)(6), (b)(7)(C); 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);




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

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

DFOs

Just spoke with Department of State and there are at least 146 Afghan nations with valid Special Immigrant Visas (SIV) and more within the coming weeks. To ensure clarity and avoid confusion, Afghanistan was not subject to the EO. In addition, Refugees coming from another country, e.g. Mongolia, not listed in the guidance should be processed as normal.

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs  
RRB #2.4G-56  
Washington, DC

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




**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an



authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

**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

**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 denial of boarding through (b)(7)(E) (b)(7)(E) locations, 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 [REDACTED] (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 [REDACTED] (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 [REDACTED] (b)(7)(E) should be notated in [REDACTED] (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 [REDACTED] (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 [REDACTED] (b)(6), (b)(7)(C)

[REDACTED] (b)(6), (b)(7)(C) (A) Director, Enforcement Programs Division, at [REDACTED] (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:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:31 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017  
**Attachments:** Local Sitroom Regarding EO.doc  
**Importance:** High

(b)(6), (b)(7)(C)  
 Senior Attorney  
 Office of Assistant Chief Counsel, Boston  
 \* sent from my smartphone

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:30:04 PM  
**To:**

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

**Subject:** FW: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

This updated JFK Sitroom report is intended to replace the one that was distributed earlier.

(b)(6), (b)(7)(C) | Senior Attorney | Office of Associate Chief Counsel (New York) | U.S. Customs and Border Protection | Department of Homeland Security | One World Trade Center | Suite (b)(6), (b)(7)(C) | New York, New York 10007 |  
 Tele: (b)(6), (b)(7)(C) Fax: (b)(6), (b)(7)(C) | (b)(6), (b)(7)(C)

**CONFIDENTIALITY NOTICE**

This electronic message, including any attachments, may contain communications between attorney and client, communications that are part of the agency deliberative process, communications that constitute attorney work product, or law enforcement sensitive information, all of which are privileged, confidential, or both, and not appropriate for disclosure. Please consult with U.S. Customs and Border Protection, Office of Associate Chief Counsel, New York, before disclosing any information contained in this message or its attachments.

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:21 PM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** FW: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued



01/27/2017

Importance: High

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

Sent: Saturday, January 28, 2017 4:17:10 PM

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

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

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

; PEREZ, ROBERT

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

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

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

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

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

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

Subject: RE: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

Please disregard the original message. This is the updated version.

**SYNOPSIS:**

CBP at JFK is encountering media and congressional interest resulting for the Executive Order (EO) issued by President Trump on 1/27/2017. Operations have not been adversely impacted. Passengers are being processed in accordance with the (EO), and coordination is on going with law enforcement partners to handle protests and media requests. CBP has also been in contact with Airline stakeholders to coordinate on passenger processing efforts.

**DETAILS:**

On January 27, 2017, President Trump issued an Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”. This EO suspended all entry into the United Sates for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen as per Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those people traveling on diplomatic visas, NATO visas, C2 visas going to the United Nations, G1, G2, G3 and G4 visas. The order also includes all immigrant classes of admission, returning resident aliens, refugees and asylees. (b)(5), (b)(7)(E)

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

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

**UPDATE:** A conference call with Port Authority police was held at 3 PM.

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

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

**TIMELINE:**

**01/28/2017**

**0000-1000 Hours:** Phone calls from media, lawyers and concerned citizens asking questions about the people be detained.

**1115 Hours:** Congressman Nadler and Congresswoman Velasquez arrive at the FIS at T4 asking to speak with a supervisor. DC (b)(6), (b)(7)(C) and WC (b)(6), (b)(7)(C) speak with them and they leave the area.

**1145 Hours:** Congressman Nadler holds a press conference in the T4 public parking lot.

**1230 Hours:** One detainee, Mr. (b)(6), (b)(7)(C), is admitted and escorted out of the FIS.

**Biographical Information**

**Subject #1:**

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

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

COC: IRAQ arrived at JFK Terminal One at 1753 hours on 01/27/2017.

PP: Iraq # (b)(6), (b)(7)(C)

VISA: (b)(7)(E)

**Subject #2:**

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

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

PP: Iraq # (b)(6), (b)(7)(C)

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

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

*Chief, Tactical Operations*

*U.S. Customs and Border Protection*

*JFK Airport*

(O) (b)(6), (b)(7)(C)  
(F)

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:26 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017  
**Attachments:** Local Sitroom Regarding EO.DOC

FYSA

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:18:45 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
(OCC)  
**Cc:** (b)(6), (b)(7)(C) (OCC)  
**Subject:** FW: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

[Adding Boston and Baltimore](#)

---

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 4:03 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C)  
**Subject:** FW: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

---

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Saturday, January 28, 2017 3:59 PM  
**To:** (b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 3:54:39 PM  
**To:** (b)(6), (b)(7)(C)

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

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

**Subject:** JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

Please see attached file and below narrative regarding the Executive Order issued by President Trump on 01/27/2017.

(b)(6), (b)(7)(C)  
Watch Commander  
(b)(6), (b)(7)(C)

**SYNOPSIS:**  
Media and congressional interest resulting for the Executive Order issued by President Trump on 1/27/2017.

**DETAILS:**  
(b)(5), (b)(7)(E)

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

**TIMELINE:**

**01/28/2017**

**0000-1000 Hours:** Phone calls from media, lawyers and concerned citizens asking questions about the people be detained.

**1115 Hours:** Congressman Nadler and Congresswoman Velasquez arrive at the FIS at T4 asking to speak with a supervisor. DC (b)(6), (b)(7)(C) and WC (b)(6), (b)(7)(C) speak with them and they leave the area.

**1145 Hours:** Congressman Nadler holds a press conference in the T4 public parking lot.

**1230 Hours:** One detainee, (b)(6), (b)(7)(C) is admitted and escorted out of the FIS.

**Biographical Information on Detainees**

**Subject #1:**

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

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

COC: IRAQ arrived at JFK Terminal One at 1753 hours on 01/27/2017.

PP: Iraq # (b)(6), (b)(7)(C)

VISA: (b)(7)(E)

**Subject #2:**

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

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

PP: Iraq # (b)(6), (b)(7)(C)

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

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

Watch Commander

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:41 PM  
**To:** FERRARA, WILLIAM  
**Subject:** FW: District of Mass Order

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:36:51 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: District of Mass Order

(b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:31 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C)  
**Subject:** RE: District of Mass Order

Adding a few issues:



**(b)(5)**

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

(b)(6), (b)(7)(C)  
Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
United States Department of Justice

(b)(6), (b)(7)(C)  
Washington, D.C. 20044

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

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited. If you are not the intended recipient, you must contact the sender immediately to inform her of the error.

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

Sent: Sunday, January 29, 2017 1:08 PM

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

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

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

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

(b)(6), (b)(7)(C)  
Subject: RE: District of Mass Order

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

**(b)(5)**

**(b)(5)**

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

(b)(6), (b)(7)(C)  
Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
United States Department of Justice

(b)(6), (b)(7)(C)  
Washington, D.C. 20044

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

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited. If you are not the intended recipient, you must contact the sender immediately to inform her of the error.

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

**Sent:** Sunday, January 29, 2017 12:48 PM

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

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

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

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

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

**Subject:** District of Mass Order

All,

**(b)(5)**

(b)(5)

(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)  
cell)

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

Sent: Sunday, January 29, 2017 12:27 PM

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

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

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

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

Subject: RE: URGENT: Border patrol refusing to comply with court order at Dulles

(b)(5)

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

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

Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
United States Department of Justice

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

Washington, D.C. 20044

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

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited. If you are not the intended recipient, you must contact the sender immediately to inform her of the error.

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

Sent: Sunday, January 29, 2017 12:21 PM

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

**(b)(5)**

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

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

**Sent:** Sunday, January 29, 2017 12:18 PM

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

**(b)(5)**

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

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

Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
United States Department of Justice

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

Washington, D.C. 20044

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



This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited. If you are not the intended recipient, you must contact the sender immediately to inform her of the error.

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

**Sent:** Sunday, January 29, 2017 12:15 PM

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

**(b)(5)**

(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)  
cell)

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

**Sent:** Sunday, January 29, 2017 12:03 PM

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

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

**(b)(5)**

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

(b)(6), (b)(7)(C)  
Senior Litigation Counsel  
District Court Section

Office of Immigration Litigation  
United States Department of Justice

(b)(6), (b)(7)(C)  
Washington, D.C. 20044  
(b)(6), (b)(7)(C)

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited. If you are not the intended recipient, you must contact the sender immediately to inform her of the error.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 11:48 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

All,

**(b)(5)**

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 7:48 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C)  
**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

Good morning to all.

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

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

**Sent:** Sunday, January 29, 2017 6:37 AM

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

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

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

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

**(b)(5)**

**TEMPORARY RESTRAINING ORDER**

Pursuant to Federal Rule of Civil Procedure 65, the Court orders that:

- a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
- b) respondents are forbidden from removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order.

(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:** Sunday, January 29, 2017 12:27 AM

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

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

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

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

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

Subject: RE: URGENT: Border patrol refusing to comply with court order at Dulles

(b)(5)

///

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

**(b)(5)**

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

Deputy Civil Chief  
Eastern District of Virginia

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

Trial Attorney  
Office of Immigration Litigation

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

Sent: Sunday, January 29, 2017 12:22 AM

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

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

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

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

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

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

Subject: RE: URGENT: Border patrol refusing to comply with court order at Dulles

(b)(5)

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

Sent: Saturday, January 28, 2017 11:53 PM

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

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

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

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

Subject: RE: URGENT: Border patrol refusing to comply with court order at Dulles

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



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

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

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

**Sent:** Saturday, January 28, 2017 11:18 PM

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

All:

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

Many thanks, as always.

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

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

Deputy Civil Chief  
Eastern District of Virginia

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

**Sent:** Saturday, January 28, 2017 10:49 PM

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

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

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

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

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

**Subject:** RE: URGENT: Border patrol refusing to comply with court order at Dulles

**(b)(5)**

(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:** Saturday, January 28, 2017 10:48 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C);  
(b)(6), (b)(7)(C)  
**Subject:** FW: URGENT: Border patrol refusing to comply with court order at Dulles  
**Importance:** High

All,

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

Thank you.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:36 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT: Border patrol refusing to comply with court order at Dulles  
**Importance:** High

Please see attached . . .

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:33 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT: Border patrol refusing to comply with court order at Dulles  
**Importance:** High

(b)(6), (b)(7)(C) if you are out there – as of 10:30 this evening, the CBP at Dulles Airport is refusing to comply with the attached order. Please, please don't make me wake up Judge Brinkema again...

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:32 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** URGENT: Border patrol refusing to comply with court order at Dulles  
**Importance:** High

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

We have an order on an emergency TRO signed by Judge Brinkema tonight ordering access to all the LPRs currently being detained at Dulles, but Border Patrol is refusing to comply with the order. Do you have a cell phone where (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) can call you? His number is (b)(6), (b)(7)(C) He is at Dulles now.

Thank you,

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

(b)(6), (b)(7)(C) Litigation Director  
Legal Aid Justice Center

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

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

<http://www.justice4all.org>

**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

January 31, 2017

MEMORANDUM FOR: The Honorable Chip F. Fulghum  
Acting Deputy Secretary

Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

(b)(6), (b)(7)(C)  
Acting Director  
U.S. Immigration & Customs Enforcement

(b)(6), (b)(7)(C)  
Acting Director  
U.S. Citizenship & Immigration Services

FROM: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
Inspector General

SUBJECT: Notice of Obligation to Preserve Documents  
Related to Executive Order dated January 27,  
2017, "Protecting the Nation from Terrorist  
Entry into the United States by Foreign  
Nationals"

**(b)(5)**





**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

---

**(b)(5)**



**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

---

**(b)(5)**

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 4:43 PM  
**To:** FERRARA, WILLIAM  
**Subject:** Draft Declaration  
**Attachments:** Ferrara declaration.docx; Exhibit A.pdf; Exhibit B.pdf; Exhibit C.pdf; Exhibit D\_Redacted.pdf

Bill,

(b)(5)

Ileana

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel

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

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

**From:** [FERRARA, WILLIAM](#)  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order  
**Date:** Monday, January 30, 2017 3:24:38 PM  
**Attachments:** [UPDATED Guidance on Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States.msg](#)  
[image004.png](#)  
[image005.png](#)

---

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** FERRARA, WILLIAM

**Sent:** Sunday, January 29, 2017 7:26 AM

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

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

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

(b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C)

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

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

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

**Subject:** FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Team,

Below is the latest guidance received from HQ. The instructions state "no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal".

I now have the authority to grant refugees with completed packages an exemption. This will have little to no impact on operations, but wanted to share.

William A. Ferrara



Director, Field Operation  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** HUTTON, JAMES R  
**Sent:** Sunday, January 29, 2017 2:00:24 AM  
**To:** MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) HOFFMAN, TODD A; DIRECTORS FIELD OPS  
**Cc:** (b)(6), (b)(7)(C) ALLES, RANDOLPH D; FLANAGAN, PATRICK S  
**Subject:** RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order




DFO's

Kindly request waivers pertaining to below follow per guidance in attached message. I will be reaching out to address any questions/concerns you may have.

Thank you,

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

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




**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Sunday, January 29, 2017 1:39 AM  
**To:** 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) DIRECTORS FIELD OPS (b)(7)(E)  
**Cc:** (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) ALLES,  
RANDOLPH D < (b)(6), (b)(7)(C) FLANAGAN, PATRICK S

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

**Subject:** IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

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

*We are the guardians of our Nation's borders. We are America's frontline.*

*Vigilance • Service • Integrity*

**From:** [FERRARA, WILLIAM](#)  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: 01/29/2017: CBP Awareness Messaging  
**Date:** Monday, January 30, 2017 3:11:19 PM  
**Attachments:** [DMA Boston 2017 01 29 12 02 33.pdf](#)

---

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 10:48 PM

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

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

**Subject:** 01/29/2017: CBP Awareness Messaging

Good Evening,

The below guidance is being provided again to ensure that all carriers are aware of the District Court's order in *Louhghalam v. Trump*, No. 17-cv-10154 (issued on January 29, 2017). That order is attached.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and

detained only where it is permissible under the law. *See* INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder.

Thank you,

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

Watch Commander

U.S. Customs and Border Protection

Port of Boston

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

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

---

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

Sent: Sunday, January 29, 2017 2:57 PM

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

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

Subject: 01/29/2017: CBP Awareness Messaging

All,

Please see the below information awareness messaging from CBP.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and detained only where it is permissible under the law. *See* INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder.

Thanks,

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

Watch Commander

Area Port of Boston

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

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



**From:** FERRARA, WILLIAM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Massport Meeting 013017-0830hrs  
**Date:** Monday, January 30, 2017 2:45:21 PM

---

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** FERRARA, WILLIAM  
**Sent:** Monday, January 30, 2017 10:08 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Massport Meeting 013017-0830hrs

Well done and thank you (b)(6), (b)(7)(C)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 9:47 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Massport Meeting 013017-0830hrs

DFO Ferrara

The meeting was extremely well. Very well attended. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) opened the meeting by thanking the State Police and CBP for the handling of the weekend's activities. (b)(6), (b)(7)(C) specifically thanked APD (b)(6), (b)(7)(C) for his early and often communication. I was asked by (b)(6), (b)(7)(C) to say a few words.

My comments

- Thanked Massport and MSP for support that ensured our daily mission was achieved

- Indicated that correspondence had been sent last night to the Carriers. Anyone who needed a copy or would like to provide email address for future correspondence to see me after the meeting. (no one approached me)
- Expressed that CBP will continue to process aliens according to the law

Massports concerns

- Actively monitoring social media
- Monitoring passenger diversion into Boston based on social media comments

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

Watch Commander  
U.S. Customs and Border Protection  
Office of Field Operations

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

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

OFO Proud!

---

**From:** FERRARA, WILLIAM

**Sent:** Sunday, January 29, 2017 10:50 PM

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

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

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

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

**Subject:** FW: Carrier Guidance

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

I understand that you are attending the Massport meeting tomorrow morning. I need you to bring copies of the attached court order and separately print the following two paragraphs. At the meeting please announce that you have these documents available to anyone who did not receive them via email or would like copies. Obviously this matter is currently being litigated so you are simply the messenger of the documents. Call me in the am if you have any questions. Let me know when completed. Thank you. Bill

XX

"The below guidance is being provided again to ensure that all carriers are aware of the District Court's order in *Louhghalam v. Trump*, No. 17-cv-10154 (issued on January 29, 2017). That order is attached.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and detained only where it is permissible under the law. See INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder."

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

---

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

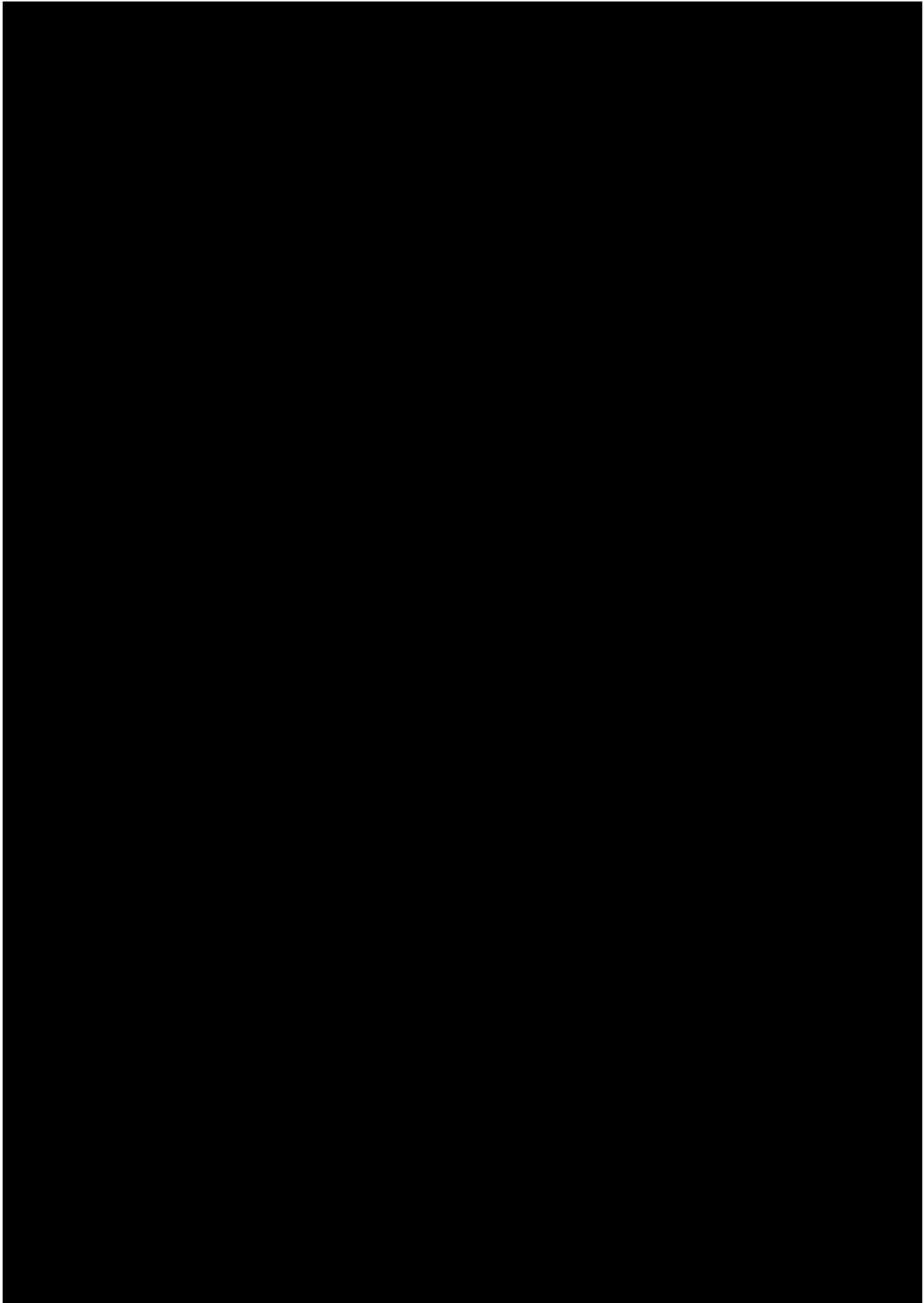
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





[REDACTED]

[REDACTED]

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:31 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Fwd: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) et al. v. Trump et al.  
**Attachments:** image001.jpg  
**Importance:** High

DFO Ferrara,

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

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

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:19:17 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: (b)(6), (b)(7)(C) v. Trump et al.

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----  
**From:** (b)(6), (b)(7)(C)  
**Date:** 2/3/17 5:46 AM (GMT-05:00)  
**To:** (b)(6), (b)(7)(C)

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

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

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

Subject: (b)(6), (b)(7)(C) Trump et al.

Counsel,

We can confirm that (b)(6), (b)(7)(C) is aboard Lufthansa flight 422, en route to Boston from Frankfurt and scheduled to arrive at approximately 1:00 p.m. EST. We trust that she will deplane and clear customs without difficulty and we ask that you notify us immediately if we should expect otherwise. Thank you for your continued attention to this matter.

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

Morgan, Lewis & Bockius LLP

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

On Feb 2, 2017, at 5:31 PM, (b)(6), (b)(7)(C) wrote:

Counsel,

As a separate matter, please note that (b)(6), (b)(7)(C) has scheduled a hearing on (b)(6), (b)(7)(C) emergency motion for Monday, February 6, 2017, at 10:00 a.m. in Courtroom 17 at the John Joseph Moakley U.S. Courthouse. (b)(6), (b)(7)(C) electronic order is available on PACER and is reproduced below for ease of reference.

Thank you very much.

Sincerely yours,

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

02/02/2017

6

ELECTRONIC NOTICE Setting Hearing on Motion 5<<https://ecf.mad.uscourts.gov/doc1/09517887116>> Emergency MOTION for Temporary Restraining Order : Motion Hearing set for 2/6/2017 10:00 AM in Courtroom 17 before (b)(6), (b)(7)(C) Counsel for plaintiff shall inform defendants of the scheduled hearing. (b)(6), (b)(7)(C) (Entered: 02/02/2017)

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Thursday, February 02, 2017 4:50 PM

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



Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for that information, (b)(6), (b)(7)(C)

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

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 4:39 PM  
To: (b)(6), (b)(7)(C)

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

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

We recently learned that Lufthansa has issued a travel advisory that it is complying with the Temporary Restraining Order (the "Order") issued by (b)(6), (b)(7)(C) on January 29, 2017, and permitting valid visa holders to board flights to Boston. See: [http://www.lufthansa.com/de/en/Travel-information<https://urldefense.proofpoint.com/v2/url?u=http-3A\\_www.lufthansa.com\\_de\\_en\\_Travel-2Dinformation&d=DwMFAg&c=wbMekZ1iboz3wtX3IILi8YgCUSSh7g3G58syakvKORs&r=S9yYdHw5JLGzd03CGnXPt0vMdV8APB6I2Ga5lSjyBw&m=ZsXx7mGSiaotXvNI4ysrjB3oG5fqKBVYqzm4j9qM6bg&s=QMRd8ve9In6Z0VecByK8pBySG5qhBk6sk9LMCVwDO9k&e=>](http://www.lufthansa.com/de/en/Travel-information<https://urldefense.proofpoint.com/v2/url?u=http-3A_www.lufthansa.com_de_en_Travel-2Dinformation&d=DwMFAg&c=wbMekZ1iboz3wtX3IILi8YgCUSSh7g3G58syakvKORs&r=S9yYdHw5JLGzd03CGnXPt0vMdV8APB6I2Ga5lSjyBw&m=ZsXx7mGSiaotXvNI4ysrjB3oG5fqKBVYqzm4j9qM6bg&s=QMRd8ve9In6Z0VecByK8pBySG5qhBk6sk9LMCVwDO9k&e=>)

Accordingly, (b)(6), (b)(7)(C) has booked passage tomorrow (Friday, February 3, 2017) from Zurich to Boston, via Frankfurt. Details regarding her itinerary are below and her booking confirmation is attached to this email. We are providing this information to you in advance so that you can ensure full compliance with the Order.

We are available to provide any additional information as needed. Thank you for your attention to this matter.

Sincerely yours,  
(b)(6), (b)(7)(C)

Itinerary for (b)(6), (b)(7)(C) February 3, 2017 (all times local)

08:05 Zurich to Frankfurt aboard Lufthansa LH1183, Arriving 09:10  
10:55 Frankfurt to Boston aboard Lufthansa LH422, Arriving 13:10

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 1:02 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you; can you provide the attachment?

From: (b)(6), (b)(7)(C)  
Sent: Thursday, February 02, 2017 12:40 PM

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

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

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

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

Subject: RE (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

Attached, please find a copy of Plaintiff (b)(6), (b)(7)(C) Emergency Motion Seeking a Temporary Restraining Order and Hearing Before the Court, filed in the matter of (b)(6), (b)(7)(C) Trump et al (b)(6), (b)(7)(C)

Per Attorney (b)(6), (b)(7)(C) email yesterday declining to accept service on behalf of the Defendants, we are currently in the process of effectuating service as required by Federal Rule of Civil Procedure 4.

Sincerely,

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

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Wednesday, February 01, 2017 5:06 PM

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

Thank you for providing this. Service of process will need to be made per FRCP 4(i).

Regards,

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

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

Trial Attorney

United States Department of Justice

Office of Immigration Litigation – District Court Section

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

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

Sent: Wednesday, February 01, 2017 4:44 PM

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

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

(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Counsel,

Attached, please find the complaint and accompanying exhibits that we have filed on behalf of our client (b)(6), (b)(7)(C) in the United States District Court for the District of Massachusetts (b)(6), (b)(7)(C) v. Trump. (b)(6), (b)(7)(C) Please confirm whether you will accept service on behalf of all defendants. If so, we will provide a form of waiver as required by Federal Rule of Civil Procedure 4.

Sincerely yours,

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

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 3:04 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

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

Thanks very much. We are preparing to file suit, but my colleagues will be delighted to discuss a resolution of this matter if that is possible. As I will be traveling please contact this list first by email if there is any opportunity to resolve the matter. Someone can get back to you quickly to set up a call.

The suit will allege, and we can show that CPB specifically instructed SWISS to refuse boarding after being aware of the January 29 order.

Thanks again.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 11:00 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C) v. Trump et al.

Thank you for this additional information. I passed along your request regarding a waiver to the appropriate agencies earlier today, and will get back to you as soon as I can.

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

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

Trial Attorney

United States Department of Justice

Office of Immigration Litigation – District Court Section

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

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

Sent: Wednesday, February 01, 2017 8:45 AM

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

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

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

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

Subject: (b)(6), (b)(7)(C) v. Trump et al.

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

Thanks for your response yesterday. Our client, (b)(6), (b)(7)(C) is a doctoral research scientist invited by the Brigham & Women’s hospital to perform pediatric tubercular research with other scientists at the hospital in Boston.

Her flight departed about five hours before your email arrived yesterday. (b)(6), (b)(7)(C) was not permitted to board.

We disagree about the scope of the District Court’s January 29, 2017 order (“Order”). (b)(6), (b)(7)(C) was prevented by CBP from boarding a Lufthansa flight from Frankfurt to Boston on 28 January. As a holder of a valid J-1 non-immigrant visa, she falls squarely within the individuals protected by Sections I.b and I.d of the Order, which protects “holders of valid immigrant and non-immigrant visas . . . who, absent the Executive Order, would be legally authorized to enter the United States.” As she was protected by the Order, Section I.d required CBP to notify SWISS, and other airlines, that (b)(6), (b)(7)(C) would not be “detained or returned” upon her arrival at Logan. Order at I.d. (“[CBP] shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order.”).

Relying on the Order, she rebooked with SWISS. Instead of notifying SWISS that (b)(6), (b)(7)(C) “will not be detained or returned” upon her arrival at Logan, CBP did the opposite, and, on either January 30 or January 31 issued a directive instructing SWISS to deny boarding to (b)(6), (b)(7)(C) on Jan. 31, when she attempted to board Flight 52 from Zurich to Boston. That directive was issued after the Order entered and was served on the United States. The directive violates the Order, and is the proximate cause of (b)(6), (b)(7)(C) being denied the opportunity to present her visa at the Boston port of entry.

We are aware of the government’s notice of supplemental authority. However, (b)(6), (b)(7)(C) visa was issued on January 27, the date of the executive order, and as the government has assured the public that the rollout of the Executive Order was seamless across all departments, it is plain that the government did not intend that (b)(6), (b)(7)(C) visa be governed by its revocation.

While we deny that any waiver is legally required, and reserve all rights on that question, we are open to attempting to resolve the dispute, if your office can facilitate through CBP a prompt waiver for (b)(6), (b)(7)(C)

Regards,

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

Morgan, Lewis & Bockius LLP

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



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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 3:58 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT (b)(6), (b)(7)(C) v. Trump et al.

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

Thank you for your email. We do not read the Court's order to require such action, but we have passed the information along to CBP.

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

(b)(6), (b)(7)(C)  
Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:17 AM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT (b)(6) (b)(6), (b)(7)(C) v. Trump et al.

I am resending with corrected stationmanager email address.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:12 AM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: MOST URGENT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) v. Trump et al.

Dear counsel –

Our client (b)(6), (b)(7)(C) who holds a J-1 visa and is within the scope of Judge (b)(6), (b)(7)(C) Sunday order, having been ticketed to Logan

on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court's order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that (b)(6), (b)(7)(C) may board and the aircraft will be given permission to land at Logan without penalty.

Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of (b)(6), (b)(7)(C) order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.

Need asap, plane is now boarding.

Very truly yours,

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

#### DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:20 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Yes. Just got on a subway at back bay.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 8:18:42 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Can you do 9

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:09 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

930?

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 8:07:17 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Let me know the time you can make it. I'll set the meeting.

William A. Ferrara  
Director, Field Operations

Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 8:05:03 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Do you want to set a time to meet in your office and invite (b)(6), (b)(7)(C) or whoever else you think we need?

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:59:20 AM  
**To:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
**Cc:** MANNING, MICHAEL P  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Copy.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:59 AM  
**To:** (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** MANNING, MICHAEL P; (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

(b)(5), (b)(7)(E) Will forward guidance shortly.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:51:51 AM  
**To:** (b)(6), (b)(7)(C) FERRARA, WILLIAM  
**Cc:** MANNING, MICHAEL P  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

I believe (b)(5), (b)(6), (b)(7)(C) but cannot confirm as she's not on this list. Can we confirm?

(b)(6), (b)(7)(C) Boston Area Port Director



Office of Field Operations  
U.S. Customs and Border Protection

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:48 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Also note that because one of these pax is in litigation with the Agency, I have communicated this matter to DHS OGC to confirm no exemptions/waivers will be authorized.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** FERRARA, WILLIAM  
**Sent:** Friday, February 03, 2017 7:41:46 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** MANNING, MICHAEL P; (b)(6), (b)(7)(C)  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

(b)(5), (b)(6), (b)(7)(C) They are going to provide guidance on how to proceed. Will keep you posted.

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:51 AM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:47:55 AM  
**To:** (b)(6), (b)(7)(C) NTC-PASSENGER CWC  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Spread sheet below, all were referred over this morning for offload.

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:56 AM  
**To:** NTC-PASSENGER CWC; (b)(7)(E)  
**Subject:** FW: Request for IAP FRA Boarding Assist on 2/03/17 T

Please get a spreadsheet (b)(7)(E) and let me know the results.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:51:07 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC; HOFFMAN, TODD A; HUTTON, JAMES R; (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

LH acknowledged the IAP no board recommendation but advised that due to additional guidance received from the U.S., due to pending litigation, LH will accept nationals from EO countries with valid visas on the Boston-bound flight until February 5<sup>th</sup>.

(b)(5), (b)(7)(E) the flight departs in 15 minutes.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 4:19 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
(b)(7)(E) FENCCEL, ROBERT A <[ROBERT.A.FENCCEL@CBP.DHS.GOV](mailto:ROBERT.A.FENCCEL@CBP.DHS.GOV)>;  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) NTC-PASSENGER CWC; (b)(7)(E) HOFFMAN, TODD A  
(b)(6) HUTTON, JAMES R; (b)(6)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Request for IAP FRA Boarding Assist on 2/03/17 T

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

Respectfully,

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

Chief Watch Commander  
U.S. Customs and Border Protection  
National Targeting Center-Passenger

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

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)  
**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

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

Sent: Friday, February 03, 2017 4:14 AM

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

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

Cc: (b)(6), (b)(7)(C); ENFORCEMENT PROGRAMS DIVISION

(b)(7)(E); FENCEL, ROBERT A <ROBERT.A.FENCEL@CBP.DHS.GOV>;

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

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

NTC-PASSENGER CWC

(b)(7)(E)

HOFFMAN, TODD A

(b)(6)

HUTTON, JAMES R

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

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

Subject: RE: Request for IAP FRA Boarding Assist on 2/03/17 T

IAP FRA confirms that the (b)(7)(E) has been issued a boarding pass for the LH Boston flight.

LH has also advised IAP that they have received verbal guidance from an unspecified source to board EO nationals on the Boston flight and have issued four to eight boarding for additional EO nationals on the same flight.

IAP has confirmed that only the (b)(7)(E) has been authorized by CBP/CAT to board the flight; they others have not been authorized to board.

The flight will begin boarding in the next few minutes; we'll find out shortly if LH will comply with IAP boarding recommendations or if they will board the additional EO nationals.

Update to follow.

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

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

Sent: Friday, February 03, 2017 2:11 AM

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

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

Cc: (b)(6), (b)(7)(C); ENFORCEMENT PROGRAMS DIVISION

(b)(7)(E); FENCEL, ROBERT A <ROBERT.A.FENCEL@CBP.DHS.GOV>;

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



(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E)

Subject: RE: Request for IAP FRA Boarding Assist on 2/03/17 T

All,

As of 0207 EST (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) IAP FRA will confirm boarding on the US bound flight.

Respectfully,

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

Chief Watch Commander  
U.S. Customs and Border Protection  
National Targeting Center-Passenger

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

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)

**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

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

Sent: Thursday, February 02, 2017 11:10 PM

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

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

Cc: (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION

(b)(7)(E) FENCEL, ROBERT A <ROBERT.A.FENCEL@CBP.DHS.GOV>;

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

(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E)

Subject: RE: Request for IAP FRA Boarding Assist on 2/03/17 T

Thx. Please inform CAT as soon as we have confirmed boarding. They will let occ and leadership know.

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

Sent: Thursday, February 02, 2017 11:08:06 PM

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

Cc: (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) NTC-PASSENGER CWC

Subject: RE: Request for IAP FRA Boarding Assist on 2/03/17 T

All,

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

We are in contact with IAP FRA and RCLG to allow/confirm boarding.



Respectfully,

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

Chief Watch Commander  
U.S. Customs and Border Protection  
National Targeting Center-Passenger

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

(Duty, honor, commitment and fidelity to country are not just words, they are the code by which warriors live)  
**WARNING:** The information contained herein remains under the control of the Department of Homeland Security (DHS), through the Bureau of Customs and Border Protection (CBP). It is being disseminated for authorized LAW ENFORCEMENT purposes only. This information shall not be distributed beyond the original addressees without prior authorization of the originator as it may contain proprietary or other sensitive trade information subject to dissemination restrictions under the Trade Secrecy Act and Bank Secrecy Act. It is not to be released to the public and only those personnel with a valid "need-to-know" should be allowed access.

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

Sent: Thursday, February 02, 2017 11:02 PM

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

Cc: (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION

(b)(7)(E) FENCEL, ROBERT A <[ROBERT.A.FENCEL@CBP.DHS.GOV](mailto:ROBERT.A.FENCEL@CBP.DHS.GOV)>;

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

(b)(6), (b)(7)(C) NTC-PASSENGER CWC (b)(7)(E)

Subject: Request for IAP FRA Boarding Assist on 2/03/17 T

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

This is a high-profile case; we've received clearance to authorize/facilitate boarding for the subject posted below. I don't have all the identifiers, but we're coordinating with NTC; should have additional info for you later this morning.

Subject is female, likely with a J-1 visa; please advise Lufthansa CBP authorizes boarding.

Pls acknowledge receipt.

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

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

From: HOFFMAN, TODD A

Sent: Thursday, February 02, 2017 10:46 PM

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

Cc: Owen, Todd C (AC OFO) (b)(6) (b)(6), (b)(7)(C)

Subject: FW: (b)(6), (b)(7)(C) v. Trump - Travel and Recommend No Board

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

Please work with the (b)(7)(E) and others to ensure boarding.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:48 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Louhghalam v. Trump  
**Attachments:** image001.jpg; image001.jpg

More info.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:42:57 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Re: Louhghalam v. Trump

Hello everyone,

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

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

Sent from my iPhone

On Jan 29, 2017, at 8:14 PM, (b)(6), (b)(7)(C) wrote:  
(b)(6), (b)(7)(C)

Thank you. Please let me know what I can do locally to assist.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:10:02 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Louhghalam v. Trump

Perfect. Thanks. I'm going to send you an e-mail here shortly on this case to make sure we're all on the same page with respect to compliance. We really want to make sure we're doing everything we can to be careful on this.

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

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 8:09 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
Subject: Louhghalam v. Trump

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

Wanted to let you know that I am handling the D. Mass case for OIL-DCS (still jointly with the USAO); we will forward you the amended complaint once filed.

Best,

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

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

Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation - District Court Section

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

[Description: Description: Description: [cid:image001.jpg@01CA8936.0709C300](#)]

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 9:11 PM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Louhghalam v. Trump

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** FERRARA, WILLIAM  
**Sent:** Sunday, January 29, 2017 9:07:34 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Louhghalam v. Trump

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

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Sunday, January 29, 2017 9:04:54 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Louhghalam v. Trump

We should be good. The call for tonight may be off because (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) a short time ago. I am confirming this and will forward what I learn.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** FERRARA, WILLIAM  
**Sent:** Sunday, January 29, 2017 8:50:19 PM  
**To:** (b)(6), (b)(7)(C)



**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Louhghalam v. Trump

Anything you need from us?

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:48:13 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Louhghalam v. Trump

More info.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 8:42:57 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Re: Louhghalam v. Trump

Hello everyone,

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

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

Sent from my iPhone

On Jan 29, 2017, at 8:14 PM, (b)(6), (b)(7)(C) wrote:

Thank you. Please let me know what I can do locally to assist.

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 8:10:02 PM  
To: (b)(6), (b)(7)(C)  
Cc:  
Subject: RE: Louhghalam v. Trump

Perfect. Thanks. I'm going to send you an e-mail here shortly on this case to make sure we're all on the same page with respect to compliance. We really want to make sure we're doing everything we can to be careful on this.

(b)(6), (b)(7)(C)  
Deputy Associate Chief Counsel  
Office of Chief Counsel  
U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 8:09 PM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: Louhghalam v. Trump

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

Wanted to let you know that I am handling the D. Mass case for OIL-DCS (still jointly with the USAO); we will forward you the amended complaint once filed.

Best,

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

(b)(6), (b)(7)(C)  
Trial Attorney  
United States Department of Justice  
Office of Immigration Litigation - District Court Section

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

[Description: Description: Description: [cid:image001.jpg@01CA8936.0709C300](#)]

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:43 AM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: MOST URGENT (b)(6), (b)(7)(C)  
**Importance:** High

Bill,

Please see the email below.

(b)(6), (b)(7)(C) Senior Attorney  
(b)(6), (b)(7)(C)

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:40 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: MOST URGENT (b)(6), (b)(7)(C)

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

Please see below.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:17 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

I am resending with corrected stationmanager email address.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP  
(b)(6), (b)(7)(C)

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

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

**Sent:** Tuesday, January 31, 2017 11:12 AM

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

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

**Subject:** MOST URGENT (b)(6), (b)(7)(C)

Dear counsel –

Our client (b)(6), (b)(7)(C), who holds a J-1 visa and is within the scope of (b)(6), (b)(7)(C) Sunday order, having been ticketed to Logan on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court’s order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that (b)(6), (b)(7)(C) may board and the aircraft will be given permission to land at Logan without penalty.

**Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of (b)(6), (b)(7)(C) order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.**

Need asap, plane is now boarding.

Very truly yours,

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

**DISCLAIMER**

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.



**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Tuesday, January 31, 2017 10:14 AM  
**To:** FERRARA, WILLIAM  
**Subject:** RE: Visit - REVISED DECLARATION  
**Attachments:** Ferrara declaration2.docx; Exhibit A.pdf; Exhibit B.pdf; Exhibit C\_ redacted.pdf  
**Importance:** High

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

(b)(5)

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

(b)(6), (b)(7)(C), Senior Attorney

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

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

**This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.**

**From:** FERRARA, WILLIAM  
**Sent:** Tuesday, January 31, 2017 9:43 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Visit

Ok. Thanks

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C) (OCC)  
**Sent:** Tuesday, January 31, 2017 9:43 AM

To: FERRARA, WILLIAM (b)(6), (b)(7)(C)  
Subject: Visit

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
U.S. Customs and Border Protection  
10 Causeway St. Room 879  
Boston, MA 02222

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

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

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

**This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.**

**From:** [FERRARA, WILLIAM](#)  
**To:** (b)(6), (b)(7)(C); (OCC)  
**Subject:** FW: 01/29/2017: CBP Awareness Messaging  
**Date:** Monday, January 30, 2017 3:11:19 PM  
**Attachments:** [DMA Boston 2017 01 29 12 02 33.pdf](#)

---

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 10:48 PM  
**To:** (b)(6)

(b)(6)

**Subject:** 01/29/2017: CBP Awareness Messaging

Good Evening,

The below guidance is being provided again to ensure that all carriers are aware of the District Court's order in *Louhghalam v. Trump*, No. 17-cv-10154 (issued on January 29, 2017). That order is attached.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and

detained only where it is permissible under the law. *See* INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder.

Thank you,

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

Watch Commander  
U.S. Customs and Border Protection  
Port of Boston

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

---

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

Sent: Sunday, January 29, 2017 2:57 PM

To: (b)(6)

(b)(6)

Subject: 01/29/2017: CBP Awareness Messaging

All,

Please see the below information awareness messaging from CBP.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and detained only where it is permissible under the law. *See* INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder.

Thanks,

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

Watch Commander  
Area Port of Boston

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



**From:** [FERRARA, WILLIAM](#)  
**To:** (b)(6) (b)(7)(C) OCC  
**Subject:** FW: Massport Meeting 013017-0830hrs  
**Date:** Monday, January 30, 2017 2:45:21 PM

---

William A. Ferrara  
 Director, Field Operations  
 Boston Field Office  
 U.S. Customs and Border Protection

---

**From:** FERRARA, WILLIAM  
**Sent:** Monday, January 30, 2017 10:08 AM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** RE: Massport Meeting 013017-0830hrs

**Well done and thank you** (b)(6), (b)(7)(C)

William A. Ferrara  
 Director, Field Operations  
 Boston Field Office  
 U.S. Customs and Border Protection

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 9:47 AM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** Massport Meeting 013017-0830hrs

DFO Ferrara

The meeting was extremely well. Very well attended. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) opened the meeting by thanking the State Police and CBP for the handling of the weekend's activities. Mr. (b)(6), (b)(7)(C) specifically thanked APD (b)(6), (b)(7)(C) for his early and often communication. I was asked by (b)(6), (b)(7)(C) to say a few words.

My comments

- Thanked Massport and MSP for support that ensured our daily mission was achieved

- Indicated that correspondence had been sent last night to the Carriers. Anyone who needed a copy or would like to provide email address for future correspondence to see me after the meeting. (no one approached me)
- Expressed that CBP will continue to process aliens according to the law

Massports concerns

- Actively monitoring social media
- Monitoring passenger diversion into Boston based on social media comments

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

Watch Commander  
U.S. Customs and Border Protection  
Office of Field Operations  
Boston, MA 02222

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

OFO Proud!

**From:** FERRARA, WILLIAM

**Sent:** Sunday, January 29, 2017 10:50 PM

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

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

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

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

**Subject:** FW: Carrier Guidance

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

I understand that you are attending the Massport meeting tomorrow morning. I need you to bring copies of the attached court order and separately print the following two paragraphs. At the meeting please announce that you have these documents available to anyone who did not receive them via email or would like copies. Obviously this matter is currently being litigated so you are simply the messenger of the documents. Call me in the am if you have any questions. Let me know when completed. Thank you (b)(6), (b)(7)(C)  
XX

"The below guidance is being provided again to ensure that all carriers are aware of the District Court's order in Louhghalam v. Trump, No. 17-cv-10154 (issued on January 29, 2017). That order is attached.

Airlines are informed that CBP will process all individuals arriving at Logan Airport in accordance with the law. Upon arrival at Logan International Airport all individuals will be processed in accordance with the law, including to determine if they are inadmissible. Those individuals who are inadmissible will be placed in appropriate removal proceedings and detained only where it is permissible under the law. See INA 235(b)(1). Carriers are reminded that it is unlawful to bring into the United States any alien who does not have a valid passport and an unexpired visa, if a visa was required under the Act or regulations issued thereunder."

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

[REDACTED]

[REDACTED]

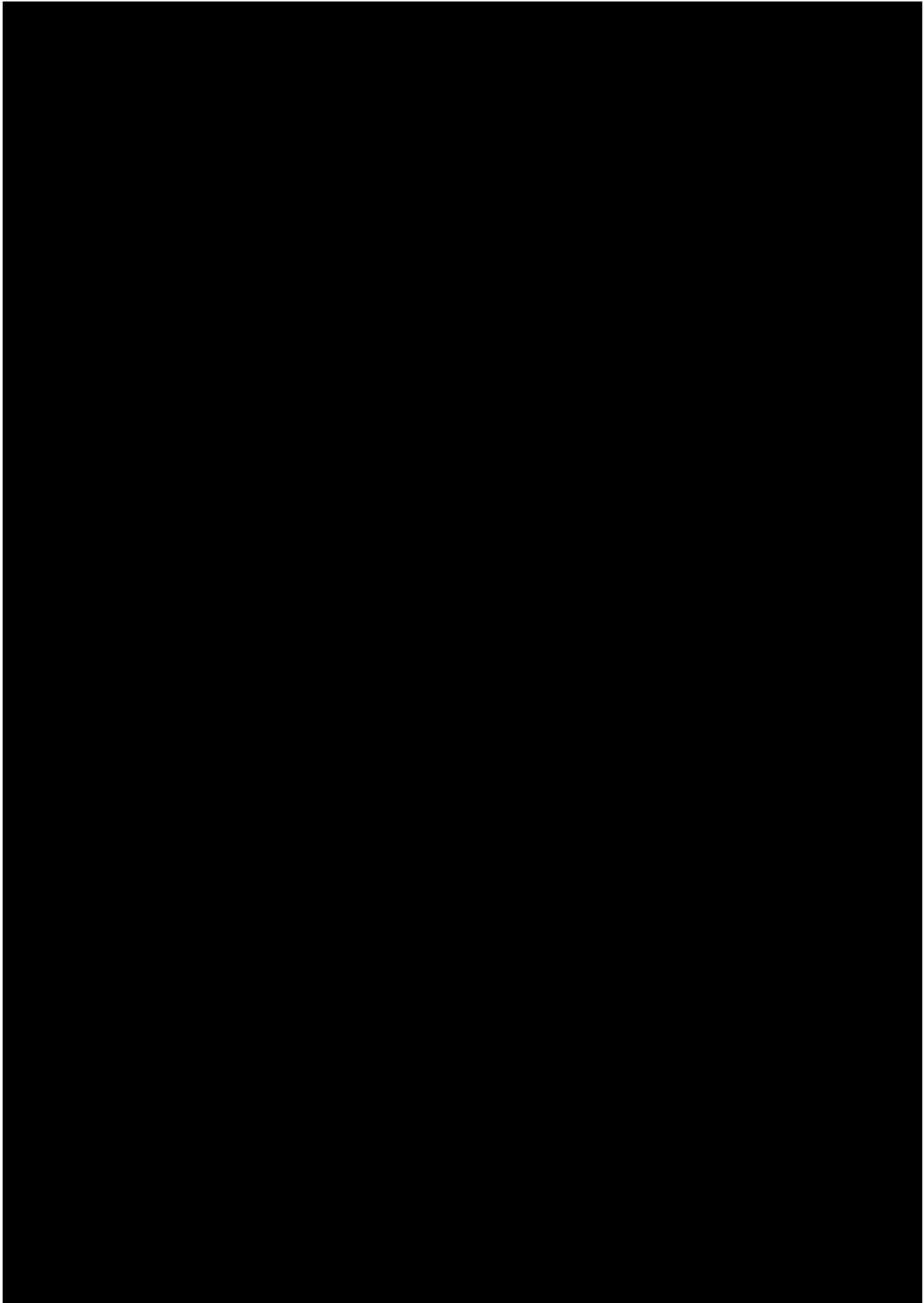
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





[REDACTED]

[REDACTED]

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 3:08 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

Thank you!

(b)(6), (b)(7)(C) Senior Attorney  
Tel: (b)(6), (b)(7)(C)

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

**This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.**

**From:** FERRARA, WILLIAM  
**Sent:** Tuesday, January 31, 2017 3:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

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

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:16:39 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** FERRARA, WILLIAM  
**Sent:** Tuesday, January 31, 2017 2:14:35 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** FERRARA, WILLIAM  
**Sent:** Tuesday, January 31, 2017 2:14:05 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:02:05 PM  
**To:** FERRARA, WILLIAM  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

(b)(6), (b)(7)(C)  
Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** FERRARA, WILLIAM  
**Sent:** Tuesday, January 31, 2017 1:58:47 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)



William A. Ferrara  
Director, Field Operations  
Boston Field Office  
U.S. Customs and Border Protection

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 1:55 PM  
**To:** FERRARA, WILLIAM (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: MOST URGENT (b)(6), (b)(7)(C)

Bill,

(b)(5)

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

Senior Attorney  
Office of Assistant Chief Counsel, Boston  
\* sent from my smartphone

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 1:33:21 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

(b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 1:27 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 12:53:23 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) Senior Attorney

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

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

-----Original Message-----

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

Sent: Tuesday, January 31, 2017 12:44 PM

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

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

Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

**(b)(5)**

-----Original Message-----

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

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

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

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

Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

**(b)(5)**

-----Original Message-----

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

Sent: Tuesday, January 31, 2017 11:59 AM

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

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

Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

**(b)(5)**

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

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

(b)(6), (b)(7)(C) (desk)  
(b)(6), (b)(7)(C) (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. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please consult with the CBP Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:55 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: (b)(6), (b)(7)(C)  
Date: 1/31/17 11:52 AM (GMT-05:00)  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

(b)(6), (b)(7)(C)  
Deputy Associate Chief Counsel  
Enforcement and Operations  
Office of the Chief Counsel  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (desk)  
(b)(6), (b)(7)(C) (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. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please consult with the CBP Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:50 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

(b)(5)

(b)(6), (b)(7)(C) Senior Attorney  
Tel: (b)(6), (b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:40 AM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: FW: MOST URGENT; (b)(6), (b)(7)(C)



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

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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:17 AM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: MOST URGENT; (b)(6), (b)(7)(C)

I am resending with corrected stationmanager email address.

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

Morgan, Lewis & Bockius LLP

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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 11:12 AM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: MOST URGENT; (b)(6), (b)(7)(C)

Dear counsel -

Our client, (b)(6), (b)(7)(C) who holds a J-1 visa and is within the scope of Judge, (b)(6), (b)(7)(C) Sunday order, having been ticketed to Logan on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court's order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that Ms. (b)(6), (b)(7)(C) may board and the aircraft will be given permission to land at Logan without penalty.

Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of (b)(6), (b)(7)(C) order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.

Need asap, plane is now boarding.

Very truly yours,

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

DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.



**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 5:02 PM  
**To:** FERRARA, WILLIAM  
**Subject:** FW: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
**Attachments:** Complaint and Exhibits.pdf  
**Importance:** High

Bill,

(b)(5)

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

(b)(6), (b)(7)(C) Senior Attorney  
(b)(6), (b)(7)(C)

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 5:01 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
**Importance:** High

(b)(5)

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

**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure

outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

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

Sent: Wednesday, February 01, 2017 4:58 PM

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

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

Subject: FW: (b)(6), (b)(7)(C)

(b)(5)

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

Sent: Wednesday, February 01, 2017 4:44 PM

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

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

Subject: RE: (b)(6), (b)(7)(C)

Counsel,

Attached, please find the complaint and accompanying exhibits that we have filed on behalf of our client, (b)(6), (b)(7)(C) in the United States District Court for the District of Massachusetts ((b)(6), (b)(7)(C)) v. *Trump*, (b)(6), (b)(7)(C). Please confirm whether you will accept service on behalf of all defendants. If so, we will provide a form of waiver as required by Federal Rule of Civil Procedure 4.

Sincerely yours,

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

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

Morgan, Lewis & Bockius LLP

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

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

Sent: Wednesday, February 01, 2017 3:04 PM

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

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

Subject: RE: (b)(6), (b)(7)(C)

Dear (b)(6), (b)(7)(C) –

Thanks very much. We are preparing to file suit, but my colleagues will be delighted to discuss a resolution of this matter if that is possible. As I will be traveling please contact this list first

by email if there is any opportunity to resolve the matter. Someone can get back to you quickly to set up a call.

The suit will allege, and we can show that CPB specifically instructed SWISS to refuse boarding after being aware of the January 29 order.

Thanks again.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 11:00 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(6), (b)(7)(C)

Thank you for this additional information. I passed along your request regarding a waiver to the appropriate agencies earlier today, and will get back to you as soon as I can.

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

**Trial Attorney**  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 8:45 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** (b)(6), (b)(7)(C)



Dear (b)(6), (b)(7)(C) –

Thanks for your response yesterday. Our client (b)(6), (b)(7)(C) is a doctoral research scientist invited by the Brigham & Women’s hospital to perform pediatric tubercular research with other scientists at the hospital in Boston.

Her flight departed about five hours before your email arrived yesterday. (b)(6), (b)(7)(C) was not permitted to board.

We disagree about the scope of the District Court’s January 29, 2017 order (“Order”). (b)(6), (b)(7)(C) was prevented by CBP from boarding a Lufthansa flight from Frankfurt to Boston on 28 January. As a holder of a valid J-1 non-immigrant visa, she falls squarely within the individuals protected by Sections I.b and I.d of the Order, which protects “holders of valid immigrant and non-immigrant visas . . . who, absent the Executive Order, would be legally authorized to enter the United States.” As she was protected by the Order, Section I.d required CBP to notify SWISS, and other airlines, that (b)(6), (b)(7)(C) would not be “detained or returned” upon her arrival at Logan. Order at I.d. (“[CBP] shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order.”).

Relying on the Order, she rebooked with SWISS. Instead of notifying SWISS that (b)(6), (b)(7)(C) “will not be detained or returned” upon her arrival at Logan, CBP did the opposite, and, on either January 30 or January 31 issued a directive instructing SWISS to deny boarding to (b)(6), (b)(7)(C) on Jan. 31, when she attempted to board Flight 52 from Zurich to Boston. That directive was issued after the Order entered and was served on the United States. The directive violates the Order, and is the proximate cause of (b)(6), (b)(7)(C) being denied the opportunity to present her visa at the Boston port of entry.

We are aware of the government’s notice of supplemental authority. However, (b)(6), (b)(7)(C) visa was issued on January 27, the date of the executive order, and as the government has assured the public that the rollout of the Executive Order was seamless across all departments, it is plain that the government did not intend that (b)(6), (b)(7)(C) visa be governed by its revocation.

While we deny that any waiver is legally required, and reserve all rights on that question, we are open to attempting to resolve the dispute, if your office can facilitate through CBP a prompt waiver for (b)(6), (b)(7)(C)

Regards,

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 3:58 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT / (b)(6), (b)(7)(C)

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

Thank you for your email. We do not read the Court's order to require such action, but we have passed the information along to CBP.

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

(b)(6), (b)(7)(C)  
**Trial Attorney**  
United States Department of Justice  
Office of Immigration Litigation – District Court Section

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:17 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: MOST URGENT / (b)(6), (b)(7)(C)

I am resending with corrected stationmanager email address.

(b)(6), (b)(7)(C)  
Morgan, Lewis & Bockius LLP

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:12 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** MOST URGENT / (b)(6), (b)(7)(C)

Dear counsel –

Our client (b)(6), (b)(7)(C) who holds a J-1 visa and is within the scope of (b)(6), (b)(7)(C) Sunday order, having been ticketed to Logan on Saturday and turned away at the Frankfurt gate, is now at the Swiss gate in Zurich, attempting to board a flight. Swiss needs your assurance that the flight has permission to land, and is advising us that, after the Court's order entered on Sunday, and in contravention of the order, it has been advised by CPB that she is not permitted to board. Please ASAP contact Swiss in Zurich to confirm that (b)(6), (b)(7)(C) may board and the aircraft will be given permission to land at Logan without penalty.

**Please confirm to the two Swiss CCs asap in writing that she has permission pursuant to paragraph D of Judge Burroughs' order issued Jan. 29, 2017, and that there will be no difficulties upon arrival.**

Need asap, plane is now boarding.

Very truly yours,

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

#### DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

---

DR. SAMIRA ASGARI,

*Plaintiff,*

Case No. 17-10182

v.

DONALD TRUMP, President of the United States, JOHN KELLY, Secretary of the Department of Homeland Security; KEVIN K. MCALEENAN, Acting Commissioner of the Customs and Border Patrol Division of DHS; and WILLIAM MOHALLEY, Boston Field Director of the CBP,

Date: February 1, 2017

---

*Defendants.*

**COMPLAINT**

**Introduction**

1. This is “an appropriate action,” pursuant to Fed. R. Civ. P. 81(b), to compel officers of the United States and the agencies thereof to perform a duty imposed upon them by the Court, and owed to the Plaintiff pursuant to 28 U.S.C. § 1361.

**Parties**

2. Plaintiff Dr. Samira Asgari is an Iranian national who currently resides in Lausanne, Switzerland.

3. Defendant Donald Trump is the President of the United States. He is sued in his official capacity.

4. Defendant John Kelly is the Secretary of the United States Department of Homeland Security (“DHS”), the cabinet department of the United States government responsible for the enforcement of immigration laws. Secretary Kelly is responsible for the

administration of immigration laws at the border and in the interior. He is sued in his official capacity.

5. Defendant Kevin K. McAleenan is the Acting Commissioner of the U.S. Customs and Border Protection (“CBP”), the division of DHS responsible for the protection of the United States border, including the admission of travelers at airports and other ports of entry. Acting Commissioner McAleenan is responsible for the administration of immigration laws at the border, including the admission of travelers to the United States. He is sued in his official capacity.

6. Defendant William Mohalley is the Director of the Boston Field Office of CBP. He is sued in his official capacity.

#### **Jurisdiction**

7. This Court has jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1361.

8. Venue lies in this Court pursuant to 28 U.S.C. § 1391(b)(2).

#### **Facts**

9. As set out in Exhibit 1 attached hereto, Plaintiff, an Iranian citizen, holds a doctorate degree from the École Polytechnique Fédérale de Lausanne in Switzerland, and is an expert in genomics, infectious diseases, and computational biology. Dr. Asgari’s research focuses on state-of-the-art sequencing technologies for finding the variants that confer susceptibility to infections, and in particular, pediatric infections. Her work focuses on the role of human genomic variations on susceptibility to infections and the progression of infectious disorders.



10. Dr. Asgari received the Swiss National Science Foundation Early Postdoc Mobility Grant in October of 2016, and was a finalist for the ASHG/Charles J. Epstein Trainee Award for Excellence in Human Genetics Research in October of 2015.

11. Dr. Soumya Raychaudhuri, a scientist and physician at Brigham and Women's Hospital in Boston, runs a world-renowned human genomics laboratory. Dr. Raychaudhuri is renowned for scholarship that elucidates the role of human genetic variation in tuberculosis progression.

12. In 2016, Dr. Raychaudhuri recruited Dr. Asgari to join his laboratory for post-doctoral training on a project with particular focus on tuberculosis progression. Dr. Asgari's work in the laboratory was to further explore the role of human genetic variations, using genomics approaches, as it relates to tuberculosis. It was hoped that this research would further the collective understanding of translational medicine, and lead to the development of safer and more effective drugs for the treatment of tuberculosis.

13. In late November, 2016, after learning that she would have the opportunity to come to Boston to work with Dr. Raychaudhuri, Dr. Asgari applied for a J-1 visa, resigned from her position in a genomics laboratory in Lausanne, Switzerland, and arranged to lease her apartment.

14. On January 25, 2017, Dr. Asgari received confirmation from the United States Embassy in Switzerland that her visa application had been approved.

15. The United States issued a J-1 visa to Dr. Asgari on January 27, 2017 (the "Visa").

16. Dr. Asgari promptly made arrangements to fly to Boston. She booked a ticket for Saturday, January 28, 2017 to fly from Zurich, Switzerland to Boston, via Frankfurt, Germany, aboard Lufthansa Air Lines (“Lufthansa”).

17. On January 27, 2017, the President executed an Executive Order (“Executive Order”), that purports generally to bar entry into the United States by nationals of seven Muslim-majority countries. Citing the threat of terrorism committed by foreign nationals, the Executive Order directs a variety of changes to the manner and extent to which non-citizens may seek and obtain entry to the United States. Section 3(c) of the Executive Order states, in part:

. . . I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order . . . .

18. Among the countries specified by the Order’s reference to 8 U.S.C. § 1187(a)(12) is Iran.

19. On the morning of Saturday, January 28, Dr. Asgari completed the first leg of her travel from Zurich to Frankfurt without incident. However, when she arrived at the Lufthansa gate at the Frankfurt Airport to board a flight from Frankfurt to Boston, she was turned away. A person in front of the Lufthansa gate, who introduced himself as a representative from the consulate of the United States of America, told Dr. Asgari that she was ineligible to board a flight to the United States because of the Executive Order issued hours before.

20. At about the same time, other holders of visas were arriving and being detained at Logan International Airport.

21. Early on January 29, 2017, in the case of *Tootkaboni, et. al v. Trump, et. al*, No. 17-cv-10154, Dkt. No. 6 (D. Mass. Jan. 29, 2017), District Judge Burroughs and Magistrate Judge Dein issued a Temporary Restraining Order that provided immediate protection to, among

others, “holders of valid immigrant and non-immigrant visas . . . who, absent the Executive Order, would be legally authorized to enter the United States.” (Burroughs, J., Dein, M.J.) (the “Order”). A copy of the Order is attached to this Complaint as Exhibit 2.

22. As holder of the Visa, a valid J-1 non-immigrant visa, Dr. Asgari is and remains subject to the Order’s protection.

23. The Order requires CBP to “notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order.” *Id.* The Order provided that it would remain in effect for seven days following its issuance. *Id.* It remains in effect today.

24. In reliance on the Order, on Monday, January 30, 2017, Dr. Asgari booked a seat on Swiss International Air Lines (“SWISS”) Flight no. LX52, scheduled to depart from Zurich at 5:25 p.m. (local time), and arrive in Boston at approximately 8:00 p.m. on Tuesday, January 31, 2017.

25. On the morning of Tuesday, January 31, 2017, while Dr. Asgari was traveling from Lausanne to Zurich, she received a telephone call from a representative at SWISS who informed her that she would not be permitted to board Flight LX52. Dr. Asgari attempted to explain that the Order had been issued and required that SWISS permit her to board.

26. Arriving at the gate at the Zurich Airport, Dr. Asgari was met by a SWISS customer service representative. The agent told Dr. Asgari that SWISS had been directed by CBP that she should not be permitted to board the flight to Boston. Dr. Asgari had a copy of the Order, which she showed to the agent, but the agent advised that SWISS was obligated to comply with the Directive.

27. The agent had a printed copy of the Directive. Dr. Asgari photographed the Directive with her cellphone and sent the photograph to her counsel.

28. Prior to the departure of Flight LX52, Dr. Asgari's counsel emailed counsel for CBP with an urgent request that CBP contact SWISS and permit her to board. No such communication was given, and the aircraft departed without Dr. Asgari.

29. As set out in Exhibit 3 attached hereto, on information and belief, CBP threatened that if SWISS did not comply with the Directive, the flight might be denied permission to land, and the airline might be subject to fines of up to \$50,000.

30. Dr. Asgari remains in Switzerland, unable to commence work at Brigham & Women's Hospital.

### **CAUSE OF ACTION**

#### **Count One:**

##### **Relief Compelling Officers of the United States to Perform Duty Owed to the Plaintiff**

31. Plaintiff repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth here.

32. The Order has been, at all times from January 29, 2017 through the present, an effective order of the Court which bound the parties to compliance.

33. While the Order may subsequently be extended, modified, or vacated, it was in effect at all relevant times to this Action.

34. The Order imposed upon each Defendant duties to the Court, the Parties and the Plaintiff as alleged above.

35. The Defendants knowingly and intentionally breached their duties to the Court, the Parties and the Plaintiff under the Order.



36. Defendants' intentional breach of the Order was a breach of their duty to all persons protected by the Order.

37. The duties breached by the Defendants were nondiscretionary, plainly defined, and amounted to a positive command.

38. Plaintiff fully exhausted all remedies reasonably available to her, in that the only possible exhaustion method was to urgently request that Defendants comply with the Order, which she did when it became apparent that they were not doing so.

39. The Defendants' knowing and intentional breach of their duty of compliance with the Order proximately caused irreparable harm to the Plaintiff by denying her the opportunity to appear at the Boston port of entry and apply for entry through the presentation of the Visa, subject to the protections of the Order.

40. The Defendants' knowing and intentional breach of their duty of compliance with the Order intruded impermissibly on the authority of the judicial branch.

41. Plaintiff has no adequate remedy at law and has been irreparably harmed by being denied the opportunity to work in collaboration with the researchers identified above.

42. Separation of Powers concerns, and the lack of any adequate remedy at law justify an order compelling the Defendants to perform their duty owed to the Plaintiff pursuant to the Order.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that the Court:

- (1) Enter an order compelling the Defendants to perform all those duties to the Plaintiff that were imposed upon them by the Order;
- (2) Fashion equitable and declaratory relief that will have the effect of restoring Plaintiff to the position she would have enjoyed had the Defendants fully complied with the Order in a timely fashion, including, without limitation, that the Defendants instruct the relevant airlines to permit Dr. Asgari promptly to travel to the Boston port of entry and there afford her all of the benefits of the Order as it existed on January 31, 2017; and
- (3) Grant to Plaintiff such other and further relief as may be just and proper.

Respectfully submitted,

/s/ Sabin Willett

Sabin Willett (BBO No. 542519)  
Thane D. Scott (BBO No. 449340)  
Julia Frost-Davies (BBO No. 630590)  
Noah J. Kaufman (BBO No. 678968)  
Nathaniel P. Bruhn (BBO No. 681994)  
**MORGAN, LEWIS & BOCKIUS LLP**  
One Federal Street  
Boston, MA 02110-1726  
617.951.8000

Dated: February 1, 2017

**DECLARATION OF DR. SAMIRA ASGARI**

I, Dr. Samira Asgari, state and affirm the following:

1. I am an Iranian-born scientist and medical researcher. I hold a doctorate degree from the École Polytechnique Fédérale de Lausanne (EPFL) in Switzerland. I am an expert in genomics, infectious diseases, and computational biology. My research focuses on state-of-the-art sequencing technologies that allow me to find the variants that confer susceptibility to infections. During my stay at EPFL I have been working mostly on pediatric infections. I am particularly interested in understanding the role of human genomic variations on susceptibility to infections and the progression of infectious disorders. In addition to other grants and awards, I was proud to receive the Swiss National Science Foundation Early Postdoc Mobility Grant in October of 2016 and to be a finalist for the ASHG/Charles J. Epstein Trainee Award for Excellence in Human Genetics Research in October of 2015.
2. Dr. Soumya Raychaudhuri, a scientist and physician at Brigham and Women's Hospital, runs one of the world's most respected human genomics laboratories. Dr. Raychaudhuri is widely renowned for, among other works, his attempts to elucidate the role of human genetic variation in tuberculosis progression.
3. I was honored, therefore, when Dr. Raychaudhuri recruited me to join his laboratory for post-doctoral training on a project in line with my doctoral training and with particular focus on tuberculosis progression. My work in the laboratory will be to further explore the role of human genetic variations, using genomics approaches, as it relates to tuberculosis. This research will further our collective understanding of basic biology and translational medicine, and it will lead to the development of safer and more effective drugs for the treatment of tuberculosis.
4. I was particularly excited to have the opportunity to perform this research in the Boston area. Not only is Dr. Raychaudhuri's laboratory affiliated with Harvard Medical School, giving me access to the world's foremost researchers and clinicians, but also Boston is a cultural hub in which I was eager to become immersed.
5. On November 30, 2016, after learning that I would have the opportunity to come to Boston to work with Dr. Raychaudhuri and to conduct my research, I applied for a J-1 visa. I quit my job working in a genomics laboratory in Lausanne, Switzerland and arranged to lease my apartment. On January 25, 2017, I was thrilled to receive confirmation from the United States Embassy in Switzerland that my visa application had been approved. My visa was issued two days later on January 27, 2017. A true and accurate reproduction of the identifying page of my passport and the enclosed visa is attached hereto as **Exhibit A**.
6. I promptly made arrangements to fly to Boston. I booked a ticket for Saturday, January 28, 2017 to fly from Zurich, Switzerland to Boston, via Frankfurt, Germany, aboard Lufthansa Air Lines ("Lufthansa").

7. On the morning of Saturday, January 28, I completed the first leg of my voyage from Zurich to Frankfurt without incident. However, when I arrived at the gate to board the flight from Frankfurt to Boston, I was turned away. A person in front of the Lufthansa gate, who introduced himself as a consulate of the United States of America in Frankfurt, told me that I was ineligible to board a flight to the United States because of an executive order issued by the President of the United States on January 27, 2017, entitled “Protection of the Nation From Foreign Terrorist Entry Into the United States.”
8. I was heartbroken because I was so eager to go to Boston to continue my research.
9. I returned to Zurich and sought the assistance of an attorney in the United States. Through a mutual contact, I was put in touch with Attorney Noah Kaufman of the law firm of Morgan, Lewis & Bockius LLP.
10. From Attorney Kaufman, I learned that in the matter of *Tootkaboni v. Trump*, a case pending in the United States District Court for the District of Massachusetts, the Honorable Allison D. Burroughs and the Honorable Judith Gail Dein issued a Temporary Restraining Order (the “Order”) that granted relief from the President’s executive order to individuals like me, who hold valid visas for entry into the United States.
11. In reliance on the Order, on Monday, January 30, 2017, I booked another flight to the United States. My flight, Swiss International Air Lines (“SWISS”) Number LX52, was scheduled to depart from Zurich at 5:25 p.m. local time on Tuesday, January 31, 2017, and arrive in Boston at approximately 8:00 p.m. A true and accurate reproduction of my ticket purchase confirmation and boarding pass is attached hereto as **Exhibit B**.
12. On the morning of Tuesday, January 31, 2017, I was in the process of getting to the airport in Zurich when I received a telephone call from a representative at SWISS who informed me that I would not be permitted to board Flight LX52.
13. I remained hopeful that I would be permitted to board the flight and I continued to the airport. Once I arrived, I cleared security and checked my bags.
14. When I arrived at the gate, I was met by a SWISS customer service representative who identified herself as Sibylle Port. Ms. Port told me that SWISS had been directed by Customs and Border Protection that I should not be permitted to board the flight to Boston. I showed Ms. Port a copy of the Order, but she responded that SWISS was obligated to comply with the express directive of Customs and Border Protection that I was not to board the flight. At my request, Ms. Port spoke directly to Attorney Kaufman, but Ms. Port remained adamant that I would not be allowed onboard as a result of the Customs and Border Protection directive.
15. I observed that Ms. Port had a printed copy of the directive from Customs and Border Protection. I was able to take a picture of the directive using my cellphone and I promptly sent the picture to Attorney Kaufman. I am informed and believe that Attorney



Kaufman has a copy of the photograph and can produce it to the Court upon request. I also have an original copy of the Customs and Border Protection directive in my possession.

16. My luggage was removed from the airplane and the flight departed without me.

*[Signature page follows]*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 31, 2017,

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

# **Exhibit A**

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

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



## **Exhibit B**

# Ticket Travel Itinerary

## Passenger

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

## Flight 1

Flight

LX52

From

Zurich (ZRH)

Zurich

To

Boston (BOS)

Logan Intl Arpt

Departure date	Departure time
31 January 2017	17:25

Latest check-in

16:45

Arrival date	Arrival time
31 January 2017	20:05

Check-in baggage	Hand baggage
1 piece, up to 50lb / 23kg max size up to 62li / 158lcm (width + depth + height)	1 piece up to 18lb / 8kg , max size up to 46li / 118lcm (width + depth + height)

Travel class	Booking / Ticket Status
Economy (V)	Confirmed / Airport control

Flight operated by	On behalf of
Swiss International Air Lines	

Not valid before	Not valid after
31 January	31 January

All times are local times

## SWISS Choice / other services

Second Bag

## Service center

Calling from Switzerland	0848 700 700
Calling from Zurich	+41 (0) 848 700 700

## Document

Reservation number	(b)(6), (b)(7)(C)
Ticket number	(b)(6), (b)(7)(C)
Issued	30/1/2017
Issuer	SWISS.COM
Issue place	SWITZERLAND
Page	1 of 4

## Flight 2

Flight

LX53

From

Boston (BOS)

Logan Intl Arpt

To

Zurich (ZRH)

Zurich

Departure date	Departure time	Terminal
07 February 2017	21:45	E

Latest check-in

20:30

Arrival date	Arrival time
08 February 2017	11:00

Check-in baggage	Hand baggage
1 piece, up to 50lb / 23kg max size up to 62li / 158lcm (width + depth + height)	1 piece up to 18lb / 8kg , max size up to 46li / 118lcm (width + depth + height)

Travel class	Booking / Ticket Status
Economy (K)	Confirmed / Open for Use

Flight operated by	On behalf of
Swiss International Air Lines	

Not valid before	Not valid after
07 February	07 February

All times are local times

## SWISS Choice / other services

# Receipt

## Passenger

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

## Service center

Calling from Switzerland	0848 700 700
Calling from Zurich	+41 (0) 848 700 700

## Document

Reservation number	<b>(b)(6), (b)(7)(C)</b>
Ticket number	<b>(b)(6), (b)(7)(C)</b>
Issued	30/1/2017
Issuer	SWISS.COM
Issue place	SWITZERLAND
Page	2 of 4

## Fare details

Item	CHF
Fare	302.00
Taxes International Surcharge (YQ)	356.00
Airport Passenger Security & Noise Charge (CH)	35.00
Customs User Fee (YC)	5.50
Transportation Tax (US)	18.00
Transportation Tax (US)	18.00
Aphis Passenger Fee (XA)	4.00
Immigration User Fee (XY)	7.00
Passenger Civil Aviation Security Fee (AY)	6.00
Passenger Facility Charge (XF)	4.50
Charges Fees*	43.00
<b>Grand total</b>	<b>799.00</b>

\* The amount includes fees such as e.g. service fee, OPC, etc. For details please contact your nearest SWISS Service Center.

## Form of payment

Ticket/Fees: **(b)(6), (b)(7)(C)**

## Endorsement/restrictions

NONREF/FL/CHG RESTRICTED CHECK FARE NOTE -BG LX

# Baggage provisions

## Passenger

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

## Service center

Calling from Switzerland 0848 700 700  
 Calling from Zurich +41 (0) 848 700 700

## Document

Reservation number (b)(6), (b)(7)(C)  
 Ticket number (b)(6), (b)(7)(C)  
 Issued 30/1/2017  
 Issuer SWISS.COM  
 Issue place SWITZERLAND  
 Page 3 of 4

### 1 Zurich (ZRH) → Boston (BOS)

	Quantity	Price	Weight	Size
Carry-on baggage	1 piece	n/a	up to 18lb / 8kg	up to 46li / 118lcm
Baggage allowance	1 piece	n/a	up to 50lb / 23kg	up to 62li / 158lcm
2nd baggage charge	1 piece	CHF 90.00	up to 50lb / 23kg	up to 62li / 158lcm
Prepaid 2nd baggage charge	1 piece	CHF 75.00	up to 50lb / 23kg	up to 62li / 158lcm

### Flight LX52

### Economy (V)

### 2 Boston (BOS) → Zurich (ZRH)

	Quantity	Price	Weight	Size
Carry-on baggage	1 piece	n/a	up to 18lb / 8kg	up to 46li / 118lcm
Baggage allowance	1 piece	n/a	up to 50lb / 23kg	up to 62li / 158lcm
2nd baggage charge	1 piece	CHF 90.00	up to 50lb / 23kg	up to 62li / 158lcm
Prepaid 2nd baggage charge	1 piece	CHF 75.00	up to 50lb / 23kg	up to 62li / 158lcm

### Flight LX53

### Economy (K)

## General baggage provisions

Customer status	Destination	SWISS First	SWISS Business	SWISS Economy***
HON, SEN*, Star Gold**	to / from / via US / CA	+ 1 piece up to 32 kg	+ 1 piece up to 32 kg	+ 1 piece up to 23 kg
	worldwide (except to /from/via US/CA)	+ 1 piece up to 32 kg + 1 set of golf equipment	+ 1 piece up to 32 kg + 1 set of golf equipment	+ 1 piece up to 23 kg + 1 set of golf equipment
Frequent traveller*	worldwide	General allowance	General allowance	+ 1 piece up to 23 kg
Miles & More members	worldwide	no additional baggage allowance	no additional baggage allowance	no additional baggage allowance
SWISS Golf Traveller*	worldwide	+ 1 set of golf equipment	+ 1 set of golf equipment	+ 1 set of golf equipment

Members of other frequent flyer programme should contact the relevant operator

\* Applies to flights operated by SWISS, Lufthansa and Edelweiss Air

\*\* Applies to flights operated by Star Alliance member airlines

\*\*\* For SWISS Light fares no additional baggage allowance applies

## Important information

### Passenger

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

### General information

All times noted are local times. Please keep this receipt with you throughout your journey. Your ticket is stored in our reservations system. As with all airline tickets your ticket is not transferable to others.

### Dangerous goods

No dangerous goods are allowed in either checked baggage or carry-on- baggage. More information on [swiss.com/dangerousgoods](http://swiss.com/dangerousgoods)

### Bringing liquids on board

In compliance with international security regulations, any liquid items (including gels, pastes and similar) which are carried into the aircraft cabin must be packed in individual containers with a capacity of not more than 100 ml (1 dl).

### Air passenger rights

If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance. Regulation (EC) no. 261/2004.

### Air transportation notice

For liability issues and other transport conditions, please refer to the SWISS general conditions of carriage available at any Swiss International Air Lines sales office, or on [swiss.com](http://swiss.com).

### Service center

Calling from Switzerland	0848 700 700
Calling from Zurich	+41 (0) 848 700 700

### Document

Reservation number	(b)(6), (b)(7)(C)
Ticket number	(b)(6), (b)(7)(C)
Issued	30/1/2017
Issuer	SWISS.COM
Issue place	SWITZERLAND
Page	4 of 4

### Important notice

The contract of carriage between you and SWISS is governed by applicable law and by our Conditions of Carriage, which you can consult on our [swiss.com](http://swiss.com) website. Please note that, in accordance with Article 3.3 of our Conditions of Carriage, this fare is only valid if the flights are taken in the booked sequence. Otherwise the fare will be recalculated based on the actual flight routing.

The liability of SWISS or other carriers is subject to the Montreal/Warsaw Convention and/or EC Regulation 2027/97. In the event of death or bodily injury, SWISS has waived the liability limits imposed by the Warsaw Convention, and has waived the defence that it has taken all necessary measures to avoid damage up to a liability of 113,100 special drawing rights (SDR) per passenger. In the event of death or bodily injury, SWISS will make an advance payment in accordance with EU law.

Additional baggage fees may apply.

The authorities of certain countries may require us to transfer specific travel data to them relating to your journey, for security and immigration purposes. You authorise us to transfer, for these purposes, so-called passenger name record (PNR) data such as your name, date of birth, home address, contact phone numbers, information on your travel partner, date of reservation, ticket issuance, payment information, travel itinerary, frequent flyer number, information concerning your baggage and/or changes to the PNR. You are aware that such data could be transferred to countries whose data protection provisions are not as strict as those provided under Swiss law.

### More information online

Easy check-in by internet  
[swiss.com/webcheckin](http://swiss.com/webcheckin)

Latest check-in time for your airport  
[swiss.com/ch/en/prepare/check-in/checkin-times](http://swiss.com/ch/en/prepare/check-in/checkin-times)

For complaints and compliments  
[swiss.com/customer-service](http://swiss.com/customer-service)

Your contact for further inquiries  
[swiss.com/contacts](http://swiss.com/contacts)

SWISS wishes you a pleasant flight.



# Boarding pass

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

Passenger name: **(b)(6), (b)(7)(C)**  
 E-ticket number: **(b)(6), (b)(7)(C)**

Y



Frequent flyer number:  
 Check-in sequence: 37

From Zurich (ZRH) to Boston (BOS) Flight LX52

Date	Departure	Booking class	Gate	Boarding time	Seat
31 January, 2017	17:25	Economy Class (V)	N/A	16:25	39K

Please be at the departure gate at the boarding time stated. Otherwise, your seat may be re-assigned.

## Baggage allowance

Baggage type	Quantity / Weight	Size
 Free checked baggage for flights operated by SWISS.	See E-Ticket terms and conditions for detailed baggage allowance. Additional baggage allowance may apply for Frequent Flyers or if purchased separately.	
 Carry-on baggage for flights operated by SWISS	max. 1 x 8 kg	An item of baggage must not exceed 55 x 40 x 23 cm

## Travel information

### Baggage drop-off



Please report with your baggage to

**the Baggage drop-off counter at Check-in 3 if arriving by train, otherwise to the Baggage drop-off counter in Check-in 1.**

If you are travelling with hand baggage only, you may proceed directly to your departure gate.

Kindly consult our website for the latest check-in times of your departure airport: [swiss.com/latest\\_checkin](http://swiss.com/latest_checkin).

### Dangerous goods

No dangerous goods are allowed in either checked baggage or carry-on-baggage. For detailed information check [swiss.com/dangerousgoods](http://swiss.com/dangerousgoods).

### Bringing liquids on board

In compliance with international security regulations, any liquid items (including gels, pastes and similar) which are carried into the aircraft cabin must be packed in individual containers with a capacity of **not** more than 100 ml (1 dl).

### Air passenger rights

If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance. Regulation (EC) no. 261/2004.

### Air transportation notice

For liability issues and other transport conditions, please refer to the SWISS general conditions of carriage available at any Swiss International Air Lines sales office, or on [www.swiss.com](http://www.swiss.com).

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

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MAZDAK POURABDOLLAH  
TOOTKABONI and  
ARGHAVAN LOUHGHALAM,

Petitioners,

CIVIL ACTION NO. 17-cv-10154

v.

DONALD TRUMP, President of  
The United States, et al.,

Respondents

**TEMPORARY RESTRAINING ORDER**

January 29, 2017

BURROUGHS, U.S.D.J.

On January 28, 2017 the Petitioners filed a Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief.

After consideration of the written submissions, arguments of counsel, and the hearing held on January 28-29, 2017, the Court hereby finds as follows:

1. The petitioners have met their burden of establishing a strong likelihood of success in establishing that the detention and/or removal of the petitioners and others similarly situated would violate their rights to Due Process and Equal Protection as guaranteed by the United States Constitution;

2. Absent a stay of removal, petitioners and others similarly situated, including lawful permanent residents, citizens, visa-holders, approved refugees, and other individuals from nations who are subject to the January 27, 2017 Executive Order, are likely to suffer irreparable harm.

3. The balance of harms favors the issuance of this temporary restraining order and its issuance is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED

I. that respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them:

a) shall limit secondary screening to comply with the regulations and statutes in effect prior to the Executive Order, including 8 U.S.C. § 1101(a)(13)(C);

b) shall not, by any manner or means, detain or remove 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, lawful permanent residents, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen who, absent the Executive Order, would be legally authorized to enter the United States;

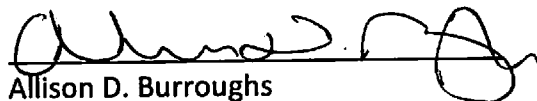
c) to assure compliance with this Order, the United States Marshal for the District of Massachusetts shall be served with this Order and is further directed to take those actions deemed necessary to enforce this Order; and

d) Customs and Border Protection shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned based solely on the basis of the Executive Order.

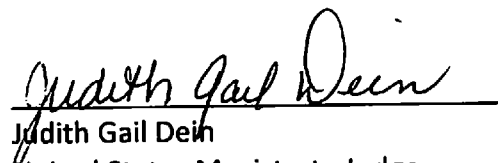
II. This Order shall remain in effect for a period of seven (7) days from the date of this Order.

The Court shall schedule a hearing prior to the expiration of this Order.

III. Petitioners shall file an Amended Complaint by January 30, 2017.



Allison D. Burroughs  
United States District Judge



Judith Gail Dein  
United States Magistrate Judge

January 29, 2017

**DECLARATION OF NOAH J. KAUFMAN**

I, Noah J. Kaufman, state and affirm the following:

1. I am an attorney duly licensed to practice law in the Commonwealth of Massachusetts. I am associated with the law firm of Morgan, Lewis & Bockius LLP, which represents Dr. Samira Asgari. The following facts have become known to me in the course of our representation of Dr. Asgari.
2. I am informed and believe that Dr. Asgari is an Iranian national who holds an Iranian passport. Dr. Asgari is a scientist and a medical researcher holding a doctorate degree from the École Polytechnique Fédérale de Lausanne in Switzerland.
3. I am informed and believe that Dr. Asgari received a J-1 visa dated January 27, 2017 to enter the United States in order to perform medical research at Brigham and Women's Hospital and Harvard Medical School in Boston, where she had been awarded a research position devoted to finding a cure for tuberculosis. A true and accurate reproduction of the identifying page of Dr. Asgari's passport and the enclosed visa is attached hereto as **Exhibit A**.
4. I am informed and believe that on Saturday morning, January 28, 2017, Dr. Asgari attempted to board a Lufthansa Air Lines flight from Frankfurt, Germany to Boston, Massachusetts. At the gate, Dr. Asgari was informed by a representative of the United States Consulate in Germany that she was not permitted to board the flight on the basis of the President's executive order dated January 27, 2017, entitled "Protection of the Nation From Foreign Terrorist Entry Into the United States."
5. On Sunday, January 29, 2017, I became aware that in the matter of *Tootkaboni v. Trump*, Case No. 1:17-cv-10154 (D. Mass.), the Honorable Allison D. Burroughs and the Honorable Judith Gail Dein had issued a Temporary Restraining Order directing, *inter alia*, that the President and certain other respondents "shall not . . . detain or remove . . . holders of valid immigrant and non-immigrant visas . . . and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen who, absent the Executive Order, would be legally authorized to enter the United States" (the "Order"). The Order directed that Customs and Border Protection "shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned solely on the basis of the Executive Order."
6. I am informed and believe that on Monday, January 30, 2017, in reliance on the Order, Dr. Asgari booked passage on a Swiss International Air Lines ("SWISS") flight from Zurich, Switzerland to Boston, Massachusetts. The flight, SWISS 52, was scheduled to depart Zurich at 5:25 p.m. local time on Tuesday, January 31, 2017. A true and accurate reproduction of Dr. Asgari's ticket purchase confirmation and boarding pass is attached hereto as **Exhibit B**.



7. I am informed and believe that on the morning of Tuesday, January 31, 2017, while traveling to the Zurich airport, Dr. Asgari received a telephone call from a staff member at SWISS informing her that she would not be permitted to board the flight. Dr. Asgari promptly relayed this information to me.
8. Later on Tuesday, January 31, 2017, I spoke by telephone with a SWISS representative in Zurich, who identified herself as Dominique Fehlmann, an in-house attorney at SWISS with general responsibility for compliance with United States customs and immigration matters. Ms. Fehlmann stated the following:
  - As required by United States laws and regulations, SWISS provided a passenger manifest to United States customs and immigration officials for Flight 52, which contained Dr. Asgari's name.
  - At some point on Monday evening, January 30, 2017, or Tuesday, January 31, 2017, SWISS received a directive from Customs and Border Protection which provided, *inter alia*, that Dr. Asgari should not be permitted to board the flight.
  - Customs and Border Protection informed SWISS that failure to comply with its directive could result in fines of up to \$50,000 and refusal of permission for Flight 52 to land in the United States.
9. Because Dr. Asgari booked passage on Flight 52 with SWISS on January 30, the passenger manifest and directive described above must have been created after entry of, and service upon the United States of the Order.
10. In our January 31, 2017 telephone conversation, Ms. Fehlmann stated to me that Customs and Border Protection had directed SWISS not to provide a copy of its directive to any third party.
11. I offered to provide Ms. Fehlmann with a copy of the Order. She responded that she already had received a copy, but that SWISS had no choice but to comply with the directive of Customs and Border Protection, and to refuse Dr. Asgari the right to board.
12. Ms. Fehlmann stated that she was not aware of any guidance or other communication sent to SWISS by Customs and Border Protection regarding the Order. She stated further that if SWISS had received any such communication, it likely would have been directed to her attention.
13. I am informed and believe that Dr. Asgari proceeded to the airport in Zurich and attempted to board Flight 52. When Dr. Asgari arrived at the gate, she was met by a SWISS representative who identified herself as "Port."
14. While Dr. Asgari was at the gate, I received a telephone call from Port. Port informed me that she had in hand a copy of this Court's Order, but that she could not allow Dr. Asgari to board the flight in light of the Customs and Border Protection directive. Port informed

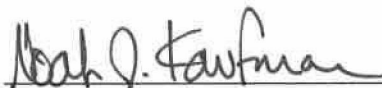
me that the only circumstance under which Dr. Asgari would be allowed to board the flight was if an employee of Customs and Border Protection could offer written assurances that Dr. Asgari should be allowed to board and that SWISS would not be liable for non-compliance with the Customs and Border Protection directive.

15. My colleagues and I attempted to obtain such written assurances from Customs and Border Protection. My colleague Sabin Willett sent an urgent email to Attorneys Rayford Farquhar, Ellen Souris, Keara Martin, and Katherine Shinnors, a copy of which is attached hereto as **Exhibit C**. We received no response until approximately five hours later, at which point Attorney Willett received an email from Attorney Shinnors stating that “we [the Department of Justice] do not read the Court’s order to [allow Dr. Asgari to travel to the United States].” A true and correct copy of Attorney Shinnors’s email is attached hereto as **Exhibit D**.
16. Dr. Asgari then telephoned to inform me that she had been unable to board, the gate had closed, and the aircraft had departed.
17. I am informed and believe that, at the gate for Flight 52, Port had a printed copy of the Customs and Border Protection directive regarding Dr. Asgari. Dr. Asgari was able to take a photograph of the directive with her cellphone and she sent that photograph to me by email. However, I note that the photographed document is directed to SWISS, and directs the air carrier not to disclose the document. Its contents appear to be highly material to provisions of the Order. I will provide the photograph to the Court or the parties, as the Court directs.

*[Signature page follows]*

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 1, 2017

A handwritten signature in black ink that reads "Noah J. Kaufman". The signature is written in a cursive style and is positioned above a horizontal line.

Noah J. Kaufman

# **Exhibit A**