

(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 Arprt

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 Arprt

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)(6), (b)(7)(C)
 Ticket number (b)(6), (b)(7)(C)
 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
Grand total	799.00

* 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

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.

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 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

Latest check-in time for your airport
swiss.com/ch/en/prepare/check-in/checkin-times

For complaints and compliments
swiss.com/customer-service

Your contact for further inquiries
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.

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

Dangerous goods

No dangerous goods are allowed in either checked baggage or carry-on-baggage. For detailed information check 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.

Exhibit 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:

Subject:

MOST URGENT (b)(6), (b)(7)(C) /no. 17-cv-10154, Tootkaboni et al. 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 Burroughs’ 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)

Exhibit D

(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/Asgari//no. 17-cv-10154, Tootkaboni et al. 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)
Subject: RE: MOST URGENT (b)(6), (b)(7)(C) /no. 17-cv-10154, Tootkaboni et al. 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)
Cc: (b)(6), (b)(7)(C)
Subject: MOST URGENT (b)(6), (b)(7)(C) / NO. 17-cv-10154, Toukaboni et al. 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 Burroughs’ 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: Sunday, January 29, 2017 1:40 PM
To: (b)(6), (b)(7)(C); FERRARA, WILLIAM
Cc: (b)(6), (b)(7)(C)
Subject: RE: Scanned Documents

Thank you.

(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 1:37:30 PM
To: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Scanned Documents

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]

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:21 PM
To: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: Scanned Documents

10-4

(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 3:15:56 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Scanned Documents

Just spoke with (b)(6), (b)(7)(C). He has confirmed that the information was sent to all the station managers. I will soon receive a copy of the message. He will share this information with (b)(6), (b)(7)(C) too.

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 3:13:35 PM
To: (b)(6), (b)(7)(C)
Subject: RE: FW: Scanned Documents

(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 3:08:07 PM
To: (b)(6), (b)(7)(C); FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: FW: FW: Scanned Documents

All,

As an FYI

Please see the message below that SCBPO (b)(6), (b)(7)(C) received from an AILA attorney.

Please advise if further action is warranted.

(b)(6), (b)(7)(C)
Border Security Coordinator
Boston Field Office
Customs and Border Protection
Office of Field Office
Cell: (b)(6), (b)(7)(C)
Desk: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:05 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: FW: Scanned Documents

Please see email below. Should I send this to anyone else?

Thanks.

(b)(6), (b)(7)(C)
Supervisory CBP Officer
U.S. Customs and Border Protection
Boston Logan International Airport
East Boston, MA
Telephone: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)
Email: (b)(6), (b)(7)(C)

OFO Proud

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:44 PM
To: (b)(6), (b)(7)(C)
Subject: FW: FW: Scanned Documents

Can you help me answer this request.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:14 PM
To: (b)(6), (b)(7)(C)
Subject: Re: FW: Scanned Documents

Can you find out what they have done about informing the airlines. We are still getting visa holders turned Away

On Sun, Jan 29, 2017 at 1:40 PM: (b)(6), (b)(7)(C) wrote:

BTW I just sent a copy of Judge Burroughs's order to CBP Area Director William Ferrara and Port Director (b)(6), (b)(7)(C) on the assumption

that they will let their officers know what the Federal Judge in Massachusetts has done on this matter. I assumed they would be served by the court but communications to the field at CBP sometimes doesn't take place.

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

Sent: Sunday, January 29, 2017 1:22 PM

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

Subject: Re: FW: Scanned Documents

Excellent. Thanks.

On Sun, Jan 29, 2017 at 1:22 PM: (b)(6), (b)(7)(C) wrote:

----- Forwarded message -----

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

Date: Sun, Jan 29, 2017 at 1:20 PM

Subject: FW: Scanned Documents

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

Dear (b)(6), (b)(7)(C): attached is the table of contents to the CBP Inspector's field manual. The agency claims this document is no longer valid as they have or are attempting to replace it with the ORT (officer's reference tool), which does not exist and which AILA has

filed a lawsuit to discover. In fact it has been my experience that the CBP offices still refer to this document for guidance as they have no other guidance from their central office. I will review any section you or the other members of the legal team want

reviewed as long as you understand what the national AILA CBP committee has been told by their central office.

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

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

Sent: Sunday, January 29, 2017 1:11 PM

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

Subject: Scanned Documents

See Attached File

TASKalfa 3501i

[00:c0:ee:b8:07:51]

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:50 PM
To: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: 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: FERRARA, WILLIAM
Sent: Sunday, January 29, 2017 1:44:18 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Airlines not notified of court ruling?

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

More to follow.

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 11:29:45 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)(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 11:14:08 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)(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 11:11 AM

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

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

Subject: RE: 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 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)(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:

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: Thursday, February 02, 2017 4:18 PM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: RE: DOJ attorney flying to Logan tonight

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: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 4:17 PM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: DOJ attorney flying to Logan tonight

(b)(6), (b)(7)(C) Watch Commander (b)(6), (b)(7)(C) is working this evening and will be available to assist. He can be reached at:
(b)(6), (b)(7)(C)
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

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

(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 3:59 PM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: DOJ attorney flying to Logan tonight
Importance: High

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

(b)(5)

Thank you,

(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 3:56 PM

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

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

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

Subject: DOJ attorney flying to Logan tonight

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

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

Thanks for your assistance,

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

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

Senior Attorney (Enforcement and Operations), Office of the Chief Counsel
U.S. Customs and Border Protection

Tel: (b)(6), (b)(7)(C) | Cell: (b)(6), (b)(7)(C) | Fax: (b)(6), (b)(7)(C)

Attention: This document may contain attorney work-product, or confidential and sensitive U.S. Government information. Please immediately deliver this information only to the intended recipients to whom it is addressed. U.S. Customs and Border Protection has not approved the review, retransmission, dissemination or use of this information by anyone other than the intended recipient(s).

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 7:15 AM
To: FERRARA, WILLIAM
Subject: RE: Order re EO

(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 7:09:36 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Order re EO

(b)(5)

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 2:55:12 AM
To: FERRARA, WILLIAM
Subject: Order re EO

Bill -

(b)(5)

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

Sent from my iPhone

Begin forwarded message:

From: (b)(6), (b)(7)(C) >
To: (b)(6), (b)(7)(C) >>
Subject: Order in photos

Had to go home. Here is best I can do right now.

(b)(5)

(b)(5)

Sent from my phone. Please excuse typos and other errors.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 11:30 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM
Subject: RE: Media inquiry

Got it - thanks.

(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 11:29:31 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM
Subject: RE: Media inquiry

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

Please feel free to provide any media outlets my e mail and number. FYA, I am referring all inquiries to HQ, however, I am tracking them locally. Please let them know e mail is the best way to reach me.

Thank you!

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

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 11:18:59 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM
Subject: RE: Media inquiry

(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: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 11:13:36 AM
To: (b)(6), (b)(7)(C)

Cc: FERRARA, WILLIAM

Subject: Media inquiry

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

We have a media inquiry from the Boston Globe regarding the recent EO and the order issued by District of Massachusetts last night. Please provide me your contact information to forward to USAO for dissemination to the Globe.

Thanks

(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 8:27 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Order re EO
Attachments: IMG_0029.JPG; IMG_0030.JPG; IMG_0031.JPG

(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 7:31:00 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: FW: Order re EO

(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 7:09:36 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Order re EO

(b)(5)

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 2:55:12 AM
To: FERRARA, WILLIAM
Subject: Order re EO

Bill -

(b)(5)

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

Sent from my iPhone

Begin forwarded message:

From: "(b)(6), (b)(7)(C)"
To: "(b)(6), (b)(7)(C)"
Subject: Order in photos

Had to go home. Here is best I can do right now.

(b)(5)

Sent from my phone. Please excuse typos and other errors.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 7:31 AM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: FW: Order re EO
Attachments: IMG_0029.JPG; IMG_0030.JPG; IMG_0031.JPG

(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 7:09:36 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Order re EO

(b)(5)

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 2:55:12 AM
To: FERRARA, WILLIAM
Subject: Order re EO

Bill -

(b)(5)

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

Sent from my iPhone

Begin forwarded message:

From: "(b)(6), (b)(7)(C)" >>
To: "(b)(6), (b)(7)(C)" >>
Subject: Order in photos

Had to go home. Here is best I can do right now.

(b)(5)

Sent from my phone. Please excuse typos and other errors.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 12:22 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); FERRARA, WILLIAM
Subject: FW: Signed Copy of the order
Attachments: (b)(6), (b)(7)(C)

(b)(5)

(b)(6), (b)(7)(C)
 Senior Attorney
 Office of Assistant Chief Counsel, Boston
 (b)(6), (b)(7)(C)

From: FERRARA, WILLIAM
Sent: Sunday, January 29, 2017 12:13:04 PM
To: (b)(6), (b)(7)(C)
Subject: Signed Copy of the order

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 1:12 PM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM
Subject: RE: Signed Temporary Restraining Order

Thank you.

(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 12:52:40 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) FERRARA, WILLIAM
Subject: RE: Signed Temporary Restraining Order

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

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

(b)(6), (b)(7)(C)
Chief, Defensive Litigation
Civil Division
United States Attorney's Office
(b)(6), (b)(7)(C)
Boston, MA 02210

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 12:02 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) FERRARA, WILLIAM
(b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

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

On Jan 29, 2017, at 12:01 PM, (b)(6), (b)(7)(C) wrote:

(b)(5), (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 11:59:24 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); FERRARA, WILLIAM
Subject: RE: Airlines not notified of court ruling?

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

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

(b)(5), (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 11:30:02 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

(b)(5)

On Jan 29, 2017, at 11:16 AM, (b)(6), (b)(7)(C) wrote:

(b)(5), (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 11:07:04 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

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

On Jan 29, 2017, at 10:56 AM, (b)(6), (b)(7)(C) wrote:
(b)(6), (b)(7)(C)

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

Sent from my iPhone

On Jan 29, 2017, at 10:53 AM, (b)(6), (b)(7)(C) wrote:
(b)(6), (b)(7)(C)

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

Begin forwarded message:

From: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Date: January 29, 2017 at 10:52:05 AM EST
To: (b)(6), (b)(7)(C)
(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 12:57 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); FERRARA, WILLIAM
Subject: FW: Signed Temporary Restraining Order
Attachments: (b)(6), (b)(7)(C); Temporary Order.pdf

(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 12:52:40 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); FERRARA, WILLIAM
Subject: RE: Signed Temporary Restraining Order

(b)(5)

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

(b)(6), (b)(7)(C)
 Chief, Defensive Litigation
 Civil Division
 United States Attorney's Office
 Boston, MA 02210

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 12:02 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); FERRARA, WILLIAM
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

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

On Jan 29, 2017, at 12:01 PM, (b)(6), (b)(7)(C) wrote:

(b)(5), (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 11:59:24 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) FERRARA, WILLIAM
Subject: RE: Airlines not notified of court ruling?

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

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

(b)(5), (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 11:30:02 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

(b)(5)

On Jan 29, 2017, at 11:16 AM, (b)(6), (b)(7)(C) wrote:

(b)(5), (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 11:07:04 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Re: Airlines not notified of court ruling?

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

On Jan 29, 2017, at 10:56 AM, (b)(6), (b)(7)(C) wrote:
(b)(6), (b)(7)(C)

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

Sent from my iPhone

On Jan 29, 2017, at 10:53 AM, (b)(6), (b)(7)(C) wrote:
(b)(6), (b)(7)(C)

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

Begin forwarded message:

From: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Date: January 29, 2017 at 10:52:05 AM EST
To: (b)(6), (b)(7)(C)
(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)

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;

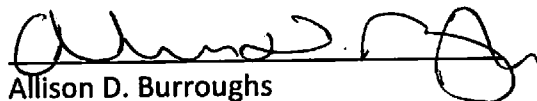
c) to assure compliance with this Order, the United States Marshal for the District of Massachusetts shall be served with this Order and is further directed to take those actions deemed necessary to enforce this Order; and

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.

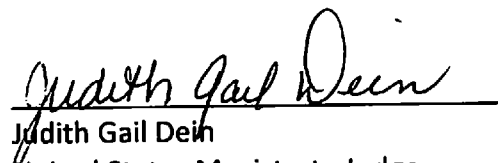
II. This Order shall remain in effect for a period of seven (7) days from the date of this Order.

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

From: (b)(6), (b)(7)(C) (OCC)
Sent: Tuesday, January 31, 2017 3:28 PM
To: (b)(6), (b)(7)(C)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: RE: OCC Questions Due by COB Today

(b)(5)

(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 3:27 PM
To: (b)(6)
Cc: FERRARA, WILLIAM; (b)(6), (b)(7)(C)
Subject: (b)(6), (b)(7)(C)
Subject: OCC Questions Due by COB Today

(b)(6)

Boston Logan Watch Commander (b)(6), (b)(7)(C) has confirmed that both Swiss Air and Turkish were included in the notification message on the TRO. Also Logan does not have any direct flights from Tehran.

Thanks and please advise if you need further information.

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

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

Assistant Director, Border Security
Boston Field Office
U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 2:06 PM
To: FERRARA, WILLIAM
Cc: (b)(6), (b)(7)(C)
Subject: Declaration

Bill,

(b)(5)

Thank you,

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

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

Senior Attorney

Office of Assistant Chief Counsel

10 Causeway Street, (b)(6), (b)(7)(C)

Boston, MA 02222

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

From: (b)(6)
Sent: Tuesday, January 31, 2017 11:38 AM
To: FERRARA, WILLIAM
Subject: RE: Visit - REVISED DECLARATION

(b)(5)

(b)(6) Senior Attorney
(b)(6)

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 11:36 AM
To: (b)(6)
Subject: FW: Visit - REVISED DECLARATION

I think this works.

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 11:34 AM
To: FERRARA, WILLIAM (b)(6), (b)(7)(C)
Subject: RE: Visit - REVISED DECLARATION

(b)(5)

(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: Tuesday, January 31, 2017 10:38 AM

To: (b)(6), (b)(7)(C)
Subject: FW: Visit - REVISED DECLARATION
Importance: High

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

(b)(5)

Thanks,

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

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

From: (b)(6) (OCC)
Sent: Tuesday, January 31, 2017 10:14 AM
To: FERRARA, WILLIAM <WILLIAM.FERRARA@CBP.DHS.GOV>
Subject: RE: Visit - REVISED DECLARATION
Importance: High

(b)(5)

(b)(6)

(b)(6) Senior Attorney

(b)(6)

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)
Subject: RE: Visit

Ok. Thanks

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

From: (b)(6) (OCC)
Sent: Tuesday, January 31, 2017 9:43 AM
To: FERRARA, WILLIAM (b)(6), (b)(7)(C)
Subject: Visit

(b)(5)

(b)(5)

(b)(6)

Senior Attorney
U.S. Customs and Border Protection
10 Causeway St. Room 879
Boston, MA 02222

(b)(6)

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: Sunday, January 29, 2017 1:02 PM
To: FERRARA, WILLIAM
Cc: (b)(6), (b)(7)(C)
Subject: Court Order
Attachments: 17-10154 - TRO.pdf; ATT00001.txt

Director Ferrara, please refer to the attached document. Thank you for your assistance and cooperation in this matter.

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:22 PM
To: FERRARA, WILLIAM
Cc: (b)(6), (b)(7)(C)
Subject: Re: Court Order

Bill, your welcome.

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

Sent from my iPhone

On Jan 29, 2017, at 1:06 PM, FERRARA, WILLIAM

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

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

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 1:01:43 PM
To: FERRARA, WILLIAM
Cc: (b)(6), (b)(7)(C)
Subject: Court Order

Director Ferrara, please refer to the attached document. Thank you for your assistance and cooperation in this matter.

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 2:43 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
FERRARA, WILLIAM
Subject: Updated Derby Line 1400 Executive Order Reporting Attachment
Attachments: 20170127 Executive Order Reporting attachment.xlsx; FO EO Individuals Being Held.xlsx

Please see the attached updated 1400 Hour Executive Order Report for the Derby Line AOR for 01/30/2017.

We are currently processing one Syrian, US LPR.

(b)(6), (b)(7)(C)
Assistant Port Director, Passenger Operations (A)
Derby Line, VT
Boston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Desk: (b)(6), (b)(7)(C)
FAX: (b)(6), (b)(7)(C)

Executive Order Tracking

Field Office: Boston

Date: 1/30/2017

Country	Number of Non-Immigrant Encounters	Number Immigrant/LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of LPR Waivers Granted by DFO
Iran	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0
Libya	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0
Syria	0	1	0	0	0	0	
Yemen	0	0	0	0	0	0	0

Field Office/Location	Name	Status	Disposition	Departure Flight/Time
Boston	(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)		Awaiting Exemption	Land/inbound

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 11:46 PM
To: FERRARA, WILLIAM
Subject: RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Received, read, and acknowledged.

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,

[Department of Homeland Security Logo]<<http://www.cbp.gov/>>

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

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST
ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), 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 (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the

information requested pursuant to subsection (d) of this section until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall

review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.

(c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.

(d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.

(e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

(f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

(g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.

Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking

nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and

(iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

#

From: FERRARA, WILLIAM
Sent: Monday, January 30, 2017 4:16 PM
To: Boston Field Office Leadership; BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES
Subject: FW: Re-Delegation of EO Section 5 Refugee Waiver Authority
Attachments: S Signed Action Memo Refugees.pdf; Copy of 30Jan-2 Feb Booking Spreadsheet Details (2).xlsx; 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Importance: High

FYSA-no action needed

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

From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS (b)(7)(E) BORDER SECURITY ASST DIRECTORS
 (b)(7)(E) EXECUTIVE DIRECTORS HQ
 (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-Delegation of EO Section 5 Refugee Waiver Authority
Importance: High

DFOs

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

- JFK
- Newark
- Miami
- Chicago
- Dulles
- LAX
- Houston

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. The Department of State has provided a copy of their concurrence concurring with a waiver **for only the 842 refugees listed in the attached**. The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border

Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

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)
of (b)(7)(E) This authority may not be further delegated.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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



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From: MCALEENAN, KEVIN K

Sent: Monday, January 30, 2017 3:06 PM

To: ALLES, RANDOLPH D **(b)(6), (b)(7)(C)**; Owen, Todd C (AC OFO) **(b)(6), (b)(7)(C)**

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

Subject: Redlegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director **(b)(7)(E)** Executive Director, **(b)(7)(E)** Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and

Border Protection, the authority under § 5(e) of the Executive Order entitled, “Protecting the Nation from Foreign Terrorist Entry Into the United States,” (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(7)(E)

(b)(7)(E)	
(b)(7)(E)	This authority may not be further delegated.



United States Department of State

Washington, D.C. 20520

January 28, 2017

UNCLASSIFIED

ACTION MEMO FOR ACTING SECRETARY SHANNON

FROM: PRM - **(b)(6)** Acting

SUBJECT: (SBU) Determination to exempt certain refugees from the President's Executive Order so they may enter the United States

Recommendation

(b)(5)

Approve **(b)(6)** 1/28/17 Disapprove _____

Background

(SBU) The Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" (EO) suspends certain aspects of the US Refugee Admissions Program for 120 days, including the entry of refugees. Section 5(e) of the EO provides that "the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such refugees is in the national interest – including ... when the person is already in transit and denying admission would cause undue hardship – and it would not pose a risk to the security or welfare of the United States."

(b)(5)

UNCLASSIFIED

UNCLASSIFIED- 2 -

(b)(5)

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

(SBU) This exemption must be jointly determined by the Secretaries of State and Homeland Security. We have coordinated with the Department of Homeland Security and understand that its Secretary is prepared to make this determination for these individuals jointly with you. Because of the nature of travel bookings, this waiver must be issued today or tomorrow to allow such travel.

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

UNCLASSIFIED

Approved: A/S **(b)(6)** Acting (ok)

Drafted: PRM/A - **(b)(6)**

Cleared: L - **(b)(6)** (ok)
C - **(b)(6)** (ok)

SUMMARY OF NATIONALITY CODES

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

ARRIVALS - 30 JANUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	To	DEP Time	Arr Time	Carrier	Flt #	Dep time	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	
	01/30/17	13:10			38																					
							N	N	01/30/2017																ORD	
							N	Y	01/30/2017																ORD	
					SubTotal		3	3																		
	01/30/17	16:34			3																				JFK	
					SubTotal		0	0																		
	01/30/17	19:25			3																				LAX	
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							7	1																		
	01/30/17	12:45			1		N	Y	01/30/2017																	LAX
					SubTotal		0	1																		
	01/30/17	12:55			20		N	Y	01/30/2017																	LAX
							N	Y	01/30/2017																	LAX
					SubTotal		4	7																		
	01/30/17	14:05			1		Y		01/31/2017																	IAH

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

01/30/17 06:40		SubTotal Y:	23	1	0																	
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SubTotal Y:	(b)(6), (b)(7)(C)	N	N	01/30/2017																LAX
				N	N	01/30/2017																LAX
				N	Y	01/30/2017																LAX
				N	N	01/30/2017																LAX
				N	N	01/30/2017																LAX
				N	N	01/30/2017																LAX
				N	N	01/30/2017																LAX
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				N	N	01/30/2017																LAX
				01/30/17 15:45		SubTotal Y:	16	0	3													
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SubTotal Y:	(b)(6), (b)(7)(C)	Y		01/31/2017																AH
				N	Y	01/30/2017																AH
				Y		01/31/2017																AH
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				N	Y	01/30/2017																AH
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				01/30/17 12:10		SubTotal Y:	12	13	2													
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SubTotal Y:	(b)(6), (b)(7)(C)																JFK			
																			JFK			

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

ARRIVALS - 31 JANUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	To	DEP Time	Arr Time	Carrier	Flt #	Dep time	FD	Source	PNR	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E
	01/31/17	16:50			5		Y		02/01/2017																			EWR
							Y		02/01/2017																			EWR
							Y		02/01/2017																			EWR
							Y		02/01/2017																			EWR
							Y		02/01/2017																			EWR
						SubTotal Y:	5	0																				
	01/31/17	13:25			3		N	N	01/31/2017																			ORD
						SubTotal Y:	0	1																				
	01/31/17	19:15			6																							EWR
						SubTotal Y:	0	0																				
	01/31/17	15:05			19		Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
							Y		02/01/2017																			IAD
						SubTotal Y:	18	0																				
	01/31/17	18:24			9		Y		02/01/2017																			MIA
							Y		02/01/2017																			MIA
							Y		02/01/2017																			MIA
							Y		02/01/2017																			MIA

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				Y		02/01/2017			MIA
				Y		02/01/2017			MIA
			SubTotal Y:	8	0				
	01/31/17	14:50	6						IAD
			SubTotal Y:	0	0				
	01/31/17	14:15	1						JFK
			SubTotal Y:	0	0				
	01/31/17	14:15	3						JFK
			SubTotal Y:	0	0				
	01/31/17	18:10	1						JFK
			SubTotal Y:	1	0				
	01/31/17	16:00	20						ORD
			SubTotal Y:	16	0				
(b)(6), (b)(7)(C)	01/31/17	11:50	1						ORD
			SubTotal Y:	0	0				
	01/31/17	13:15	11						LAX
	01/31/17	08:10	4						IAD
			SubTotal Y:	0	4				
	01/31/17	07:55	5						JFK
									JFK
			SubTotal Y:	0	1				
	01/31/17	13:35	2						
			SubTotal Y:	0	2				ORD
	01/31/17	13:35	3						

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

					N	N	01/31/2017
					N	Y	01/31/2017
					N	Y	01/31/2017
					0	2	
					N	Y	01/31/2017
					N	N	01/31/2017
					N	N	01/31/2017
					N	Y	01/31/2017
					N	N	01/31/2017
					N	N	01/31/2017
					N	N	01/31/2017
					N	N	01/31/2017
					N	Y	01/31/2017
					N	Y	01/31/2017
					N	N	01/31/2017
					N	Y	01/31/2017
					0	7	
					N	Y	01/31/2017
					N	N	01/31/2017
					N	Y	01/31/2017
					N	N	01/31/2017

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

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				N	Y	01/31/2017			IAD
				N	Y	01/31/2017			IAD
				N	Y	01/31/2017			IAD
				N	Y	01/31/2017			IAD
				N	Y	01/31/2017			IAD
			SubTotal	0	21				
	01/31/17	06:40	6						
									JFK
									JFK
									JFK
			SubTotal	0	0				
	01/31/17	14:55	30						
									ORD
(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	N	Y	01/31/2017			ORD
									ORD
				N	Y	01/31/2017			ORD
				N	Y	01/31/2017			ORD
				Y		02/01/2017			ORD
				N	Y	01/31/2017			ORD
				N	Y	01/31/2017			ORD
				Y		02/01/2017			ORD
			SubTotal	13	12				
	01/31/17	06:40	35						
				N	Y	01/31/2017			JFK

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

ARRIVALS - 1 FEBRUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	
(b)(6), (b)(7)(C)	02/01/17	13:10											
												ORD	
												ORD	
												ORD	
	02/01/17	13:10											
												ORD	
	02/01/17	09:00											
													LAX
													LAX
													LAX
													LAX

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		SubTotal										
		al Y:										
(b)(6), (b)(7)(C)	02/01/17	16:34	(b)(6), (b)(7)(C), (b)(7)(E)									JFK
												JFK
												JFK
												JFK
												JFK
	02/01/17	18:50										
												ORD
												ORD
	02/01/17	16:15										
												ORD
02/01/17	12:25											
		ORD										

2-Feb-17

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	
(b)(6), (b)(7)(C)	02/02/17	12:11											
												MIA	
												MIA	
												MIA	
												MIA	
													MIA
		02/02/17	16:20										
													EWR
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(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)			(b)(6), (b)(7)(C), (b)(7)(E)
	02/02/17 14:00		
	02/02/17 15:45		

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				IAH
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	02/02/17	16:30		
				JFK
	02/02/17	12:16		
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02/02/17	14:15			
		JFK		

		SubTotal													
		al Y:													
	02/02/17	12:25													
(b)(6), (b)(7)(C)														ORD	
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		02/02/17	16:35												
														MIA	

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309 pax

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST
ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), 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 (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the

information requested pursuant to subsection (d) of this section until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall

review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.

(c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.

(d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.

(e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

(f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

(g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.

Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking

nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and

(iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

#

**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

January 31, 2017

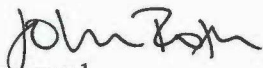
MEMORANDUM FOR: The Honorable Chip F. Fulghum
Acting Deputy Secretary

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

Thomas D. Homan
Acting Director
U.S. Immigration & Customs Enforcement

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

FROM:

John Roth 
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 documents¹ 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,

¹ 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: FERRARA, WILLIAM
Sent: Tuesday, January 31, 2017 7:39 AM
To: Boston Field Office Leadership; BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES
Cc: (b)(6), (b)(7)(C)
Subject: FW: Executive Order Update on Seaport Operations and Consolidated Guidance
Attachments: Guidance on Withdrawal - Court Compliance; Re-Delegation of EO Section 5 Refugee Waiver Authority; Arrival of Central American Minors (CAM) Parolees - Jan 31st; RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; Signed memo

Expires: Sunday, July 30, 2017 12:00 AM

All,

Please take the time to look at the new guidance provided by HQ with respect to Crewmember processing. This guidance is in concert with what we had planned to do should we encounter crewmembers that fall under the EO.

XD Hoffman has also included a great summary of the information and instructions we have received over the past 3 plus days. Again, please review this information and make sure your teams have it available.

Thanks,

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

From: HOFFMAN, TODD A
Sent: Tuesday, January 31, 2017 7:17 AM
To: DIRECTORS FIELD OPS (b)(7)(E)
Cc: HUTTON, JAMES R (b)(7)(E)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P
 (b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ (b)(7)(E)
Subject: FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Directors,

Here is a quick summary regarding the Executive Order:

- You have waiver authority for:
 - LPRs- still require an individualized waiver for each entry.
 - First time refugees.

- o Remaining in-scope categories – C1 approval required. Delegation request to DFOs is currently with the S1. We hope to have today.

- [redacted] (b)(7)(E)
[redacted] (b)(7)(E) The Department of State still has not agreed to electronically revoke visas for in-scope travelers. We continue to push at all levels.
- Issued WD guidance based on court order.
- Crewman that are now lacking a valid visa and are determined to pose no additional concerns to the security of the United States may be detained on board the vessel, with an approved security plan, for the duration of the vessel’s U.S. voyage. Crewman that pose a concern to the security of the United States should be ordered removed under safeguard pursuant to standard operating procedures. Removal requires OCC review and concurrence to ensure Court order compliance.
- C1, C2, EAC Owen, etc., continue to work through a prioritized list of Congressional calls.
- We’re working with Department of State to align our EO policies and protocols with additional changes expected soon.
- We’ll have FAQs posted via CBP website and a public inquiry call center established later today.

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

- 1/30 email: court compliance on WD
- 1/30 email: Delegation of Authority Documentation for 842 Refugee Arrivals
- 1/30 email: Arrival of Central American Minors (CAM) Parolees – Jan 31 arrival
- 1/28 email: Waiver Routing [redacted] (b)(7)(E) added to routing on 1/29.
- 1/28: Executive Order Guidance to the Field – Signed Memo

I appreciate your efforts during this implementation. Please let me know if you have any questions. Also, the Crisis Action Team is staffed 24/7 and can be reached at [redacted] (b)(7)(E)
[redacted] (b)(7)(E)

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

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




From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 9:17 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Guidance on Withdrawal - Court Compliance

DFO's

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

(b)(5)

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

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

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



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From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 7:17 PM
To: Owen, Todd C (AC OFO); (b)(6), (b)(7)(C); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Cc: 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)

Subject: Guidance on Withdrawal

Pursuant to guidance we received from DOJ we recommend

(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: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: Re-Delegation of EO Section 5 Refugee Waiver Authority
Attachments: S Signed Action Memo Refugees.pdf; Copy of 30Jan-2 Feb Booking Spreadsheet Details (2).xlsx; 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx
Importance: High

DFOs

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

JFK
Newark
Miami
Chicago
Dulles
LAX
Houston

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. The Department of State has provided a copy of their concurrence concurring with a waiver **for only the 842 refugees listed in the attached**. The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

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) include airline reservation data, airline manifest information, against the (b)(7)(E) the (b)(7)(E) and CBP holdings; biometric checks; (b)(7)(E) (b)(7)(E) and secondary examination and interview of the traveler focused on potential national security risks using (b)(7)(E) protocols. This authority may not be further delegated.

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)



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

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner 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: comprehensive biographic checks to include airline reservation data, airline manifest information, against the (b)(7)(E) and CBP holdings; biometric checks, (b)(7)(E) and secondary examination and interview of the traveler focused on potential national security risks using (b)(7)(E) (b)(7)(E) protocols. This authority may not be further delegated.



United States Department of State

Washington, D.C. 20520

January 28, 2017

UNCLASSIFIED

ACTION MEMO FOR ACTING SECRETARY SHANNON

FROM: PRM - (b)(6) Acting

SUBJECT: (SBU) Determination to exempt certain refugees from the President's Executive Order so they may enter the United States

Recommendation

(SBU) That you determine to admit the 872 refugees listed in Tab 1 scheduled to enter the United States through February 2 because their admission is in the national interest and would not pose a risk to the security or welfare of the United States.

Approve (b)(6) Disapprove _____

Background

(SBU) The Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" (EO) suspends certain aspects of the US Refugee Admissions Program for 120 days, including the entry of refugees. Section 5(e) of the EO provides that "the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such refugees is in the national interest – including ... when the person is already in transit and denying admission would cause undue hardship – and it would not pose a risk to the security or welfare of the United States."

(SBU) PRM is seeking for you and DHS to determine jointly to admit 872 refugees who are already in transit through February 2. This group does not include nationals from the specific countries restricted in the Executive Order (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen). A list of these individuals is attached at Tab 1. Many of these individuals have already been moved from camps or other remote locations to U.S.-run refugee processing hubs in preparation for departure. Most have sold or relinquished their accommodations, household effects and other belongings; given up employment; and or discontinued schooling

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UNCLASSIFIED- 2 -

for their children. Many have had their residency permits rescinded by their countries of asylum once granted exit permits to imminently depart to the United States and others have been preparing for life in the United States to join U.S. family members who are already here. These individuals are mostly families with children and immediate cancellation of their travel would impose extreme hardship on people who have fled persecution and conflict in order to be resettled in the U.S. Without this humanitarian measure, some refugees could be stuck in limbo or even risk being returned to a country where they would face persecution. As such, each individual in this group is in transit and denying them admission would cause undue hardship.

(SBU) You must also determine jointly with the Secretary of Homeland Security that the admission of each of these individuals would not pose a risk to the security or welfare of the United States. Refugees under this exemption request have cleared security vetting. All of the information (including biographic and biometric) collected on applicants has been screened against a multitude of USG databases and watch lists, with an emphasis on counterterrorism, but including concerns pertaining to criminality, trafficking of arms, narcotics, and trafficking in persons. Where appropriate, certain aspects of screening were automated, but human intelligence analysts were engaged throughout.

(b)(7)(E)

(SBU) This exemption must be jointly determined by the Secretaries of State and Homeland Security. We have coordinated with the Department of Homeland Security and understand that its Secretary is prepared to make this determination for these individuals jointly with you. Because of the nature of travel bookings, this waiver must be issued today or tomorrow to allow such travel.

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

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Approved: A/S **(b)(6)** Acting (ok)

Drafted: PRM/A - **(b)(6)**

Cleared: L - **(b)(6)** (ok)
C - **(b)(6)** (ok)

SUMMARY OF NATIONALITY CODES

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

ARRIVALS - 30 JANUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	To	DEP Time	Arr Time	Carrier	Flt #	Dep time	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E		
EGH0034	01/30/17	13:10	LH	430	38																						
						1	N	N	01/30/2017	UA	765	ORD	DEN	17:35	19:16	UA	5922	20:05							ORD		
						14	N	Y	01/30/2017	UA	4506	ORD	MCI	18:15	19:51											ORD	
						SubTotal Y:		3	3																		
GHH0012	01/30/17	16:34	DL	220	3																						
						1-3																				JFK	
						SubTotal Y:		0	0																		
IDH0014	01/30/17	19:25	CI	008	3																						
						1-3																					LAX
						SubTotal Y:		0	0																		
IDH0023	01/30/17	20:25	CI	008	1																						
						1	Y		01/31/2017	AS	475	LAX	SEA	10:00	12:45	AS	952	14:35									LAX
						SubTotal Y:		1	0																		
KEH7067	01/30/17	13:30	UA	973	16																						
						1	N	Y	01/30/2017	UA	5798	ORD	BOI	19:15	22:27												ORD
						6-10																					ORD
						11																					ORD
						12	Y		01/31/2017	UA	5813	ORD	TUS	08:55	11:56												ORD
						13	Y		01/31/2017	UA	5813	ORD	TUS	08:55	11:56												ORD
						14	N	N	01/30/2017	UA	4506	ORD	MCI	18:15	19:51												ORD
						15	N	N	01/30/2017	UA	4506	ORD	MCI	18:15	19:51												ORD
						2-5	Y		01/31/2017	UA	4525	ORD	ABQ	08:55	11:13												ORD
						16	Y		01/31/2017	UA	5901	ORD	STL	09:30	10:50												ORD
						SubTotal Y:		7	1																		
KEH7328	01/30/17	12:45	EK	215	1																						
						1	N	Y	01/30/2017	AA	6048	LAX	SJC	19:40	21:01												LAX
						SubTotal Y:		0	1																		
LBH0006	01/30/17	12:55	LH	456	20																						
						11	N	Y	01/30/2017	UA	719	LAX	LAS	22:41	23:55												LAX
						12	N	Y	01/30/2017	UA	719	LAX	LAS	22:41	23:55												LAX
						SubTotal Y:		4	7																		
LBH0030	01/30/17	14:05	LH	440	1																						
						2	Y		01/31/2017	UA	6035	IAH	BOI	17:35	20:34												IAH

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

					SubTotal Y:	1	0														
NPH5016	01/30/17	06:40	CX	898	23																
						20	N	N	01/30/2017	AA	2503	LAX	ORD	11:25	17:45	AA	3734	18:45			LAX
						1-5	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30			LAX
						21-23	N	Y	01/30/2017	AA	2513	LAX	ATL	16:10	23:33						LAX
						6	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30			LAX
						16-19	N	N	01/30/2017	AA	1798	LAX	CLT	11:15	19:08						LAX
						7	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	1381	18:30			LAX
						8-11	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	5763	18:50			LAX
						12-13	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	5763	18:50			LAX
						14-15	N	N	01/30/2017	AA	1243	LAX	DFW	11:30	16:46	AA	5763	18:50			LAX
					SubTotal Y:																
NPH5017	01/30/17	15:45	QR	713	16																
						15	Y		01/31/2017	UA	1403	IAH	ORD	10:15	12:53	UA	3822	13:50			IAH
						1	N	Y	01/30/2017	UA	1295	IAH	OMA	21:26	23:47						IAH
						11-13	Y		01/31/2017	UA	3441	IAH	SLC	09:00	11:24						IAH
						21-22	Y		01/31/2017	AA	1435	IAH	CLT	08:45	12:08	AA	5243	13:15			IAH
						23-24	Y		01/31/2017	UA	1403	IAH	ORD	10:15	12:53	UA	3822	13:50			IAH
						17-20	Y		01/31/2017	UA	3807	IAH	SDF	12:52	16:11						IAH
						16	Y		01/31/2017	DL	3512	IAH	DTW	09:24	13:15	DL	3523	16:25			IAH
						2	N	Y	01/30/2017	UA	1295	IAH	OMA	21:26	23:47						IAH
						14	N	N	01/30/2017	UA	5940	IAH	BNA	20:00	21:55						IAH
					SubTotal Y:		13	2													
NPH5032	01/30/17	12:10	CX	830	12																
						4-5															JFK
						7-10															JFK

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

						1-3	N	Y	01/30/2017	DL	4128	JFK	ROC	21:10	22:46				
						6	N	Y	01/30/2017	DL	4044	JFK	DCA	19:25	21:01				
						11-12	N	Y	01/30/2017	DL	4128	JFK	ROC	21:10	22:46				
						SubTotal Y:		0	6										
RWH0038	01/30/17	13:30	UA	973	1														
						1	N	Y	01/30/2017	UA	4556	ORD	STL	19:25	20:44				
						SubTotal Y:		0	1										
RWH0039	01/30/17	13:30	UA	973	2														
						1-2	N	N	01/30/2017	UA	728	ORD	GRR	17:40	19:38				
						SubTotal Y:		0	0										
SVH0012	01/30/17	11:50	AV	310	4														
						3	N	Y	01/30/2017	AA	2254	MIA	JFK	17:01	19:59				
						4	N	Y	01/30/2017	AA	1477	MIA	BOS	17:00	20:12				
						2	N	Y	01/30/2017	AA	2239	MIA	DCA	16:50	19:23				
						1	N	Y	01/30/2017	AA	1477	MIA	BOS	17:00	20:12				
						SubTotal Y:		0	4										
SVH0014	01/30/17	17:45	AA	1520	10														
						8	Y		01/31/2017	AA	1006	MIA	BOS	11:21	14:36				
						9	Y		01/31/2017	AA	1006	MIA	BOS	11:21	14:36				
						1	Y		01/31/2017	AA	1533	MIA	DCA	09:25	11:57				
						2	Y		01/31/2017	AA	969	MIA	DFW	11:05	13:18				
						4	Y		01/31/2017	AA	2305	MIA	DFW	09:20	11:42	AA	3684	14:40	
						10	Y		01/31/2017	AA	4640	MIA	ATL	12:15	14:15				
						5-7	Y		01/31/2017	AA	1976	MIA	IAD	14:14	16:43				
						3	Y		01/31/2017	AA	969	MIA	DFW	11:05	13:18				
						SubTotal Y:		10	0										

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

ARRIVALS - 31 JANUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	PF Serial #	Hotel (Y/N)	Meal (Y/N)	DOM Dep Date	Carrier	Flt #	From	To	DEP Time	Arr Time	Carrier	Flt #	Dep time	FD	Source	PNR	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	
ATH0545	01/31/17	16:50	UA	085	5																								
						1	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31					TPA	MiM							EWR	
						5	Y		02/01/2017	UA	1078	EWR	IAH	08:50	12:10	UA	6039	14:35		SAT	MiM							EWR	
						4	Y		02/01/2017	UA	1115	EWR	LAS	08:18	11:12					LAS	MiM							EWR	
						2	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31					TPA	MiM							EWR	
						3	Y		02/01/2017	UA	1259	EWR	TPA	08:30	11:31					TPA	MiM							EWR	
						SubTotal Y:		5	0																				
ETH0074	01/31/17	13:25	QR	725	3																								
						1-2	N	N	01/31/2017	UA	5783	ORD	DFW	17:31	20:15					DFW	RMI								ORD
						SubTotal Y:		0	1																				
ETH0075	01/31/17	19:15	ET	508	6																								
						1-6															DSM	RMI							EWR
						SubTotal Y:		0	0																				
GHH0002	01/31/17	15:05	UA	951	19																								
						12	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						13-14	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						4	Y		02/01/2017	UA	735	IAD	DEN	12:30	14:32	UA	5214	16:50		COS	MiM								IAD
						5	Y		02/01/2017	UA	735	IAD	DEN	12:30	14:32	UA	5214	16:50		COS	MiM								IAD
						15	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						16	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						17	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						18-19	Y		02/01/2017	UA	6018	IAD	DFW	12:30	15:08					DFW	MiM								IAD
						1-2	Y		02/01/2017	UA	4842	IAD	GSO	12:35	14:10					GSO	MiM								IAD
						3															DCA								IAD
						6-11	Y		02/01/2017	UA	1055	IAD	ATL	12:30	14:28					ATL	MiM								IAD
						SubTotal Y:		18	0																				
HNH0002	01/31/17	18:24	AA	1531	9																								
						7-9	Y		02/01/2017	AA	295	MIA	LAX	09:20	12:29					LAX	MiM								MIA
						4															MIA								MIA
						1	Y		02/01/2017	AA	1521	MIA	RDU	15:26	17:31					RDU	MiM								MIA
						3	Y		02/01/2017	AA	1976	MIA	IAD	14:14	16:43					IAD	MiM								MIA
						5	Y		02/01/2017	AA	1976	MIA	IAD	14:14	16:43					IAD	MiM								MIA

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

					1	N	N	01/31/2017	AA	2375	ORD	DFW	18:25	20:53			DFW	MiM
					2	N	Y	01/31/2017	AA	2894	ORD	LAN	18:50	20:59			LAN	MiM
					3	N	Y	01/31/2017	AA	3467	ORD	CLE	18:40	20:57			CLE	MiM
					SubTotal Y:		0	2										
NPH5018	01/31/17	16:35	QR	777	27													
					1-2	N	Y	01/31/2017	AA	4658	MIA	BNA	21:35	23:03			BNA	MiM
					20-21	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52			SDF	RMI
					22	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52			SDF	RMI
					3-5	N	Y	01/31/2017	AA	4658	MIA	BNA	21:35	23:03			BNA	MiM
					16-17	N	N	01/31/2017	AA	1083	MIA	MSP	20:02	23:04			MSP	RMI
					18-19	N	N	01/31/2017	AA	1083	MIA	MSP	20:02	23:04			MSP	RMI
					11-14	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38			DEN	RMI
					23-26	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52			SDF	RMI
					15	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38			DEN	RMI
					10	N	Y	01/31/2017	AA	1828	MIA	CLT	21:45	23:56			CLT	MiM
					6-7	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38			DEN	RMI
					8-9	N	N	01/31/2017	AA	2203	MIA	LAS	20:14	22:54			LAS	MiM
					27	N	Y	01/31/2017	AA	3833	MIA	GSO	21:50	23:58			GSO	MiM
					SubTotal Y:		0	7										
NPH5019	01/31/17	14:55	EK	235	24													
					11-13	N	Y	01/31/2017	UA	795	ORD	PIT	21:15	23:43			PIT	RMI
					6-8	N	N	01/31/2017	UA	1420	ORD	CLE	19:30	21:51			CLE	RMI
					1-5	N	Y	01/31/2017	AA	3408	ORD	CMH	20:00	22:13			CMH	RMI
					20-23												ORD	
					18-19	N	Y	01/31/2017	AA	3408	ORD	CMH	20:00	22:13			CMH	RMI
					9-10	N	N	01/31/2017	UA	146	ORD	DSM	19:45	21:14			DSM	RMI

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					24-25																ORD	
					15-17	N	Y	01/31/2017	UA	795	ORD	PIT	21:15	23:43							PIT	RMI
					SubTotal Y:	0	13															
RUH0051	01/31/17	13:29	DL	049	1																	
					1	N	N	01/31/2017	DL	2837	JFK	AUS	18:25	21:58							AUS	MiM
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RWH0037	01/31/17	13:35	QR	725	2																	
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					SubTotal Y:	0	1															
SVH0016	01/31/17	11:50	AV	310	3																	
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					3	N	Y	01/31/2017	AA	2239	MIA	DCA	16:50	19:23	AA	4401	22:16				PVD	MiM
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					SubTotal Y:	0	3															
SVH0017	01/31/17	11:25	AV	368	5																	
					2																	IAH
					5																	IAH
					3																	IAH
					4																	IAH
					1																	IAH
					SubTotal Y:	0	0															
SVH0021	01/31/17	11:07	AV	522	1																	
					1																	LAX
					SubTotal Y:	0	0															
UAH0010	01/31/17	13:45	PS	231	34																	
					9-10	N	Y	01/31/2017	DL	2835	JFK	PDX	19:40	23:14							PDX	RMI
					21-25	N	Y	01/31/2017	DL	435	JFK	SEA	19:55	23:31							SEA	RMI
					11-15	N	Y	01/31/2017	DL	2835	JFK	PDX	19:40	23:14							PDX	RMI
					1-3	N	Y	01/31/2017	DL	435	JFK	SEA	19:55	23:31							SEA	RMI
					16-20	N	Y	01/31/2017	DL	2835	JFK	PDX	19:40	23:14							PDX	RMI
					4-5	N	Y	01/31/2017	DL	435	JFK	SEA	19:55	23:31							SEA	RMI
					8																	JFK
					26-27	N	N	01/31/2017	AA	95	JFK	SAN	18:30	21:45							SAN	RMI

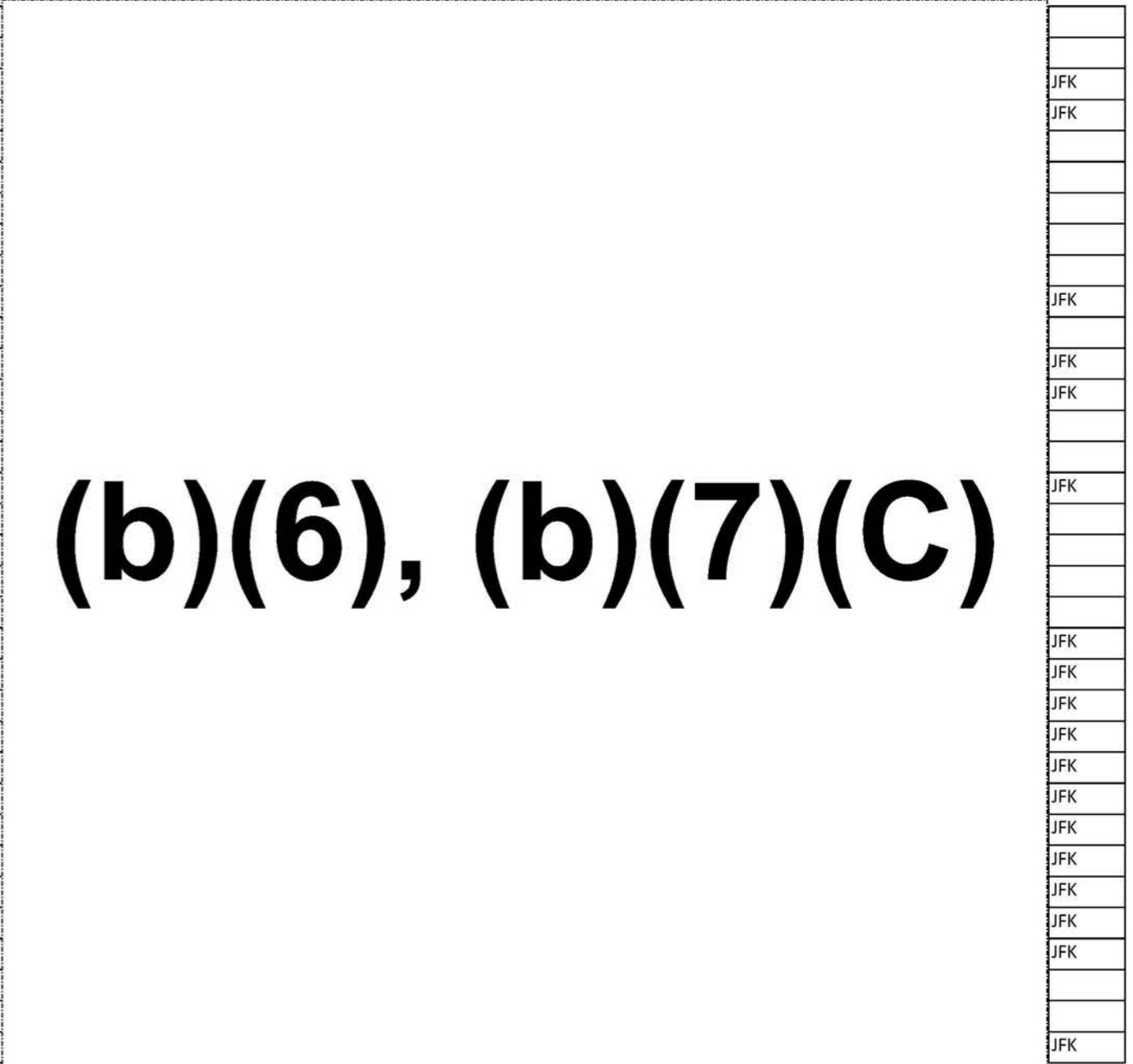
(b)(6), (b)(7)(C)

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					25-27	N	Y	01/31/2017	DL	2317	IAD	ATL	12:12	14:15	DL	5149	17:10	XNA	RMI
					22-24	N	Y	01/31/2017	UA	299	IAD	TPA	12:35	15:05				TPA	MiM
					15	N	Y	01/31/2017	AA	1556	IAD	DFW	11:29	13:58				DFW	RMI
					16-20	N	Y	01/31/2017	AA	1556	IAD	DFW	11:29	13:58				DFW	RMI
					21	N	Y	01/31/2017	UA	221	IAD	ORD	13:00	14:06	UA	5784	15:55	FSD	RMI
					SubTotal Y:	0	21												
ZAH3024	01/31/17	06:40	SA	203	6														
					2-5													SWF	
					6													SWF	
					1													HVN	
					SubTotal Y:	0	0												
ZMH0004	01/31/17	14:55	EK	235	30														
					26-28														RFD
					29	N	Y	01/31/2017	UA	1219	ORD	CLE	21:15	23:35				CLE	RMI
					20													ORD	
					21													ORD	
					22	N	Y	01/31/2017	AA	2518	ORD	DFW	20:25	22:53				DFW	RMI
					30	N	Y	01/31/2017	UA	1219	ORD	CLE	21:15	23:35				CLE	RMI
					1-9	Y		02/01/2017	UA	4691	ORD	GSO	13:50	16:45				GSO	RMI
					10-14	N	Y	01/31/2017	UA	4670	ORD	SDF	21:00	23:24				SDF	RMI
					15	N	Y	01/31/2017	UA	4670	ORD	SDF	21:00	23:24				SDF	RMI
					16-19	Y		02/01/2017	UA	4691	ORD	GSO	13:50	16:45				GSO	RMI
					SubTotal Y:	13	12												
ZMH0006	01/31/17	06:40	SA	203	35														
					7-9	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11				TPA	MiM

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																		TPA	MiM
						11	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11			TPA	MiM
						12-17	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11			TPA	MiM
						29-30	N	Y	01/31/2017	DL	45	JFK	SLC	16:15	19:50			SLC	RMI
						31												PVD	
						32-34												PVD	
						23-27	N	Y	01/31/2017	AA	1194	JFK	TUS	17:10	20:52			TUS	RMI
						1	N	Y	01/31/2017	B6	1185	JFK	RDU	15:28	17:21			RDU	MiM
						10	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11			TPA	MiM
						35												PVD	
						18	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11			TPA	MiM
						20												PHL	
						28												MDT	
						21												PHL	
						22												PHL	
						5	N	Y	01/31/2017	B6	2302	JFK	BUF	12:29	13:52			BUF	MiM
						6	N	Y	01/31/2017	B6	2302	JFK	BUF	12:29	13:52			BUF	MiM
						2-4	N	Y	01/31/2017	B6	1185	JFK	RDU	15:28	17:21			RDU	MiM
						19	N	Y	01/31/2017	B6	1425	JFK	TPA	14:59	18:11			TPA	MiM



ARRIVALS - 1 FEBRUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E						
EGH0039	02/01/17	13:10	LH	430	33													
						(b)(6), (b)(7)(C)						ORD						
												ORD						
												ORD						
EGH4022	02/01/17	13:10	LH	430	2													ORD
					SubTotal Y:													
ETH0009	02/01/17	09:00	ET	504	26													LAX
																		LAX
																		LAX
																		LAX
																		LAX
												LAX						
												LAX						

SVH0018	02/01/17	17:45	AA	1520	SubTotal Y: 11
TRH0019	02/01/17	11:50	TK	003	SubTotal Y: 38
TZH0393	02/01/17	07:55	QR	703	SubTotal Y: 34

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PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E
ECH0004	02/02/17	12:11	AA	932	9							
												MIA
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					SubTot							
					al Y:							
ETH0010	02/02/17	16:20	LH	402	40							
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THH0012	02/02/17	21:00	CX	890	20	
						SubTotal Y:
THH0017	02/02/17	12:40	CI	006	7	
						SubTotal Y:
THH0129	02/02/17	12:40	CI	006	4	

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					SubTotal Y:
THH0170	02/02/17	08:30	KE	037	1
					SubTotal Y:
TRH0151	02/02/17	12:55	LH	456	5
					SubTotal Y:
UAH0011	02/02/17	13:45	PS	231	40

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST
ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), 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 (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the

information requested pursuant to subsection (d) of this section until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall

review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.

(c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.

(d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.

(e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

(f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

(g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.

Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking

nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and

(iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

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From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 9:05 AM
To: SABATINO, DIANE J; (b)(6), (b)(7)(C); SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C); MARTEL, CARLOS C; MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); HOFFMAN, TODD A
Subject: Arrival of Central American Minors (CAM) Parolees - Jan 31st
Attachments: PAROLEE 30JAN-2FEB EL SALVADOR_HONDURAS.XLS; Form I-512L CAM Parole Authorization Letter.pdf
Importance: High

DFO/PDs

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

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

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

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



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ARRIVAL 2 FEBRUARY												
PF #	DOA PoE	Arr Time	Carrier	Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationality	Size	Po E
SVH3015	2-Feb-2017	17:45	AA									
				(b)(6), (b)(7)(C)								MIA
											MIA	
											MIA	
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				MIA								

Department of Homeland Security
U.S. Citizenship and Immigration Services

**I-512L, Authorization for Parole
of an Alien Into the United States**

**AUTHORIZATION TO TRANSPORT FOR PAROLE OF AN ALIEN
INTO THE UNITED STATES**

Date Issued: Aug 7, 2015
This Document Valid Until: Sep 7, 2015

SAMPLE

Name of Bearer: John SMITH
Date/Place of Birth: Jan 1, 2000 San Salvador, El Salvador
Bearer's A-Number: A088888888
Gender: Male
Passport Number: AA 88888888

TO: TRANSPORTATION COMPANY
TO: U.S. CUSTOMS AND BORDER PROTECTION (CBP) OFFICER AT PORT-OF-ENTRY

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS), has **AUTHORIZED PAROLE FOR TWO (2) YEARS** into the United States for the above named bearer under Section 205(d)(A) of the Immigration and Nationality Act. USCIS has waived all ineligibilities for parole purposes only.

Presentation of the original of this document will authorize a transportation line to accept the named bearer, whose photograph is embedded below, on board for travel to the United States on or before Sep 7, 2015 without liability under Section 273(b) of the Immigration and Nationality Act for transporting an alien without a visa to the United States.

Presentation of the original of this document will inform the Customs and Border Protection officer at a port of entry that USCIS has authorized the above named bearer to enter the United States on or before Sep 7, 2015 as an alien paroled pursuant to Section 212(d)(5) of the Immigration and Nationality Act for a period of two (2) years commencing with the alien's arrival in the United States.

Issued by: **(b)(6), (b)(7)(C)**
Field Office Director
San Salvador, El Salvador
Telephone: **(b)(6), (b)(7)(C)**

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

From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 11:49 AM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; ENFORCEMENT PROGRAMS DIVISION
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

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

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

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

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

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

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



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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:34 PM
To: HOFFMAN, TODD A; (b)(6), (b)(7)(C); 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)

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

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

Importance: High

DFO's

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

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

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

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

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

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

Sample

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

Waiver Narrative


OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)


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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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

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



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From: HOFFMAN, TODD A

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

To: DIRECTORS FIELD OPS; (b)(7)(E); EXECUTIVE 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 9:34 PM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for 212(1) in re: (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C) (MINOR)
Importance: High

DFO's

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

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

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

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

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

Sample

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

Waiver Narrative

OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE 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 (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.

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- (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.

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- (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: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 5:23 PM
To: HUTTON, JAMES R
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C) HOFFMAN, TODD A; MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

Approved per C1, 1722 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:03 PM
To: Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); HOFFMAN, TODD A; (b)(6), (b)(7)(C); MURDOCK, JUDSON W
Subject: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)
Importance: High

Exemption to Executive Order Request

January 28, 2017

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

Summary: CBP, OFO, Baltimore Field Office recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)


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


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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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

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



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From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 1:13 PM
To: HUTTON, JAMES R
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C)
MURDOCK, JUDSON W
Subject: RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

Waiver granted by C1, 1312 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:56:22 PM
To: Owen, Todd C (AC OFO)
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C) MURDOCK, JUDSON W
Subject: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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

[\[cid:image001.png@01D00E30.B35BEEB0\]](#)

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

OCC

Please see below a waiver request involving a 14 year old male, who is travelling with his LPR parents. **JFK PD has already approved a waiver for his LPR parents.**

OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

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

Washington, DC



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



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






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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 12:58 AM
To: HOFFMAN, TODD A
Cc: (b)(6), (b)(7)(C)
Subject: Signed memo
Attachments: Executive Order - Protecting the Nation from Foreign Terrorist Entry into the United States.pdf

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

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

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



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1300 Pennsylvania Avenue NW
Washington, DC 20229



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

JAN 28 2017

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman (b)(6), (b)(7)(C)
Executive Director
Admissibility and Passenger Programs
Office of Field Operations

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

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

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

From: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 6:45 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"

Thanks (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: Saturday, January 28, 2017 1:43:47 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"

All received and sent out with instructions.

(b)(6), (b)(7)(C)
*(A) Area Port Director
U. S. Customs and Border Protection
St Albans Area Port
50 South Main St, Suite 100R
St Albans, VT 05478*

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

From: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 1:38 AM
To: Boston Field Office Port Directors (b)(7)(E)
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

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

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, JAMES R; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

Directors,

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"

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(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: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 4:32 PM
To: (b)(6), (b)(7)(C) (OCC)
Cc: (b)(6), (b)(7)(C)
Subject: RE: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017

Thank you.

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

From: (b)(6), (b)(7)(C) (OCC)
Sent: Saturday, January 28, 2017 4:31 PM
To: FERRARA, WILLIAM (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: UPDATE: JFK Local Sitroom: Media and Congressional Interest regarding Executive Order issued 01/27/2017
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)
Sent: Saturday, January 28, 2017 4:30:04 PM
To: (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

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 (b)(6), (b)(7)(C) Tele: (b)(6), (b)(7)(C) Fax: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

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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)
(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)
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 States 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)(5), (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 (b)(6) 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

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: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 10:10 PM
To: HUTTON, JAMES R
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

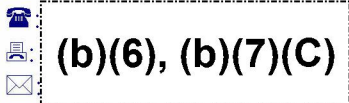
Thanks RYAN. We'll have it down soon.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 10:09:00 PM
To: FERRARA, WILLIAM
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

EAC has been good and getting to C1 and turning around within the hour. That said, C1 wants OCC to do "lightening review" so hopefully it won't drag too long...

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

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



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From: FERRARA, WILLIAM

Sent: Saturday, January 28, 2017 10:06 PM

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

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

Ryan

Once completed and delivered to HQ what type of turn around time can we expect?

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

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

From: HUTTON, JAMES R

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

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

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

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

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

DFO's

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

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

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

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

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

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

Sample

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

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

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS (b)(7)(E); EXECUTIVE 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

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Executive Director
Admissibility and Passenger Programs
Office of Field Operations

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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).*

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(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: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 9:41 PM
To: (b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for 212(1) in re: (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C) (MINOR)

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:33:39 PM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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

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

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




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Sample

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

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

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS **(b)(7)(E)** EXECUTIVE 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)(7)(E)**
(b)(6), (b)(7)(C)

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

Directors,

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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: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 5:23 PM
To: HUTTON, JAMES R
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C) HOFFMAN, TODD A; MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

Approved per C1, 1722 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:03 PM
To: Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)
Subject: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)
Importance: High

Exemption to Executive Order Request

January 28, 2017

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




Summary: CBP, OFO, Baltimore Field Office recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

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



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From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 1:13 PM
To: HUTTON, JAMES R
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Subject: RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

Waiver granted by C1, 1312 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:56:22 PM
To: Owen, Todd C (AC OFO)
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C) MURDOCK, JUDSON W
Subject: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

[\[cid:image001.png@01D00E30.B35BEEB0\]](#)

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

OCC




Please see below a waiver request involving a (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
 (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

OFO recommends that you: (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

RRB #2.4G-56
Washington, DC

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



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From: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 10:16 PM
To: (b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"




Missed sending you this.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 10:09:00 PM
To: FERRARA, WILLIAM
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

EAC has been good and getting to C1 and turning around within the hour. That said, C1 wants OCC to do "lightening review" so hopefully it won't drag too long...

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

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



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From: FERRARA, WILLIAM

Sent: Saturday, January 28, 2017 10:06 PM

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

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

Ryan

Once completed and delivered to HQ what type of turn around time can we expect?

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

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

From: HUTTON, JAMES R

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

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

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

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

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

DFO's

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

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

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

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

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




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

Sample

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

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

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE 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"

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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)(5) will coordinate the denial of boarding through (b)(5) (b)(5) locations, and (b)(5)

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)(5) 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)(5) 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)(5) should be notated in (b)(5) 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)(5) 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: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 10:23 PM
To: HUTTON, JAMES R
Subject: RE: EO 212(f) Exemption for: (b)(6), (b)(7)(C)




Thanks Buddy!

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



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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)
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: FERRARA, WILLIAM
Sent: Saturday, January 28, 2017 10:29 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C) (MINOR)

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

Guidance on requesting a waiver from C1 and templates. Please send out to the team and make sure that you, me and (b)(6), (b)(7)(C) are copied on all requests to HQ. You and or I must approve these request before going to HQ.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:33:39 PM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

DFO's

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

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

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

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

- EAC Owen
- DEAC Wagner

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




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

Sample

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

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

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS **(b)(7)(E)** EXECUTIVE 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"

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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: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 5:23 PM
To: HUTTON, JAMES R
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C) HOFFMAN, TODD A; MURDOCK, JUDSON
(b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

Approved per C1, 1722 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:03 PM
To: Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) HOFFMAN, TODD A; (b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)
Subject: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)
Importance: High

Exemption to Executive Order Request

January 28, 2017

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




Summary: CBP, OFO, Baltimore Field Office recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

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



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From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 1:13 PM
To: HUTTON, JAMES R
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C)
 MURDOCK, JUDSON W
Subject: RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

Waiver granted by C1, 1312 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:56:22 PM
To: Owen, Todd C (AC OFO)
Cc: HOFFMAN, TODD A; PEREZ, ROBERT E; (b)(6), (b)(7)(C); MURDOCK, JUDSON W
Subject: Waiver Request for 212(1) in re: (b)(6), (b)(7)(C)

OFO recommends that you (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

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

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

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

[\[cid:image001.png@01D00E30.B35BEEB0\]](#)

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