

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 10:18 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: Executive Order - Protecting the Nation from Foreign Terrorist Entry into the United States.pdf; FW: Delegation of Case-by-Case Waiver Authority per Executive Order on Protection the Nation From Foreign Terrorist Entry Into the United States

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

Take a look at this that I want to send the DFO...

Ma'am,

(b)(5)

Exemption to Executive Order Request

February 3, 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 (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

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

Details:

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

(A) Chief of Staff
U.S. Customs and Border Protection
Office of Field Operations
Baltimore Field Office
217 E. Redwood St., 12th Floor
Baltimore, MD 21202

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

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

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

From: DURST, CASEY OWEN

Sent: Saturday, January 28, 2017 1:15 AM

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

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

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

FYI

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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"

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: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:13 PM
To: (b)(6), (b)(7)(C)
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Got it!

Thank you,

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

(b)(6), (b)(7)(C)
Assistant Port Director
U.S. Customs and Border Protection (CBP)
Port of Washington, D.C. (Dulles)

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:12 PM
To: (b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

(b)(6), (b)(7)(C) unbelievable – 12 minute deadline!

Regards,

(b)(6), (b)(7)(C)
Assistant Director Border Security
U.S. Customs and Border Protection
Baltimore Field Office
Office: (b)(6), (b)(7)(C)
Mobile:

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:08 PM

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

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

COMMANDER (b)(7)(E)

Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

FYA

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

Sent: Sunday, January 29, 2017 2:06:20 PM

To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS

Cc: (b)(6), (b)(7)(C); MURDOCK, JUDSON W; (b)(6), (b)(7)(C)

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

Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Directors,

Please have your EO individuals being held spreadsheet to Field Liaison and the CAT by 1420 hours today.

Thank you,

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

Branch Chief
Field Liaison Division

Off: (b)(6), (b)(7)(C)
Bb: (b)(6), (b)(7)(C)

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

Sent: Sunday, January 29, 2017 1:27:53 PM

To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS

Cc: (b)(6), (b)(7)(C); MURDOCK, JUDSON W; (b)(6), (b)(7)(C)

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

Subject: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good afternoon DFOs and ADFOs,

Please see the **newest version** of the Executive Oder Reporting attached.

Please use this version of the reporting requirements for your Field Offices. Please do not use a different spreadsheet, just plug in your numbers under your Field Office tab. Do not change anything as there are formulas in the spreadsheet.

Please include the **CATs email address** when responding.

The next report is due by 1500 hours (EST).

Also required is an updated list of the EO Individuals Being Held at the same time you submit your numbers. I've attached the spreadsheet already created from what was submitted this morning. Please update but do not delete from it.

If you have any questions, please let myself know or Branch Chief (b)(6), (b)(7)(C)

Thank you,

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

Branch Chief
U.S. Customs and Border Protection
Office of Field Operations
Field Liaison Division

Unclass: (b)(6), (b)(7)(C)
HSDN: (b)(6), (b)(7)(C)

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

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

Desk:

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

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



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

Sent: Saturday, January 28, 2017 8:33 PM

To: OFO-FIELD LIAISON <(b)(7)(E)>; DIRECTORS FIELD OPS <(b)(7)(E)>
EXECUTIVE DIRECTORS HQ <(b)(7)(E)> BORDER SECURITY ASST DIRECTORS
(b)(7)(E) > TRADE OPERATIONS ASST DIRECTORS
> MISSION SUPPORT ASST DIRECTORS

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

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

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

Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

Directors,

The Office of Field Operations, Operations Division has been requested to update the reporting template to capture and clarify additional information needed by CBP leadership. As such, a new reporting template has been created.

Please ensure that your locations are using *the attached* template for reporting **beginning with the 0500 report on January 29, 2017.**

As a reminder:

- Reporting is now due to Field Liaison at 0500 hours, 1500 hours and 2100 hours.
 - Field Liaison reports are due to the DHS National Operations Center (NOC) within one hour of the established reporting times.
 - It is critical that reports are submitted to Field Liaison timely.
- In addition to the running cumulative total each Field Office need to also report totals for the specified reporting timeframe.

Thank you for your patience and flexibility.

Thank you,

(b)(6), (b)(7)(C)
Acting Deputy Executive Director
Operations
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C) On Behalf Of OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 1:09 AM

To: DIRECTORS FIELD OPS < (b)(7)(E) >; EXECUTIVE DIRECTORS HQ
 (b)(7)(E) >; BORDER SECURITY ASST DIRECTORS
 (b)(7)(E) >; TRADE OPERATIONS ASST DIRECTORS
 >; MISSION SUPPORT ASST DIRECTORS

Cc: (b)(6), (b)(7)(C) >; OFO-FIELD LIAISON < (b)(7)(E) >
 (b)(6), (b)(7)(C)
 MURDOCK, JUDSON W (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)

Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

MEMORANDUM FOR: Directors, Field Operations
 Director, Pre-Clearance

FROM: (b)(6), (b)(7)(C) /
 Deputy Executive Director, Operations (Acting)
 Office of Field Operations

SUBJECT: Reporting Guidance for Actions Taken Related to Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States*

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. 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.

As we push forward in our efforts to protect our Nation, OFO Operations will require daily reporting on our activities as related to this Executive Order. Reporting will include encounters in the air, land and sea environments with anyone who arrives into the U.S. from the seven (7) countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) that meets the criteria outlined in the Executive Order and the instructions issued to the field by Admissibility and Passenger Programs.

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison ((b)(7)(E)) Reports must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

If you have any questions regarding to reporting, please contact the Field Liaison Division, at (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) For questions pertaining to the implementation of the new policy, please contact Ryan Hutton, Deputy Executive Director, Admissibility and Passenger Programs at (b)(6), (b)(7)(C)

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:11 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

ok

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

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From: (b)(7)(E)
Sent: Sunday, January 29, 2017 2:10 AM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

They are being drawn up as we speak...we are just trying to piece all the info since they were adverse actions...I told them to keep it condensed for the matter of urgency

(b)(6), (b)(7)(C)
(A)Area Port Director
Area Port of Philadelphia
US Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Airport Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:08 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

10-4 cancel the ER CF and lets get the waivers to HQ soon,

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:01 AM
To: DURST, CASEY OWEN <(b)(6), (b)(7)(C)>
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

It was captured in the cumulative totals. The cases were done before this reporting period

(b)(6), (b)(7)(C)
(A)Area Port Director
Area Port of Philadelphia
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Airport Office (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

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

Sent: Saturday, January 28, 2017 9:49 PM

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

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

Cc: DURST, CASEY OWEN (b)(6), (b)(7)(C)

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

Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Sir,

Please see the revised reporting matrix for the Area Port of Philadelphia. All flights are complete. Both a revised 1/28/2017, 2000 hour report and tomorrow's 1/29/2017, 0400 report are attached. Next flight for Philadelphia is scheduled for 0745 hours, Sunday, January 29, 2017.

V/r,

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

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

U.S. Customs and Border Protection
Watch Commander
Port of Philadelphia

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

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

Sent: Saturday, January 28, 2017 9:10 PM

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

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

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

Cc: DURST, CASEY OWEN

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

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

Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

Team,

Updated reporting requirements necessitate separate entries for “Number of Immigrant Visa Encounters” and “Number of LPR Encounters”; previously reported as “Number Immigrant/LPR Encounters.”

Please provide breakdown of above since inception of reporting to the CBP IAD Management email address.

The new template also requires “Number of LPRs not granted waivers.” Please provide positive or negative to this as well.

Thank you,

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

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

Assistant Port Director
U.S. Customs and Border Protection (CBP)
Port of Washington, D.C. (Dulles)

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

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

Sent: Saturday, January 28, 2017 8:41 PM

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

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

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

Cc: DURST, CASEY OWEN

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

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

Subject: FW: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

ALCON,

Please heed the guidance on reporting format and times - thanks

Regards,

(b)(6), (b)(7)(C)
Assistant Director Border Security
U.S. Customs and Border Protection
Baltimore Field Office
Office: (b)(6), (b)(7)(C)
Mobile:

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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:33 PM
To: OFO-FIELD LIAISON (b)(7)(E); DIRECTORS FIELD OPS (b)(7)(E)
EXECUTIVE DIRECTORS HQ (b)(7)(E); BORDER SECURITY ASST DIRECTORS
(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS
> MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MURDOCK, JUDSON W (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Importance: High

Directors,

The Office of Field Operations, Operations Division has been requested to update the reporting template to capture and clarify additional information needed by CBP leadership. As such, a new reporting template has been created.

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 - It is critical that reports are submitted to Field Liaison timely.
- In addition to the running cumulative total each Field Office need to also report totals for the specified reporting timeframe.

Thank you for your patience and flexibility.

Thank you,

(b)(6), (b)(7)(C)
Acting Deputy Executive Director
Operations
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C) **On Behalf Of** OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 1:09 AM
To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE DIRECTORS HQ
(b)(7)(E) > BORDER SECURITY ASST DIRECTORS
(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS
(b)(7)(E) ; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C) OFO-FIELD LIAISON (b)(7)(E)
(b)(7)(E)
MURDOCK, JUDSON W <(b)(6), (b)(7)(C)>
(b)(6), (b)(7)(C)

Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

MEMORANDUM FOR: Directors, Field Operations
Director, Pre-Clearance

FROM: (b)(6), (b)(7)(C)
Deputy Executive Director, Operations (Acting)
Office of Field Operations

SUBJECT: Reporting Guidance for Actions Taken Related to Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States*

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. 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.

As we push forward in our efforts to protect our Nation, OFO Operations will require daily reporting on our activities as related to this Executive Order. Reporting will include encounters in the air, land and sea environments with anyone who arrives into the U.S. from the seven (7) countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) that meets the criteria outlined in the Executive Order and the instructions issued to the field by Admissibility and Passenger Programs.

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison: (b)(7)(E) Reports must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

If you have any questions regarding to reporting, please contact the Field Liaison Division, at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) For questions pertaining to the implementation of the new policy, please contact Ryan Hutton, Deputy Executive Director, Admissibility and Passenger Programs at (b)(6), (b)(7)(C).

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:51 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Got it

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:42 AM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Importance: High

DFO Durst,

Once the Credible Fear case is processed, CBP cannot cancel it. He is now in the custody of ERO. I notified ERO AFOD (b)(6), (b)(7)(C) and stated that although the subject will go into ERO custody, we will still push for the waiver. Once the subject is in their custody he can rescind his Credible Fear claim and ERO should be able to cancel the order. They will not pick up the subject until approx. 0900.

Thank you.



(b)(6), (b)(7)(C)
Acting Assistant Port Director
U.S. Customs & Border Protection
Philadelphia INTL Airport - Passenger Operations
(b)(6), (b)(7)(C)

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only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:08 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

10-4 cancel the ER CF and lets get the waivers to HQ soon,

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:01 AM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: FW: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

It was captured in the cumulative totals. The cases were done before this reporting period

(b)(6), (b)(7)(C)
(A)Area Port Director
Area Port of Philadelphia
US Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Airport Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

(LES/FOUO) LAW ENFORCEMENT SENSITIVE - FOR OFFICIAL USE ONLY

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unauthorized entities could jeopardize ongoing investigations, operations, and personal safety. This product shall not be released to the public or media

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

Sent: Saturday, January 28, 2017 9:49 PM

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

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

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

Cc: DURST, CASEY OWEN (b)(6), (b)(7)(C)

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

Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Sir,

Please see the revised reporting matrix for the Area Port of Philadelphia. All flights are complete. Both a revised 1/28/2017, 2000 hour report and tomorrow's 1/29/2017, 0400 report are attached. Next flight for Philadelphia is scheduled for 0745 hours, Sunday, January 29, 2017.

V/r,

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

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

U.S. Customs and Border Protection
Watch Commander
Port of Philadelphia

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

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

Sent: Saturday, January 28, 2017 9:10 PM

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

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

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

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

Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)

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

Subject: RE: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

Team,

Updated reporting requirements necessitate separate entries for “Number of Immigrant Visa Encounters” and “Number of LPR Encounters”; previously reported as “Number Immigrant/LPR Encounters.”

Please provide breakdown of above since inception of reporting to the CBP IAD Management email address.

The new template also requires “Number of LPRs not granted waivers.” Please provide positive or negative to this as well.

Thank you,

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

(b)(6), (b)(7)(C)
Assistant Port Director
U.S. Customs and Border Protection (CBP)
Port of Washington, D.C. (Dulles)

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

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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:41 PM
To: (b)(6), (b)(7)(C)

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

Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Subject: FW: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

ALCON,

Please heed the guidance on reporting format and times - thanks

Regards,

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

Assistant Director Border Security
U.S. Customs and Border Protection
Baltimore Field Office
Office: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)

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

Sent: Saturday, January 28, 2017 8:33 PM

To: OFO-FIELD LIAISON <(b)(7)(E)>; DIRECTORS FIELD OPS <(b)(7)(E)>; EXECUTIVE DIRECTORS HQ <(b)(7)(E)>; BORDER SECURITY ASST DIRECTORS <(b)(7)(E)>; TRADE OPERATIONS ASST DIRECTORS >; MISSION SUPPORT ASST DIRECTORS

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

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

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

Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Importance: High

Directors,

The Office of Field Operations, Operations Division has been requested to update the reporting template to capture and clarify additional information needed by CBP leadership. As such, a new reporting template has been created.

Please ensure that your locations are using *the attached* template for reporting **beginning with the 0500 report on January 29, 2017.**

As a reminder:

- Reporting is now due to Field Liaison at 0500 hours, 1500 hours and 2100 hours.
 - Field Liaison reports are due to the DHS National Operations Center (NOC) within one hour of the established reporting times.
 - It is critical that reports are submitted to Field Liaison timely.
- In addition to the running cumulative total each Field Office need to also report totals for the specified reporting timeframe.

Thank you for your patience and flexibility.

Thank you,

(b)(6), (b)(7)(C)
Acting Deputy Executive Director
Operations
US Customs and Border Protection
Office (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C) A On Behalf Of OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 1:09 AM
To: DIRECTORS FIELD OPS <(b)(7)(E)> EXECUTIVE DIRECTORS HQ
<(b)(7)(E)> BORDER SECURITY ASST DIRECTORS
(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS
> MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C) OFO-FIELD LIAISON <(b)(7)(E)>
(b)(6), (b)(7)(C)
MURDOCK, JUDSON W (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

MEMORANDUM FOR: Directors, Field Operations
Director, Pre-Clearance

FROM: (b)(6), (b)(7)(C)
Deputy Executive Director, Operations (Acting)
Office of Field Operations

SUBJECT: Reporting Guidance for Actions Taken Related to Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States*

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. 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.

As we push forward in our efforts to protect our Nation, OFO Operations will require daily reporting on our activities as related to this Executive Order. Reporting will include encounters in the air, land and sea environments with anyone who arrives into the U.S. from the seven (7) countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) that meets the criteria outlined in the Executive Order and the instructions issued to the field by Admissibility and Passenger Programs.

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit

their data from the previous 24-hours to OFO Field Liaison [REDACTED] (b)(7)(E) Reports must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

If you have any questions regarding to reporting, please contact the Field Liaison Division, at [REDACTED] (b)(6), (b)(7)(C) For questions pertaining to the implementation of the new policy, please contact Ryan Hutton, Deputy Executive Director, Admissibility and Passenger Programs at [REDACTED] (b)(6), (b)(7)(C)

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 5:57 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(5)
Subject: FW: EO 212(f) Exemption for (b)(6), (b)(7)(C)

FYSA

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:52 AM
To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON (b)(7)(E); (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(5) 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); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) DURST, CASEY OWEN; (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

(b)(5)

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:43 AM
To: OFO-FIELD LIAISON (b)(7)(E); HUTTON, JAMES R (b)(6), (b)(7)(C)
Cc: (b)(5); (b)(5) 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); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) DURST, CASEY OWEN; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

ALCON,

(b)(5)

Regards,

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

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

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 4:16 AM
To: OFO-FIELD LIAISON (b)(7)(E) HUTTON, JAMES R (b)(6), (b)(7)(C)
Cc: (b)(5)
(b)(5)
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) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) DURST, CASEY OWEN
(b)(6), (b)(7)(C)
Subject: EO 212(f) Exemption for (b)(6), (b)(7)(C)
Importance: High

Good morning,

Requesting a waiver as detailed below.

Please see attached request for EO 212(f) Exemption for (b)(6), (b)(7)(C)

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)

Regards,

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

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

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

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 8:35 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Importance: High

The FO cannot submit without your data. Send it immediately.

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:30 AM
To: DURST, CASEY OWEN <(b)(6), (b)(7)(C)>; CBP IAD WATCH COMMANDER

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

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

Subject: RE: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

I just learned that this is due to HQ right now so they can brief at 0900 – please provide reporting ASAP!

Regards,

(b)(6), (b)(7)(C)
 Assistant Director Border Security
 U.S. Customs and Border Protection
 Baltimore Field Office
 Office:
 Mobile: (b)(6), (b)(7)(C)

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From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 6:14 AM

To: CBP IAD WATCH COMMANDER (b)(7)(E); (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Subject: FW: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports
Importance: High

For your action – please send to Dulles for consolidate no later than 0900.

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 6:12 AM
To: DIRECTORS FIELD OPS (b)(7)(E); BORDER SECURITY ASST DIRECTORS
(b)(7)(E); EXECUTIVE DIRECTORS HQ
(b)(7)(E); MISSION SUPPORT ASST DIRECTORS
(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS
Cc: OFO-FIELD LIAISON (b)(7)(E) (b)(6), (b)(7)(C)

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

Subject: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Good morning Directors,

We have been tasked with obtaining the names, status, disposition, and departure flight time information for those being held for the 212(f) Executive Order.

Example:

FO/Location:	Name:	Status	Disposition	Departure flight/time
JFK	(b)(6), (b)(7)(C)	K1	WD	TBD
JFK	(b)(6), (b)(7)(C)	B2	WD	TBD

This is due to the EAC by 1000 hours (EST) this morning.

Can you have your staff provide this information to OFO Field Liaison by 0930 hours for consolidation.

I've attached a spreadsheet to ease the process.

If you have any questions, please don't hesitate to contact me.

Thank you,

(b)(6), (b)(7)(C)
 Branch Chief
 U.S. Customs and Border Protection
 Office of Field Operations
 Field Liaison Division
 Unclass: (b)(6), (b)(7)(C)
 HSDN: (b)(6), (b)(7)(C)
 NOC: (b)(6), (b)(7)(C)
 JWICS: (b)(6), (b)(7)(C)
 Desk:
 Fax: (b)(6), (b)(7)(C)
 BB:



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From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 10:57:40 PM
To: (b)(6), (b)(7)(C) HOFFMAN, TODD A; HUTTON, JAMES R; OFO-FIELD LIAISON
Subject: Specifics needed on anyone held at the ports

XD Ops, XD APP, Field Liaison,

First thing in the morning, we will need each Field Office to provide a list of names of any individuals being held for the 212(f) executive order. Here is the format JFK provided, will need each Field Office to provide a similar listing by 1000.

Thank you.

Name:	Status	Disposition	Departure flight/time
-------	--------	-------------	-----------------------

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

K1
B2

WD
WD

TBD
TBD

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

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 9:33 PM
To: OFO-FIELD LIAISON; OFO-OPS-CAT; ENFORCEMENT PROGRAMS DIVISION
Cc: (b)(6), (b)(7)(C); HUTTON, JAMES R
Subject: Information: Letter from Virginia Attorney General Mark Herring
Attachments: 2017 01 29 Letter from AG Herring to CBP et al.pdf; Issue Paper: Request for information regarding status of A (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Good evening,

Please see the attached letter from the State of Virginia Attorney General Mark Herring; this copy was received from OCC. The Baltimore Field Office has submitted the attached and related issue paper and will research and provide another addressing the issues within our purview.

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

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COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

January 29, 2017

The Honorable John Kelly
Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Dana J. Boente
U.S. Attorney, Eastern District of Virginia
2100 Jamieson Ave.
Alexandria, VA 22314

Kevin K. McAleenan
Acting Commissioner
U.S. Customs & Border Protection
Washington, D.C. 20528

(b)(6), (b)(7)(C)
Port Director of the Area Port of Washington
Dulles, U.S. Customs & Border Protection
Washington, D.C. 20528

Re: This weekend's events at Dulles International Airport

Gentlemen:

I am deeply concerned about events at Dulles International Airport on January 27, 28, and 29, 2017, in which U.S. Customs & Border Protection personnel ("CBP") detained air passengers who arrived at the airport following issuance by President Trump of his Executive Order dated January 27, 2017, entitled "Protecting the Nation From Foreign Terrorist Entry Into the United States."

On Saturday, January 28, at approximately 9:30 p.m., the United States District Court for the Eastern District of Virginia issued a temporary restraining order ("TRO") in *Aziz v. Trump*, directed against all respondents: President Trump; the Department of Homeland Security; U.S. Customs and Border Protection; Secretary Kelly; Acting Commissioner McAleenan; and Port Director (b)(6), (b)(7)(C). The TRO enjoined respondents: (1) to "permit lawyers access to all legal permanent residents being detained at Dulles International Airport"; and (2) to refrain from "removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order." It was widely reported on Saturday night and yesterday that CBP officials refused to permit such access to counsel, even after receiving notice of the TRO.

Although many aspects of these events are disturbing, I am particularly troubled that Virginia residents were detained, or returned to the country from which their travel originated,

January 29, 2017

Page 2

despite having been previously issued lawful permanent residence status or lawful student or work visas. Accordingly, I respectfully request that you provide the following information:

Lawful Permanent Residents

- 1) How many persons with lawful permanent resident status were detained at Dulles on January 27, 28, and 29? Of those detained, how many were removed from the United States before CBP personnel at Dulles received actual notice of the TRO? How many were removed after such notice was received? What time on January 28 did CBP receive actual notice of the TRO and how and to whom was that notice provided?
- 2) Why did the respondents in *Aziz* disobey the TRO’s directive to permit lawyers to have access to the detained lawful permanent residents? Please provide the names and titles of all officials responsible for that decision.
- 3) Of those lawful permanent residents detained at Dulles on January 27, 28, or 29, how many showed a residence address in the Commonwealth of Virginia? Please provide the name and address of such Virginia residents. For those who were removed from the United States, please state the date the person was removed and identify the country to which that person was removed. If CBP or Immigrations and Customs Enforcement (“ICE”) continues to detain any such Virginia resident, please state the place where that Virginia resident is currently detained.

Travelers with valid student or work visas

- 4) How many persons with valid student or work visas were detained at Dulles on January 27, 28, and 29 pursuant to the authority of the Executive Order? Of those detained, how many showed a residence address in the Commonwealth of Virginia? Of those with a Virginia residence, how many were removed from the United States and how many were permitted entry?
- 5) Does the CBP continue to detain any Virginia residents who were traveling with a valid student or work visa? If so, please provide the names and addresses of such Virginia residents, their nationality, and the type of visa on which the person was traveling.

I would appreciate your providing this information as soon as practicable, but by no later than February 1. If you have any questions about this request, please feel free to speak with Solicitor General, (b)(6), (b)(7)(C)

Thank you for your prompt attention to this matter.

Sincerely,

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

Mark R. Herring

January 29, 2017

Page 3

cc: The Hon. Terence R. McAuliffe, Governor
The Hon. Mark Warner, Senator
The Hon. Tim Kaine, Senator
(b)(6), (b)(7)(C) Solicitor General

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:39 PM
To: OFO-FIELD LIAISON; OFO-OPS-CAT
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Issue Paper: Request for information regarding status of (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
Attachments: (b)(6), (b)(7)(C); Temporary Restraining Order .docx
Importance: High

Field Liaison and CAT,

Please see the below and attached issue paper concerning (b)(6), (b)(7)(C) and a copy of the resultant Temporary Restraining Order issued by the United States District Court for the Eastern District of Virginia.

**U.S. Customs and Border Protection
 Office of Field Operations
 Washington/Dulles International Airport
 Passenger Operations
 January 29, 2016**

Issue: Request for information regarding status of (b)(6), (b)(7)(C) by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

GPS Coordinates: Latitude: 38.953116 | Longitude: 77.456539

Synopsis: (b)(6), (b)(7)(C) on board Ethiopian Airlines Flight 500 from Addis Ababa, Ethiopia and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB:
COC:
COR: (b)(6), (b)(7)(C)
PPN:
IV: (b)(6), (b)(7)(C)
SIGMA: (b)(6), (b)(7)(C)

SUBJECT OF INTEREST

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

Gender: Male

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

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

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

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

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

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

Timeline of Events:

- At approximately (b)(6), (b)(7)(C) originating from Addis Ababa, Ethiopia arrived at IAD with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.
- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board Ethiopian Airlines (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed same day (b)(6), (b)(7)(C).
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - b) respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)**Date / Time:** 01/29/2017; 1630

Thank you,

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

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

Assistant Port Director

U.S. Customs and Border Protection (CBP)

Port of Washington, D.C. (Dulles)

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

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**U.S. Customs and Border Protection
Office of Field Operations
Washington/Dulles International Airport
Passenger Operations
January 29, 2016**

Issue: Request for information regarding status of (b)(6), (b)(7)(C) by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

GPS Coordinates: (b)(7)(E)

Synopsis: (b)(6), (b)(7)(C) on board Ethiopian Airlines (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: (b)(6), (b)(7)(C)
COC: (b)(6), (b)(7)(C)
COR: (b)(6), (b)(7)(C)
PPN: (b)(6), (b)(7)(C)
IV: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C), (b)(7)(E)

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: (b)(6), (b)(7)(C)
COC: (b)(6), (b)(7)(C)
COR: (b)(6), (b)(7)(C)
PPN: (b)(6), (b)(7)(C)
IV: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C), (b)(7)(E)

Timeline of Events:

- At approximately 0846 (EST) on (b)(6), (b)(7)(C) Ethiopian Airlines Flight 500 originating from Addis Ababa, Ethiopia arrived at IAD with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.

- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board Ethiopian Airlines (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed same day at 1028 hours (EST).
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - b) respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/29/2017; 1630

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Case No. 1:17-cv-116

Tareq Aqel Mohammed Aziz
and
Ammar Aqel Mohammed Aziz,
by their next friend,
Aqel Muhammad Aziz,
and
John Does 1-60,

Date: January 28, 2017

Petitioners,

v.

DONALD TRUMP, President of the United States;
U.S. DEPARTMENT OF HOMELAND SECURITY
("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); JOHN KELLY, Secretary
of DHS; KEVIN K. MCALEENAN, Acting
Commissioner of CBP; and WAYNE BIONDI,
Customs and Border Protection (CBP) Port Director
of the Area Port of Washington Dulles,


Respondents.

TEMPORARY RESTRAINING ORDER

Pursuant to Federal Rule of Civil Procedure 65, the Court orders that:

- a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
- b) respondents are forbidden from removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order.

Dates: January 28, 2017



Lonnie M. Brinkema
United States District Judge

From: DURST, CASEY OWEN
Sent: Saturday, January 28, 2017 8:54 PM
To: (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C), (b)(7)(E) Yemen Citizen

Concur.

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:53 PM
To: (b)(6), (b)(7)(C); DURST, CASEY OWEN
(b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) Yemen Citizen

Andrii,

Since they are asking for an exemption for the minor, wouldn't it be prudent to also ask for a waiver for the mother. It is not like the child is unaccompanied...

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

(A) Chief of Staff
U.S. Customs and Border Protection
Office of Field Operations
Baltimore Field Office
217 E. Redwood St., 12th Floor
Baltimore, MD 21202

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:50 PM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Subject: FW: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) Yemen Citizen

I've got this...

Regards,

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

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

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

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

Sent: Saturday, January 28, 2017 8:47 PM

To: DURST, CASEY OWEN (b)(6), (b)(7)(C)

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

Cc: CBP IAD WATCH COMMANDER (b)(7)(E)

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

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

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 (b)(7)(E)

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

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

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

Date / Time: January 28, 2017, 2020

From: DURST, CASEY OWEN
Sent: Saturday, January 28, 2017 9:39 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Syrian J2 (b)(6), (b)(7)(C) Situational Awareness

They need to update the report. I don't know what her status is.

Casey Owen Durst
 Director, Field Operations
 Baltimore Field Office

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:34:09 PM
To: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
Subject: RE: Syrian J2 (b)(6), (b)(7)(C), (b)(7)(E) Situational Awareness

Correct me if I'm wrong but we don't need to do anything with this one right?

Regards,

(b)(6), (b)(7)(C)
 Assistant Director Border Security
 U.S. Customs and Border Protection
 Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:54 PM
To: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: CBP IAD WATCH COMMANDER; (b)(7)(E)
Subject: Syrian J2 (b)(6), (b)(7)(C), (b)(7)(E) Situational Awareness

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

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

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

Submitted by: (b)(6), (b)(7)(C) SCBPO, IAD
Date / Time: 01/28/2017; 2045HRS

Respectfully,

(b)(6), (b)(7)(C)
Supervisory CBP Officer

(b)(7)(E)
U.S. Customs and Border Protection
Washington/Dulles International Airport

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

From: DURST, CASEY OWEN
Sent: Saturday, January 28, 2017 9:04 PM
To: (b)(6), (b)(7)(C)
Subject: FW: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) Yemen Citizen
Attachments: Exemption to Executive Order (b)(6), (b)(7)(C) DOCX

They will forward a new waiver to include the mother.

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:47 PM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: CBP IAD WATCH COMMANDER <(b)(7)(E)>
Subject: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) Yemen Citizen

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

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)(7)(E)

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

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

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

Date / Time: January 28, 2017, 2020

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)(7)(E)

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

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

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

Date / Time: January 28, 2017; 2020

**U.S. Customs and Border Protection
Office of Field Operations
Washington/Dulles International Airport
Passenger Operations
January 29, 2016**

Issue: Request for information regarding status of (b)(6), (b)(7)(C) processed by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C)

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

GPS Coordinates: Latitude: (b)(7)(E)

Synopsis:

On January 28, 2017, (b)(6), (b)(7)(C) arrived at Washington Dulles (IAD) on board Ethiopian Airlines (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

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

Gender: Male

DOB:

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

COR:

PPN:

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

(b)(7)(E)

SUBJECT OF INTEREST

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

Gender: Male

DOB:

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

COR:

PPN:

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

(b)(7)(E)

Timeline of Events:

- At approximately (b)(6), (b)(7)(C) on January 28, 2017, Ethiopian Airlines (b)(6), (b)(7)(C) originating from (b)(6), (b)(7)(C) arrived at IAD with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) on board.

- (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board Ethiopian Airlines (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed same day at (b)(6), (b)(7)(C)
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.

Submitted by: (b)(6), (b)(7)(C), Watch Commander, Washington Dulles (IAD)

Date / Time: 01/29/2017; 1630

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 1:23 AM
To: (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption for (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and family of 4 (1 minor)

No doubt

Casey Owen Durst
 Director, Field Operations
 Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:22 AM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption for (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and family of 4 (1 minor)

I'll try to make it to 2 – we'll need some rest to make it thru tomorrow

Regards,

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

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

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

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 1:14 AM
To: (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption for (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and family of 4 (1 minor)

Sadly me too. I am going to try to stay up for a while longer.

Casey Owen Durst
 Director, Field Operations
 Baltimore Field Office

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

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

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

Sent: Sunday, January 29, 2017 1:09 AM

To: DURST, CASEY OWEN (b)(6), (b)(7)(C)

Subject: RE: EO 212(f) Exemption for (b)(6), (b)(7)(C) and family of 4 (1 minor)

10-4, still here

Regards,

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

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

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

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From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 12:59 AM

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

Subject: RE: EO 212(f) Exemption for (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and family of 4 (1 minor)

Might need some help if they have questions.

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

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

Sent: Sunday, January 29, 2017 12:56 AM

To: DURST, CASEY OWEN (b)(6), (b)(7)(C)

Subject: RE: EO 212(f) Exemption for (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and family of 4 (1 minor)

10-4

Regards,

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

Assistant Director Border Security

U.S. Customs and Border Protection
Baltimore Field Office

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

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 12:56 AM
To: **(b)(6), (b)(7)(C)**
Subject: RE: EO 212(f) Exemption for **(b)(6), (b)(7)(C)** and family of 4 (1 minor)

I got it

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

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

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

From: **(b)(6), (b)(7)(C)**
Sent: Sunday, January 29, 2017 12:55 AM
To: DURST, CASEY OWEN **(b)(6), (b)(7)(C)**
Subject: FW: EO 212(f) Exemption for **(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)** and family of 4 (1 minor)

Want me to send this up?

Regards,

(b)(6), (b)(7)(C)
Assistant Director Border Security
U.S. Customs and Border Protection
Baltimore Field Office

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

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

From: **(b)(6), (b)(7)(C)**
Sent: Sunday, January 29, 2017 12:41 AM
To: DURST, CASEY OWEN **(b)(6), (b)(7)(C)**
(b)(6), (b)(7)(C)
Cc: CBP IAD WATCH COMMANDER **(b)(7)(E)**
Subject: EO 212(f) Exemption for **(b)(6), (b)(7)(C)** and family of 4 (1 minor)

DFO Durst,

We are requesting waivers for a Family Unit of 7, 5 waivers needed (1 for minor child).

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)(7)(E)

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

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

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

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

Date / Time: January 29, 2017; 0030

(b)(6), (b)(7)(C)
Chief CBP Officer
U.S. Customs and Border Protection
Washington Dulles International Airport

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

From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:18 PM
To: (b)(6), (b)(7)(C)
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

They just called me. No one at Philly or Baltimore. When you get IAD send immediately

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:09:45 PM
To: DURST, CASEY OWEN
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

??? a 12 minute deadline!

Regards,

(b)(6), (b)(7)(C)
Assistant Director Border Security
U.S. Customs and Border Protection
Baltimore Field Office
Office: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)

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From: DURST, CASEY OWEN
Sent: Sunday, January 29, 2017 2:08 PM
To: (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) CBP IAD WATCH
COMMANDER (b)(7)(E)

Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

FYA

Casey Owen Durst
Director, Field Operations
Baltimore Field Office

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:06:20 PM
To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C); MURDOCK, JUDSON W; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Directors,

Please have your EO individuals being held spreadsheet to Field Liaison and the CAT by 1420 hours today.

Thank you,

(b)(6), (b)(7)(C)
Branch Chief
Field Liaison Division
Off: (b)(6), (b)(7)(C)
Bb: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:27:53 PM
To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C); MURDOCK, JUDSON W; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)
Subject: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good afternoon DFOs and ADFOs,

Please see the **newest version** of the Executive Order Reporting attached.

Please use this version of the reporting requirements for your Field Offices. Please do not use a different spreadsheet, just plug in your numbers under your Field Office tab. Do not change anything as there are formulas in the spreadsheet.

Please include the **CATs email address** when responding.

The next report is due by 1500 hours (EST).

Also required is an updated list of the EO Individuals Being Held at the same time you submit your numbers. I've attached the spreadsheet already created from what was submitted this morning. Please update but do not delete from it.

If you have any questions, please let myself know or Branch Chief (b)(6), (b)(7)(C)

Thank you,

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

Branch Chief

U.S. Customs and Border Protection

Office of Field Operations

Field Liaison Division

Unclass:

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

HSDN:

NOC:

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

JWICS:

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

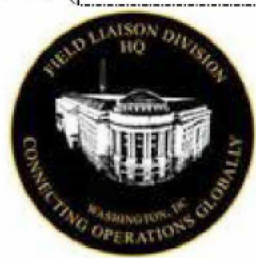
Desk:

Fax:

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

BB:

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



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

Sent: Saturday, January 28, 2017 8:33 PM

To: OFO-FIELD LIAISON <(b)(7)(E)> DIRECTORS FIELD OPS <(b)(7)(E)>

EXECUTIVE DIRECTORS HQ <(b)(7)(E)> BORDER SECURITY ASST DIRECTORS

(b)(7)(E) > TRADE OPERATIONS ASST DIRECTORS
> MISSION SUPPORT ASST DIRECTORS

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

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

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

Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from

Foreign Terrorist Entry Into the United States

Importance: High

Directors,

The Office of Field Operations, Operations Division has been requested to update the reporting template to capture and clarify additional information needed by CBP leadership. As such, a new reporting template has been created.

Please ensure that your locations are using *the attached* template for reporting **beginning with the 0500 report on January 29, 2017.**

As a reminder:

- Reporting is now due to Field Liaison at 0500 hours, 1500 hours and 2100 hours.
 - Field Liaison reports are due to the DHS National Operations Center (NOC) within one hour of the established reporting times.
 - It is critical that reports are submitted to Field Liaison timely.
- In addition to the running cumulative total each Field Office need to also report totals for the specified reporting timeframe.

Thank you for your patience and flexibility.

Thank you,

(b)(6), (b)(7)(C)
 Acting Deputy Executive Director
 Operations
 US Customs and Border Protection
 Office **(b)(6), (b)(7)(C)**
 Cell **(b)(6), (b)(7)(C)**

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From: **(b)(6), (b)(7)(C)** On Behalf Of OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 1:09 AM
To: DIRECTORS FIELD OPS **(b)(7)(E)**; EXECUTIVE DIRECTORS HQ
(b)(7)(E) ORDER SECURITY ASST DIRECTORS
(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS
 > MISSION SUPPORT ASST DIRECTORS
Cc: **(b)(7)(E)** OFO-FIELD LIAISON **(b)(7)(E)**
(b)(6), (b)(7)(C)
 MURDOCK, JUDSON W <**(b)(6), (b)(7)(C)**>
(b)(6), (b)(7)(C)
Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

MEMORANDUM FOR: Directors, Field Operations
Director, Pre-Clearance

FROM: (b)(6), (b)(7)(C)
Deputy Executive Director, Operations (Acting)
Office of Field Operations

SUBJECT: Reporting Guidance for Actions Taken Related to Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States*

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. 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.

As we push forward in our efforts to protect our Nation, OFO Operations will require daily reporting on our activities as related to this Executive Order. Reporting will include encounters in the air, land and sea environments with anyone who arrives into the U.S. from the seven (7) countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) that meets the criteria outlined in the Executive Order and the instructions issued to the field by Admissibility and Passenger Programs.

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison: (b)(7)(E) Reports must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

If you have any questions regarding to reporting, please contact the Field Liaison Division, at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) For questions pertaining to the implementation of the new policy, please contact Ryan Hutton, Deputy Executive Director, Admissibility and Passenger Programs at (b)(6), (b)(7)(C)

From: DURST, CASEY OWEN
Sent: Tuesday, January 31, 2017 6:04 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Pervasion of Electronic Media

FYSA

Casey Owen Durst
 Director, Field Operations
 Baltimore Field Office

From: MURDOCK, JUDSON W
Sent: Tuesday, January 31, 2017 5:55:58 PM
To: DIRECTORS FIELD OPS
Cc: (b)(6), (b)(7)(C); HUTTON, JAMES R; HOFFMAN, TODD A; (b)(6), (b)(7)(C)
Subject: FW: Pervasion of Electronic Media

DFOs,

The Baltimore and Boston Field Offices received the message below from the DHS OIG within their area of responsibility. If you receive a similar request from your DHS OIG counterparts, please work with your local chief counsel offices to establish a method to comply with the request. from DHS OIG.

Thanks,
 Jud Murdock
 Executive Director, Operations (Acting)
 Office of Field Operations
 U.S. Customs and Border Protection
 (b)(6), (b)(7)(C) office
 cell

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From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 5:07 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Pervasion of Electronic Media at PHL
Importance: High

As per our conversation this afternoon, I am writing to request that any and all electronic media from the Philadelphia International Airport international terminals be preserved, from January 27, 2017 forward. This request is being made due to an official Department of Homeland Security, Office of Inspector General investigation related to the processing of immigrants and refugees after President Donald Trump's executive order on immigration and refugees was signed.

Thank you,

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

Assistant Special Agent in Charge

DHS OIG

Philadelphia Field Office

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

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

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
 Frequently Asked Questions
 9/29/2017 9:38:47 AM

1. How many persons impacted by the EO are currently detained at each Port of Entry (POE)?

- a. All individuals who arrive in the United States are subject to inspection. This inspection may require additional time. There are many reasons why an inspection may take more time. However, at this moment, there are no individuals held in custody on the basis of the Executive Order.

2. What is happening to those currently in detention? Will they be released?

- a. CBP is not currently holding in its custody any individual based on the Executive Order. However, at any given time there may be a number of people going through inspection who fall within the scope of the Executive Order.

3. How many no-board recommendations have been issued? How many individuals were denied entry to the United States due to the Executive Order? Please break this number out by refugees, LPRs, Students, and other NIVs.

- a. There are a number of reasons that we may make a recommendation to a carrier that they not board an individual, including because their visa is no longer valid. Below are the actions taken in accordance with the Executive Order signed January 27, 2017. *Statistics are valid as of 1500 hrs, January 30, 2017*

CBP Executive Order Actions	
Recommended Denial of Boarding	721
Legal Permanent Resident (LPR) waivers	1,059
Visa holders granted waivers	75

4. Please explain the process for considering an individual for an exemption under the EO.

- a. Senior DHS personnel can review individual cases and grant exemptions on a case-by-case basis if that individual's admission to the U.S. falls within the parameters of the Executive Order. CBP is processing exemptions consistent with the Secretary's guidance.

5. Are all Lawful Permanent Residents (LPRs) eligible for an exemption – returning and first time arrivals?

- a. It is important to understand that individuals with immigrant visas overseas are not LPRs. Eligible individuals only become Lawful Permanent Residents once they have been inspected and admitted at a port of entry.
- b. Lawful Permanent Residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed on a case-by-case

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
9/29/2017 9:38:47 AM

basis for exceptions upon arrival at ports of entry, as appropriate. CBP is processing exemptions consistent with the Secretary's guidance.

- 6. Did CBP deport any individuals following the stay granted in NY and prior to the issuance of guidance to the field?**
 - a. This is the subject of ongoing litigation. Please refer these questions to DOJ.
- 7. Did CBP have an implementation plan prior to the EO being released?**
 - a. The Executive Order and the instructions therein were effective at the time of the order's signing. Guidance was provided to DHS field personnel shortly thereafter.
- 8. Has CBP issued clear guidance to the Field on the EO and the court orders?**
 - a. Yes, CBP issued guidance to the field expeditiously upon the signing of the Executive Order. CBP has and will continue to issue any needed guidance to the field with respect to court orders. All individuals, including those affected by the court orders, are being given all rights afforded under the law.
- 9. What coordination is being done between CBP and the carriers?**
 - a. CBP has been and will remain in constant communication with the airlines through CBP regional carrier liaisons. In addition, CBP has held multiple executive level calls with the airlines in order to provide guidance, answer questions, and address concerns.
- 10. When did enforcement of the EO start?**
 - a. The Executive Order became effective on January 27, 2017.
- 11. The EO lists specific visa category exemptions, such as diplomatic visas. Are there any visa category exemptions not listed?**
 - a. Visa categories that are exempt are listed in the Executive Order.
- 12. Has CBP been pressuring detainees to either withdraw their applications for admission into the country or sign documents rescinding their green cards? There are reports that CBP is confiscating green cards.**
 - a. CBP is committed to following the law. Any withdrawal of an application for admission must be voluntary. The withdrawal process is not new and our officers are well trained to ensure that individuals make voluntary decisions.
- 13. Is there a process for LPRs/Refugees/Returning Students who might be eligible for an exemption to qualify/apply for that exemption overseas? Is it true that only individuals who are able to reach a POE are given the chance for an exemption?**
 - a. It is important to note that the Secretary of State has equivalent authority to grant waivers. We recommend questions about overseas implementation be directed to the Secretary of State.

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
9/29/2017 9:38:47 AM

- 14. Is CBP searching social media profiles of those affected by the Executive Order**
- a. CBP has processes and procedures in place with respect to appropriate searches of individuals when they arrive at ports of entry. You may find the privacy impact assessment, for instance, with respect to social media for ESTA applicants here: <https://www.dhs.gov/sites/default/files/publications/privacy-pia-cbp-esta-september2016.pdf>. Public guidance regarding the search of electronics can be found on the CBP website.
- 15. Have any individuals impacted by the Executive Order been transferred to ICE custody?**
- a. Individuals affected by the Executive Order, even if they are provided an exemption, may still be inadmissible. Individuals who are inadmissible, for instance for criminal grounds, are still being processed in a manner that is consistent with the court orders.
- 16. Does this Executive Order apply to dual nationals of the seven countries who want to enter the U.S.? If they apply for entry based on their citizenship from one of the countries NOT on the list, will they be allowed entry?**
- a. Travelers are being processed and when eligible admitted according to the travel document they present.

Additional Questions

- 17. Can a dual national traveling with a passport from an unrestricted country travel to the U.S.?**
- a. Dual nationals with a valid immigrant or nonimmigrant visa in a passport issued by any country not restricted under the Executive Order will be permitted to apply for admission to the United States.
- 18. Can a dual national who holds nationality with a restricted country and is currently overseas, apply for an immigrant or nonimmigrant visa to the United States?**
- a. Posts are allowed to process visa applications and issue nonimmigrant and immigrant visas to otherwise eligible visa applicants who apply with a passport from an unrestricted country, even if they hold dual nationality from a restricted country. Please contact the Department of State with any questions related to the issuance of visas.
- 19. Will Canadian immigrants affected by the Executive Order be eligible for entry to the United States?**
- a. Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for admission to the United States, if the individual presents that passport with a valid immigrant or nonimmigrant visa, proof of their landed immigrant status, and only if the travel both originates in Canada and is through a land border or a preclearance location.

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
9/29/2017 9:38:47 AM

20. Can Canadian immigrants affected by the Executive Order apply for an immigrant or nonimmigrant visa to the United States?

- a. Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for an immigrant or nonimmigrant visa to the United States, if the individual presents that passport, and proof of landed immigrant status, to a consular officer. These applications shall be made at a U.S. consular section in Canada.

21. Will Iraqi Passport holders with a valid Special Immigrant Visa be eligible for entry to the United States?

- a. The entry of Iraqi nationals with a valid Special Immigrant Visa to the United States is deemed to be in the national interest and can apply for admission to the United States. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, possession of a Special Immigrant Visa will be a dispositive factor in case-by-case determinations. Iraqi nationals can also apply to a consular officer for Special Immigrant Visas, and, if otherwise qualified, can be issued a Special Immigrant Visa.

22. Will nationals of restricted countries with valid green cards be allowed to return to the United States?

- a. As stated by Secretary Kelly, the entry of U.S. lawful permanent residents is deemed to be in the national interest. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in case-by-case determinations.

23. What additional screening will nationals of restricted countries (as well as any visa applications) undergo as a result of the Executive Order?

- a. In adjudicating both admission to the United States and issuance of visas, both DHS and DOS will continue to apply all appropriate security vetting procedures.

24. Does this affect travelers at all ports of entry?

- a. Yes, this Executive Order applies to all immigrant and nonimmigrant persons of Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen applying for entry to the United States at any port of entry—air, land or sea.

25. Does CBP have the authority to search individuals' electronics?

- a. All international travelers arriving to the U.S. are subject to CBP inspection. This inspection may include electronic devices such as computers, disks, drives, tapes, mobile phones and other communication devices, cameras, music and other media players and any other electronic or digital devices.

Various laws that CBP is charged to enforce authorize searches and detention in accordance with 8 U.S.C. § 1357 and 19 U.S.C. §§ 1499, 1581, 1582. All

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
9/29/2017 9:38:47 AM

persons, baggage, and merchandise arriving in, or departing from, the United States are subject to inspection, search and detention. This is because CBP officers must determine the identity and citizenship of all persons seeking entry into the United States, determine the admissibility of foreign nationals, and deter the entry of possible terrorists, terrorist weapons, controlled substances, and a wide variety of other prohibited and restricted items.

Keeping America safe and enforcing our nation's laws in an increasingly digital world depends on our ability to lawfully examine all materials entering the U.S.

Additional information on electronic searches is available [here](#) and [here](#).

From: DURST, CASEY OWEN
Sent: Monday, January 30, 2017 11:43 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Information: Letter from Virginia Attorney General Mark Herring
Attachments: 2017 01 29 Letter from AG Herring to CBP et al.pdf; Issue Paper: Request for information regarding status of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Mark Herring.docx

Importance: High

Have you reviewed this? The AC has a call with Senator Kaine in 5 min and this might help.

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

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:16 AM
To: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Information: Letter from Virginia Attorney General Mark Herring
Importance: High

Attached (Mark Herring.docx) and below is a draft issue paper in response to questions posed by Virginia Attorney General Mark Herring for your review.

(b)(5)

(b)(5)

(b)(5)

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/30/2017; 0145

From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 9:38 PM

To: CBP IAD WATCH COMMANDER (b)(7)(E)

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

Subject: FW: Information: Letter from Virginia Attorney General Mark Herring

Importance: High

Good evening Dulles team,

Please see attached and below and draft an issue paper addressing the items within our purview. In your draft, please use the numbering protocol in the letter to correlate your response. Please submit by 1200 tomorrow.

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

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From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 9:33 PM

To: OFO-FIELD LIAISON (b)(7)(E) OFO-OPS-CAT (b)(7)(E) ENFORCEMENT PROGRAMS DIVISION (b)(7)(E)

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

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

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

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

Subject: Information: Letter from Virginia Attorney General Mark Herring

Good evening,

Please see the attached letter from the State of Virginia Attorney General Mark Herring; this copy was received from OCC. The Baltimore Field Office has submitted the attached and related issue paper and will research and provide another addressing the issues within our purview.

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

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COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

January 29, 2017

The Honorable John Kelly
Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Dana J. Boente
U.S. Attorney, Eastern District of Virginia
2100 Jamieson Ave.
Alexandria, VA 22314

Kevin K. McAleenan
Acting Commissioner
U.S. Customs & Border Protection
Washington, D.C. 20528

(b)(6), (b)(7)(C)
Port Director of the Area Port of Washington
Dulles, U.S. Customs & Border Protection
Washington, D.C. 20528

Re: This weekend's events at Dulles International Airport

Gentlemen:

I am deeply concerned about events at Dulles International Airport on January 27, 28, and 29, 2017, in which U.S. Customs & Border Protection personnel ("CBP") detained air passengers who arrived at the airport following issuance by President Trump of his Executive Order dated January 27, 2017, entitled "Protecting the Nation From Foreign Terrorist Entry Into the United States."

On Saturday, January 28, at approximately 9:30 p.m., the United States District Court for the Eastern District of Virginia issued a temporary restraining order ("TRO") in *Aziz v. Trump*, directed against all respondents: President Trump; the Department of Homeland Security; U.S. Customs and Border Protection; Secretary Kelly; Acting Commissioner McAleenan; and Port Director (b)(6), (b)(7)(C). The TRO enjoined respondents: (1) to "permit lawyers access to all legal permanent residents being detained at Dulles International Airport"; and (2) to refrain from "removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order." It was widely reported on Saturday night and yesterday that CBP officials refused to permit such access to counsel, even after receiving notice of the TRO.

Although many aspects of these events are disturbing, I am particularly troubled that Virginia residents were detained, or returned to the country from which their travel originated,

January 29, 2017

Page 2

despite having been previously issued lawful permanent residence status or lawful student or work visas. Accordingly, I respectfully request that you provide the following information:

Lawful Permanent Residents

- 1) How many persons with lawful permanent resident status were detained at Dulles on January 27, 28, and 29? Of those detained, how many were removed from the United States before CBP personnel at Dulles received actual notice of the TRO? How many were removed after such notice was received? What time on January 28 did CBP receive actual notice of the TRO and how and to whom was that notice provided?
- 2) Why did the respondents in *Aziz* disobey the TRO's directive to permit lawyers to have access to the detained lawful permanent residents? Please provide the names and titles of all officials responsible for that decision.
- 3) Of those lawful permanent residents detained at Dulles on January 27, 28, or 29, how many showed a residence address in the Commonwealth of Virginia? Please provide the name and address of such Virginia residents. For those who were removed from the United States, please state the date the person was removed and identify the country to which that person was removed. If CBP or Immigrations and Customs Enforcement ("ICE") continues to detain any such Virginia resident, please state the place where that Virginia resident is currently detained.

Travelers with valid student or work visas

- 4) How many persons with valid student or work visas were detained at Dulles on January 27, 28, and 29 pursuant to the authority of the Executive Order? Of those detained, how many showed a residence address in the Commonwealth of Virginia? Of those with a Virginia residence, how many were removed from the United States and how many were permitted entry?
- 5) Does the CBP continue to detain any Virginia residents who were traveling with a valid student or work visa? If so, please provide the names and addresses of such Virginia residents, their nationality, and the type of visa on which the person was traveling.

I would appreciate your providing this information as soon as practicable, but by no later than February 1. If you have any questions about this request, please feel free to speak with Solicitor General [REDACTED]

Thank you for your prompt attention to this matter.

Sincerely,

[REDACTED]

Mark R. Herring

January 29, 2017

Page 3

cc: The Hon. Terence R. McAuliffe, Governor
The Hon. Mark Warner, Senator
The Hon. Tim Kaine, Senator
(b)(6), (b)(7)(C) Solicitor General

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:39 PM
To: OFO-FIELD LIAISON; OFO-OPS-CAT
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Issue Paper: Request for information regarding status of (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
Attachments: (b)(6), (b)(7)(C) Temporary Restraining Order .docx
Importance: High

Field Liaison and CAT,

Please see the below and attached issue paper concerning (b)(6), (b)(7)(C) processed at IAD on 1/28/2017 and a copy of the resultant Temporary Restraining Order issued by the United States District Court for the Eastern District of Virginia.

**U.S. Customs and Border Protection
 Office of Field Operations
 Washington/Dulles International Airport
 Passenger Operations
 January 29, 2016**

Issue: Request for information regarding status of (b)(6), (b)(7)(C) processed by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

GPS Coordinates: (b)(6), (b)(7)(C)

Synopsis:
 On January 28, 2017, (b)(6), (b)(7)(C) on board (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB:
COC:
COR: (b)(6), (b)(7)(C)
PPN: (b)(6), (b)(7)(C)
IV: (b)(6), (b)(7)(C)
 (b)(7)(E)

SUBJECT OF INTEREST

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

Gender: Male

DOB: [REDACTED]

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

COR: [REDACTED]

PPN: [REDACTED]

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

(b)(7)(E)

Timeline of Events:

- At approximately 0846 (EST) on January 28, 2017, (b)(6), (b)(7)(C) originating from (b)(6), (b)(7)(C) arrived at IAD with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.
- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed same day (b)(6), (b)(7)(C)
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)**Date / Time:** 01/29/2017; 1630

Thank you,

[REDACTED]

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

Assistant Port Director

U.S. Customs and Border Protection (CBP)

Port of Washington, D.C. (Dulles)

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

WARNING: This document and any attachment(s) may contain restricted, sensitive, and/or law enforcement-sensitive information belonging to the US. Government. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. If you received this communication in error, please immediately notify the sender and delete or destroy this communication and all attachments. Any disclosure of this document must be approved by the U.S. Customs and Border Protection.

**U.S. Customs and Border Protection
Office of Field Operations
Washington/Dulles International Airport
Passenger Operations
January 29, 2016**

Issue: Request for information regarding status of (b)(7)(E) processed by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

GPS Coordinates: Latitude: 38.953116 | Longitude: 77.456539

Synopsis:

On January 28, 2017, (b)(7)(E) on board (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: [REDACTED]
COC: [REDACTED]
COR: (b)(6), (b)(7)(C)
PPN: [REDACTED]
IV: (b)(6), (b)(7)(C)
(b)(7)(E)

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: [REDACTED]
COC: [REDACTED]
COR: (b)(6), (b)(7)(C)
PPN: [REDACTED]
IV: (b)(6), (b)(7)(C)
(b)(7)(E)

Timeline of Events:

- At approximately 0846 (EST) on January 28, 2017, (b)(6), (b)(7)(C) originating from (b)(6), (b)(7)(C) arrived at IAD with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.

- [REDACTED] (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board [REDACTED] (b)(6), (b)(7)(C) from IAD destined to [REDACTED] (b)(6), (b)(7)(C) which departed same day at 1028 hours (EST).
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - b) respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: [REDACTED] (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/29/2017; 1630

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

Case No. 1:17-cv-116

Tareq Aqel Mohammed Aziz
and
Ammar Aqel Mohammed Aziz,
by their next friend,
Aqel Muhammad Aziz,
and
John Does 1-60,

Date: January 28, 2017

Petitioners,

v.

DONALD TRUMP, President of the United States;
U.S. DEPARTMENT OF HOMELAND SECURITY
("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); JOHN KELLY, Secretary
of DHS; KEVIN K. MCALEENAN, Acting
Commissioner of CBP; and WAYNE BIONDI,
Customs and Border Protection (CBP) Port Director
of the Area Port of Washington Dulles,

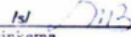
Respondents.

TEMPORARY RESTRAINING ORDER

Pursuant to Federal Rule of Civil Procedure 65, the Court orders that:

- a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
- b) respondents are forbidden from removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order.

Dates: January 28, 2017


Lonnie M. Brinkema
United States District Judge

(b)(5)

(b)(5)

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/30/2017; 0145

From: DURST, CASEY OWEN
Sent: Monday, January 30, 2017 4:27 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Information: Letter from Virginia Attorney General Mark Herring
Attachments: 2017 01 29 Letter from AG Herring to CBP et al.pdf; Issue Paper: Request for information regarding status of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); Mark Herring.docx

Importance: High

(b)(6), (b)(7)(C) – after you complete your review, please send this to HQ.

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

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:16 AM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Information: Letter from Virginia Attorney General Mark Herring
Importance: High

Attached (Mark Herring.docx) and below is a draft issue paper in response to questions posed by Virginia Attorney General Mark Herring for your review.

(b)(5)

(b)(5)

(b)(5)

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/30/2017; 0145

From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 9:38 PM

To: CBP IAD WATCH COMMANDER (b)(7)(E)

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

Subject: FW: Information: Letter from Virginia Attorney General Mark Herring

Importance: High

Good evening Dulles team,

Please see attached and below and draft an issue paper addressing the items within our purview. In your draft, please use the numbering protocol in the letter to correlate your response. Please submit by 1200 tomorrow.

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

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From: DURST, CASEY OWEN

Sent: Sunday, January 29, 2017 9:33 PM

To: OFO-FIELD LIAISON (b)(7)(E) OFO-OPS-CAT (b)(7)(E) ENFORCEMENT PROGRAMS DIVISION (b)(7)(E)

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

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

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

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

Subject: Information: Letter from Virginia Attorney General Mark Herring

Good evening,

Please see the attached letter from the State of Virginia Attorney General Mark Herring; this copy was received from OCC. The Baltimore Field Office has submitted the attached and related issue paper and will research and provide another addressing the issues within our purview.

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

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



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

January 29, 2017

The Honorable John Kelly
Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Dana J. Boente
U.S. Attorney, Eastern District of Virginia
2100 Jamieson Ave.
Alexandria, VA 22314

Kevin K. McAleenan
Acting Commissioner
U.S. Customs & Border Protection
Washington, D.C. 20528

(b)(6), (b)(7)(C)
Port Director of the Area Port of Washington
Dulles, U.S. Customs & Border Protection
Washington, D.C. 20528

Re: This weekend's events at Dulles International Airport

Gentlemen:

I am deeply concerned about events at Dulles International Airport on January 27, 28, and 29, 2017, in which U.S. Customs & Border Protection personnel ("CBP") detained air passengers who arrived at the airport following issuance by President Trump of his Executive Order dated January 27, 2017, entitled "Protecting the Nation From Foreign Terrorist Entry Into the United States."

On Saturday, January 28, at approximately 9:30 p.m., the United States District Court for the Eastern District of Virginia issued a temporary restraining order ("TRO") in *Aziz v. Trump*, directed against all respondents: President Trump; the Department of Homeland Security; U.S. Customs and Border Protection; Secretary Kelly; Acting Commissioner McAleenan; and Port Director (b)(6), (b)(7)(C). The TRO enjoined respondents: (1) to "permit lawyers access to all legal permanent residents being detained at Dulles International Airport"; and (2) to refrain from "removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order." It was widely reported on Saturday night and yesterday that CBP officials refused to permit such access to counsel, even after receiving notice of the TRO.

Although many aspects of these events are disturbing, I am particularly troubled that Virginia residents were detained, or returned to the country from which their travel originated,

January 29, 2017

Page 2

despite having been previously issued lawful permanent residence status or lawful student or work visas. Accordingly, I respectfully request that you provide the following information:

Lawful Permanent Residents

- 1) How many persons with lawful permanent resident status were detained at Dulles on January 27, 28, and 29? Of those detained, how many were removed from the United States before CBP personnel at Dulles received actual notice of the TRO? How many were removed after such notice was received? What time on January 28 did CBP receive actual notice of the TRO and how and to whom was that notice provided?
- 2) Why did the respondents in *Aziz* disobey the TRO’s directive to permit lawyers to have access to the detained lawful permanent residents? Please provide the names and titles of all officials responsible for that decision.
- 3) Of those lawful permanent residents detained at Dulles on January 27, 28, or 29, how many showed a residence address in the Commonwealth of Virginia? Please provide the name and address of such Virginia residents. For those who were removed from the United States, please state the date the person was removed and identify the country to which that person was removed. If CBP or Immigrations and Customs Enforcement (“ICE”) continues to detain any such Virginia resident, please state the place where that Virginia resident is currently detained.

Travelers with valid student or work visas

- 4) How many persons with valid student or work visas were detained at Dulles on January 27, 28, and 29 pursuant to the authority of the Executive Order? Of those detained, how many showed a residence address in the Commonwealth of Virginia? Of those with a Virginia residence, how many were removed from the United States and how many were permitted entry?
- 5) Does the CBP continue to detain any Virginia residents who were traveling with a valid student or work visa? If so, please provide the names and addresses of such Virginia residents, their nationality, and the type of visa on which the person was traveling.

I would appreciate your providing this information as soon as practicable, but by no later than February 1. If you have any questions about this request, please feel free to speak with Solicitor General [REDACTED]

Thank you for your prompt attention to this matter.

Sincerely,

[REDACTED]

Mark R. Herring

January 29, 2017

Page 3

cc: The Hon. Terence R. McAuliffe, Governor
The Hon. Mark Warner, Senator
The Hon. Tim Kaine, Senator
(b)(6), (b)(7)(C) Solicitor General

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:39 PM
To: OFO-FIELD LIAISON; OFO-OPS-CAT
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Issue Paper: Request for information regarding status of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
Attachments: (b)(6), (b)(7)(C) Temporary Restraining Order .docx
Importance: High

Field Liaison and CAT,

Please see the below and attached issue paper concerning (b)(6), (b)(7)(C) at IAD on 1/28/2017 and a copy of the resultant Temporary Restraining Order issued by the United States District Court for the Eastern District of Virginia.

**U.S. Customs and Border Protection
Office of Field Operations
Washington/Dulles International Airport
Passenger Operations
January 29, 2016**

Issue: Request for information regarding status of (b)(6), (b)(7)(C) processed by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

GPS Coordinates: Latitude: 38.953116 | Longitude: 77.456539

Synopsis:

On January 28, 2017, two (2) (b)(6), (b)(7)(C) nationals arrived at Washington Dulles (IAD) on board (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

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

Gender: Male

DOB:

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

COR:

PPN:

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

(b)(7)(E)

SUBJECT OF INTEREST

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

Gender: Male

DOB:

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

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

PPN:

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

(b)(7)(E)

Timeline of Events:

- At approximately 0846 (EST) on January 28, 2017, (b)(6), (b)(7)(C) originating from (b)(6), (b)(7)(C) arrived at IAD with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.
- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed same day at (b)(6), (b)(7)(C)
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)**Date / Time:** 01/29/2017; 1630

Thank you,

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

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

Assistant Port Director

U.S. Customs and Border Protection (CBP)

Port of Washington, D.C. (Dulles)

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

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**U.S. Customs and Border Protection
Office of Field Operations
Washington/Dulles International Airport
Passenger Operations
January 29, 2016**

Issue: Request for information regarding status of (b)(7)(E) processed by U.S. Customs and Border Protection (CBP) Officers upon arrival at Washington Dulles International Airport, on January 28, 2017. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

GPS Coordinates: Latitude: 38.953116 | Longitude: 77.456539

Synopsis:

On January 28, 2017, (b)(6), (b)(7)(C) on board (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) and presented immigrant visa packets with IR2 classification to CBP Officers seeking admission to the United States as intending immigrants. Subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and were permitted to withdraw their applications for admission and departed the U.S. the same day.

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: [REDACTED]
COC: (b)(6), (b)(7)(C)
COR: [REDACTED]
PPN: [REDACTED]
IV: (b)(6), (b)(7)(C)
(b)(7)(E)

SUBJECT OF INTEREST

Name: (b)(6), (b)(7)(C)
Gender: Male
DOB: [REDACTED]
COC: (b)(6), (b)(7)(C)
COR: [REDACTED]
PPN: [REDACTED]
IV: (b)(6), (b)(7)(C)
(b)(7)(E)

Timeline of Events:

- At approximately 0846 (EST) on January 28, 2017, (b)(6), (b)(7)(C) originating from (b)(6), (b)(7)(C) arrived at IAD with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on board.

- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) applied for admission to the United States as first time immigrants, presenting immigrant visa packets with IR2 (dependents of US citizen) classification to CBP Officers.
- Both subjects were determined to be inadmissible under Executive Order: *Protecting the Nation from Foreign Terrorist Entry Into the United States* and both were permitted to withdraw their applications for admission under guidelines in force at that time.
- Both subjects departed the United States on board (b)(6), (b)(7)(C) from IAD destined to (b)(6), (b)(7)(C) which departed (b)(6), (b)(7)(C)
- Above actions were taken and completed by CBP IAD personnel prior to any Temporary Restraining Order(s) being issued and any subsequent guidance being issued.
- On 1/28/2017 at approximately 2200 hours, MWAA Police officers, at the behest of several lawyers gathered outside the CBP FIS, delivered a Temporary Restraining Order (copy attached) signed by a United States District Judge from the Eastern District of Virginia to CBP Dulles. The restraining order listed the following two provisions:
 - a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
 - b) respondents are forbidden from removing petitioners – lawful permanent residents at Dulles International Airport –for a period of 7 days from the issuance of this Order.

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/29/2017; 1630

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Case No. 1:17-cv-116

Tareq Aqel Mohammed Aziz
and
Ammar Aqel Mohammed Aziz,
by their next friend,
Aqel Muhammad Aziz,
and
John Does 1-60,

Date: January 28, 2017

Petitioners,

v.

DONALD TRUMP, President of the United States;
U.S. DEPARTMENT OF HOMELAND SECURITY
("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); JOHN KELLY, Secretary
of DHS; KEVIN K. MCALEENAN, Acting
Commissioner of CBP; and WAYNE BIONDI,
Customs and Border Protection (CBP) Port Director
of the Area Port of Washington Dulles,


Respondents.

TEMPORARY RESTRAINING ORDER

Pursuant to Federal Rule of Civil Procedure 65, the Court orders that:

- a) respondents shall permit lawyers access to all legal permanent residents being detained at Dulles International Airport;
- b) respondents are forbidden from removing petitioners—lawful permanent residents at Dulles International Airport—for a period of 7 days from the issuance of this Order.

Dates: January 28, 2017



Lonnie M. Brinkema
United States District Judge

(b)(5)

(b)(5)

Submitted by: (b)(6), (b)(7)(C) Watch Commander, Washington Dulles (IAD)

Date / Time: 01/30/2017; 0145

**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

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

January 31, 2017

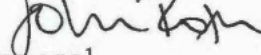
MEMORANDUM FOR: The Honorable Chip F. Fulghum
Acting Deputy Secretary

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: DURST, CASEY OWEN
Sent: Monday, January 30, 2017 2:27 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Dulles EO

Thanks

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

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 2:26 PM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Dulles EO

Casey,

These numbers appear to be valid up through this morning to include the 3 LPR waivers you approved this morning for IAD since the 0500 reporting cycle.

Regards,

(b)(6), (b)(7)(C)
 Assistant Director Border Security
 U.S. Customs and Border Protection
 Baltimore Field Office
 Office: (b)(6), (b)(7)(C)
 Mobile: (b)(6), (b)(7)(C)

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From: DURST, CASEY OWEN
Sent: Monday, January 30, 2017 11:50 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Dulles EO

(b)(6), (b)(7)(C) please validate.

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

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:50 AM
To: DURST, CASEY OWEN; (b)(6), (b)(7)(C); HOFFMAN, TODD A
(b)(6), (b)(7)(C)
Subject: RE: Dulles EO

Todd/DFO

Total LPR- 74
Total Immigrant Encounters = 28
Non immigrant encounters = 8
Number of Withdrawals 15 (all were early Saturday)

All LPRs received waivers and were admitted and released

There are no LPRs in secondary at this time and no one else pending C1 exemption.

(b)(6), (b)(7)(C)
Port Director
Dulles Airport
U.S. Customs and Border Protection
22685 Holiday Park Drive, Suite 15
Sterling, VA 20598

(b)(6), (b)(7)(C) Desk Direct
(b)(6), (b)(7)(C) Terminal Office Desk
(b)(6), (b)(7)(C) Cell

From: DURST, CASEY OWEN
Sent: Monday, January 30, 2017 11:41 AM
To: HOFFMAN, TODD A; (b)(6), (b)(7)(C); BIONDI, WAYNE R; (b)(6), (b)(7)(C)
Subject: RE: Dulles EO

Wayne will send you the latest info momentarily. There are no LPRs in secondary at this time and no one else pending C1 exemption.

Casey

From: HOFFMAN, TODD A

Sent: Monday, January 30, 2017 11:38 AM

To: (b)(6), (b)(7)(C) DURST, CASEY OWEN

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

Subject: Dulles EO

Sorry, but do you have Dulles specific EO stats? The CAT is also working it, but EAC needs in 10 minutes for Kaine call. Thx.

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

From: DURST, CASEY OWEN
Sent: Thursday, February 02, 2017 5:28 PM
To: (b)(6), (b)(7)(C)
Subject: RE: LIMITED DISTRIBUTION - 02022017 Issue Paper - (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

10-4

Casey Owen Durst
 Director, Field Operations
 Baltimore Field Office

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 5:22:59 PM
To: DURST, CASEY OWEN; (b)(6), (b)(7)(C)
Subject: FW: LIMITED DISTRIBUTION - 02022017 Issue Paper - (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Fyi, I'm waiting on an update

Regards,

(b)(6), (b)(7)(C)
 Assistant Director, Border Security
 Baltimore Field Office

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

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From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 4:44 PM
To: DURST, CASEY OWEN (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: CBP IAD WATCH COMMANDER (b)(7)(E)
Subject: LIMITED DISTRIBUTION - 02022017 Issue Paper (b)(6), (b)(7)(C)

Possible Media Interest

February, 2, 2017

Title: Two arriving Iranian first time immigrants, media interest, accompanied by journalist

Summary: On February 2, 2017, two Iranian first time immigrants (b)(6), (b)(7)(C) arrived at Washington Dulles Airport aboard (b)(6), (b)(7)(C) flight (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) the (b)(6), (b)(7)(C). Both travelers, identified as (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) require an exemption from the Commissioner under the Presidential Executive Order "Protecting the Nation from Foreign

Terrorist Entry to the United States (January 27, 2017). Prior to boarding, CBP Immigration Advisory Program (IAP) officers informed CBP-IAD (b)(6), (b)(7)(C) with the couple, (b)(6), (b)(7)(C). Upon arrival, the couple was met by CBP officers and escorted to primary for inspection. (b)(6), (b)(7)(C) who was identified as (b)(6), (b)(7)(C) - a (b)(6), (b)(7)(C) was accompanying them as they departed the mobile lounge and entered the terminal.

(b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were processed as first-time immigrants and referred to secondary to complete the Executive Order enhanced screening. (b)(6), (b)(7)(C) was interviewed by a separate primary officer and after a thorough interview admitted as a Visa Waiver visitor. (b)(6), (b)(7)(C) was permitted to wait for the couple in the baggage claim area as they completed their primary inspection. None of the travelers were in possession of checked luggage so all proceeded to checkpoint. When they reached checkpoint, (b)(6), (b)(7)(C) was asked to wait for the couple in the public area, while (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were escorted to secondary to complete their inspection. (b)(6), (b)(7)(C) did not object to the request and departed the CBP area without incident. CBP-IAD (b)(7)(E) completed the interview of (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) without identifying any concerning information and a verbal waiver was requested, and approved, by the Director of Field Operations (DFO) Baltimore. At approximately 1612 hours, the couple was released from secondary and departed the area. Of note, at least one media outlet was on site in the public arrivals waiting for their arrival.

GPS Coordinates: (b)(7)(E)

Details:

- On January 27, 2017, at approximately 2330 hours EST, IAP AMS received an offload request from (b)(7)(E) for two Iranian nations subject to 212(f) proclamation under the Executive Order.
- Subjects were in possession of first time entry IR5 (parent of a United States Citizen) Immigrant Visas issued on December 2, 2016.
- Subjects were scheduled to fly on board (b)(6), (b)(7)(C) on January 28, 2017 at 0700 EST.
- An offload recommendation was provided to the airline (to which they concurred) and the couple became “stranded” in (b)(6), (b)(7)(C).
- On January 30, 2017, a letter was submitted on behalf of the subjects by (b)(6), (b)(7)(C) requesting the subjects be authorized to board for successful admission to the US, as properly documented Legal Permanent Residents.
- On February 1, 2017, waivers were granted allowing the couple to travel to the US.
- The couple arrived at Washington Dulles Airport on February 2, 2017 at approximately 1530 hours.
 - (b)(6), (b)(7)(C) was processed on primary at 1558 hours
 - (b)(6), (b)(7)(C) was processed on primary at 1601 hours
- (b)(6), (b)(7)(C) told the primary officer that he was coming to the Washington DC area for three days to tour museums. He stated he would stay at the (b)(6), (b)(7)(C)
 - (b)(6), (b)(7)(C) was processed and admitted on primary at 1556 hours
 - CBP-IAP in (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) is a (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and appears to be documenting their story.
 - (b)(6), (b)(7)(C) was seen (b)(6), (b)(7)(C)
 - He did not have any visible video devices upon his arrival to IAD
- (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) informed CBP that their intention was to stay in the United States for approximately one month then return to Iran for an undetermined amount of time while they get their affairs in order.
 - They will stay with their daughter, (b)(6), (b)(7)(C)
 - Their daughter is an (b)(6), (b)(7)(C)
- (b)(6), (b)(7)(C) was in the Iranian air force under the Shah and later received a national waiver. He traveled to (b)(6), (b)(7)(C) for an exchange program.

- Couples luggage was tagged to arrive on January 27th, when they first attempted to travel to the United States. The baggage, however, was never rebooked and is still (according to the airline) in (b)(6), (b)(7)(C) They airline has already taken steps to get the luggage delivered.

SUBJECTS OF INTEREST**Name:** (b)(6), (b)(7)(C)**Gender:** Male**DOB:** (b)(6), (b)(7)(C)**COC:** (b)(6), (b)(7)(C)**POB:** (b)(6), (b)(7)(C)**PPN:** (b)(6), (b)(7)(C)**FOIL:** (b)(6), (b)(7)(C)**A#:** (b)(6), (b)(7)(C)

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

Name: (b)(6), (b)(7)(C)**Gender:** Female**DOB:** (b)(6), (b)(7)(C)**COC:** (b)(6), (b)(7)(C)**POB:** (b)(6), (b)(7)(C)**PPN:** (b)(6), (b)(7)(C)**FOIL:** (b)(6), (b)(7)(C)**A#:** (b)(6), (b)(7)(C)

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

Name: (b)(6), (b)(7)(C)**Gender:** Male**DOB:** (b)(6), (b)(7)(C)**COC:** Netherlands**POB:** Netherlands**PPN:** (b)(6), (b)(7)(C)**FOIL:** N/A, travelling on approved ESTA application (b)(6), (b)(7)(C)**A#:** N/A**Derog:** None and no prior travel to US

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

Related Media Articles

- <http://www.dutchnews.nl/news/archives/2017/02/ranian-couple-stuck-at-schiphol-can-go-to-us-after-all/>

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

Date / Time: 02/02/2017; 1641 hours

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 5:24 PM
To: (b)(6), (b)(7)(C) DURST, CASEY OWEN; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Perservation of Electronic Media at PHL

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

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

Area Port of Philadelphia
US Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Airport Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

(LES/FOUO) LAW ENFORCEMENT SENSITIVE - FOR OFFICIAL USE ONLY

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From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 5:23 PM
To: (b)(6), (b)(7)(C) DURST, CASEY OWEN <(b)(6), (b)(7)(C)>
Cc: (b)(6), (b)(7)(C)
Subject: RE: Perservation of Electronic Media at PHL

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

(b)(6), (b)(7)(C)
CBP Assistant Chief Counsel (Baltimore)
T: (b)(6), (b)(7)(C) C: (b)(6), (b)(7)(C) F: (b)(6), (b)(7)(C)

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

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 5:12 PM
To: (b)(6), (b)(7)(C); DURST, CASEY OWEN (b)(6), (b)(7)(C)
 CAMPBELL, CARL S <(b)(6), (b)(7)(C)> (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Perservation of Electronic Media at PHL
Importance: High

All,
 This is the email I just received.

Regards,

(b)(6), (b)(7)(C)
 Assistant Director, Border Security
 Baltimore Field Office
 (b)(6), (b)(7)(C)
 Mobile: (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 5:07 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Perservation of Electronic Media at PHL
Importance: High

Good Afternoon Director (b)(6), (b)(7)(C)

As per our conversation this afternoon, I am writing to request that any and all electronic media from the Philadelphia International Airport international terminals be preserved, from January 27, 2017 forward. This request is being made due to an official Department of Homeland Security, Office of Inspector General investigation related to the processing of immigrants and refugees after President Donald Trump's executive order on immigration and refugees was signed.

Thank you,

(b)(6), (b)(7)(C)
 Assistant Special Agent in Charge
 DHS OIG
 Philadelphia Field Office
 Tel: (b)(6), (b)(7)(C)
 Fax: (b)(6), (b)(7)(C)

**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

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

January 31, 2017

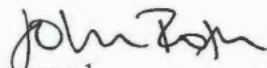
MEMORANDUM FOR: The Honorable Chip F. Fulghum
Acting Deputy Secretary

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)