

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 5:35 PM
To: (b)(6), (b)(7)(C)
Subject: RE: FINAL SIGNED EO FOR ACTION

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

I noticed the ports are waiving the forms I-867A/B . Can you find from SF if that the case?
Per port memo 867A and 867B sworn statement was waived.

Thanks for your help.

Thanks for your message.

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:15 PM
To: SLC-FIS (b)(7)(E)
Subject: FW: FINAL SIGNED EO FOR ACTION
Importance: High

(b)(6), (b)(7)(C)
Port Director
Customs and Border Protection
Salt Lake City, UT
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) (cell)

Sent from Samsung Galaxy

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:09:23 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

(b)(6), (b)(7)(C)
Watch Commander, Port of San Francisco
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 8:53 PM
To: SFO CBP CHIEFS (b)(7)(E); SFO CBP SUPERVISORS (b)(7)(E)

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

Subject: FW: FINAL SIGNED EO FOR ACTION
Importance: High

Here is the Executive Order

(b)(6), (b)(7)(C)
Watch Commander, Port of San Francisco

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 8:52 PM
To: (b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION
Importance: High

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

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

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:24 PM
To: (b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION
Importance: High

From: HUMPHREY, BRIAN J (DFO)
Sent: Friday, January 27, 2017 7:14:34 PM
To: (b)(6), (b)(7)(C); HUMPHREY, BRIAN J (DFO); (b)(6), (b)(7)(C)

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

Subject: FW: FINAL SIGNED EO FOR ACTION

The attached executive order is effective immediately. Because of the urgency and sensitivity, I ask that each Area PD acknowledge receipt. Thank you.

Detailed guidance is expected within the hour, including reporting requirements. In the interim, this is my summary of tonight's conference call with HQ.

Affected countries: Iran, Iraq, Syria, Libya, Sudan, Somalia, Yemen

Effective immediately, all immigrant (including refugees) and non-immigrant visas of citizens from these countries are revoked. These passengers are to be: (b)(5), (b)(7)(E) If they do not agree to (b)(5), (b)(7)(E) they will be (b)(5), (b)(7)(E) If they claim credible fear, they will be processed accordingly. A/G/NATO visa holders are exempt and allowed entry.

LPRs presenting passports from these countries are included in the executive order. However, the Secretary has delegated waiver authority to DFOs to admit LPRs after undergoing a (b)(5), (b)(7)(E) (b)(5), (b)(7)(E) with proper notation of the DFO waiver in the remarks section. No LPR is to be removed.

Unaccompanied Alien Children, previously admitted refugees, previously admitted asylees, and persons with approved advanced paroles are included in the executive order. These individuals currently require a Secretary approved waiver. HQ guidance will cover the waiver procedures. HQ is requesting DFO delegated authority for these groups as well (b)(5), (b)(7)(E) Such individuals will also be (b)(5), (b)(7)(E) with notation of the approved waiver in the remarks. Until such time that (b)(5), (b)(7)(E) we will need to hold the passengers pending Secretary approval of the waiver. These individuals will not be expeditiously removed.

At this time, these procedures are to be followed for the next 90 days. Further guidance will follow at that time.

The State Department has already cancelled all the immigrant and non-immigrant visas, and (b)(5), (b)(7)(E) (b)(5), (b)(7)(E) RCLGs are also being involved to offload individuals attempting to board.

Reporting: Eventually an automated report is expected from NTC, but in the meantime, we will owe HQ a report each morning by 0500 hours Eastern Time. We will need the information in the SFFO by midnight Pacific Time in order to compile a consolidated FO response. Please copy (b)(6), (b)(7)(C) and I. A spreadsheet of the report fields is expected with the guidance due out soon from HQ.

Any questions, please feel free to call me.

Brian J. Humphrey
Director, Field Operations
San Francisco and Portland Field Offices

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

San Francisco, California 94105

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:07 PM
To: DIRECTORS FIELD OPS (b)(7)(E)
Subject: FW: FINAL SIGNED EO FOR ACTION

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: MILLER, TROY A
Sent: Friday, January 27, 2017 6:41 PM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 6:41 PM
To: WAGNER, JOHN P (b)(6), (b)(7)(C)
FLANAGAN, PATRICK S
(b)(6), (b)(7)(C)
Subject: FINAL SIGNED EO FOR ACTION

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:20 AM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Will do sir.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Customs and Border Protection
 JFK Airport
 Office: (b)(6), (b)(7)(C)
 Cell: (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 2:31:56 AM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

FYI and action. (b)(6), (b)(7)(C) please handle accordingly and advise when done.

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

REP

From: MCALEENAN, KEVIN K
Sent: Sunday, January 29, 2017 1:38:33 AM
To: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) HOFFMAN, TODD A; HUTTON, JAMES R; DIRECTORS FIELD OPS
Cc: (b)(6), (b)(7)(C) ALLES, RANDOLPH D; FLANAGAN, PATRICK S
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the

Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



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

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

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

Vigilance • Service • Integrity

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 7:24 AM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Sir - We are working on it. All the individuals had to undergo a (b)(7)(E) and then we were hoping to send one email with all 17 individuals listed on the waiver, but APP denied our request. So, we are generating individual emails.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Customs and Border Protection
 JFK Airport
 Office: (b)(6), (b)(7)(C)
 Cell: (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 7:19:21 AM
To: (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

(b)(6), (b)(7)(C) have we sent waivers in for all the pax we are holding? What's our status? - thanks.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:19:32 AM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Got it sir.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Customs and Border Protection
 JFK Airport
 Office: (b)(6), (b)(7)(C)
 Cell: (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 2:32:17 AM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order




From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 2:00:24 AM
To: MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) HOFFMAN, TODD A; DIRECTORS FIELD OPS
Cc: (b)(6), (b)(7)(C) ALLES, RANDOLPH D; FLANAGAN, PATRICK S
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

DFO's

Kindly request waivers pertaining to below follow per guidance in attached message. I will be reaching out to address any questions/concerns you may have.

Thank you,

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

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




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From: MCALEENAN, KEVIN K
Sent: Sunday, January 29, 2017 1:39 AM
To: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C) DIRECTORS FIELD OPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) ALLES, RANDOLPH D
(b)(6), (b)(7)(C) FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue

hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



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

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

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

Vigilance • Service • Integrity

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:56 PM
To: PEREZ, ROBERT E
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir – The refugees listed for today were from Bhutan and Nepal (none were nationals of the 7 countries).

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Monday, January 30, 2017 4:26 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Re-Delegation of EO Section 5 Refugee Waiver Authority
Importance: High

(b)(6), (b)(7)(C) FYI and action. Please let me know when you're available for a call on this – thanks.

REP

From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS (b)(7)(E); BORDER SECURITY ASST DIRECTORS
(b)(7)(E) EXECUTIVE DIRECTORS HQ
Cc: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C); WAGNER, JOHN P (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Re-Delegation of EO Section 5 Refugee Waiver Authority
Importance: High

DFOs

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

- JFK
- Newark
- Miami
- Chicago

Dulles
LAX
Houston

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. (b)(5), (b)(7)(E)

(b)(5), (b)(7)(E) The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(5), (b)(7)(E)

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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



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From: MCALEENAN, KEVIN K

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

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

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

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

Subject: Redelegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include

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

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 6:30 AM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Redelegation of 3(g) Authority

Got it sir.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Customs and Border Protection
 JFK Airport

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

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 6:23:11 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Redelegation of 3(g) Authority

FYI.

From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 10:28:30 PM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: (b)(6), (b)(7)(C) M; Owen, Todd C (AC OFO); WAGNER, JOHN P; ENFORCEMENT PROGRAMS DIVISION
Subject: FW: Redelegation of 3(g) Authority

Directors,

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

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 7:16:55 PM
To: HOFFMAN, TODD A
Subject: Redelegation of 3(g) Authority

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

(b)(6)

(b)(6)



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

DELEGATED BY

Commissioner

DELEGATED TO

Deputy Commissioner
 Executive Assistant Commissioner, Field Operations
 Deputy Executive Assistant Commissioner, Field Operations
 Executive Director Operations, Field Operations
 Executive Director, National Targeting Center – Passenger
 Directors, Field Operations
 Port Director, John F. Kennedy Airport
 Port Director, Los Angeles International Airport

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include: (b)(7)(E)

(b)(7)(E)

This authority may not be further delegated.

Commissioner

From: MCALEENAN, KEVIN K
Sent: Wednesday, February 1, 2017 9:55 PM
To: (b)(6) Owen, Todd C (AC OFO)
 (b)(6); WAGNER, JOHN P (b)(6) HOFFMAN, TODD A
 (b)(6) HUTTON, JAMES R (b)(6)
Cc: ALLES, RANDOLPH D (b)(6); FLANAGAN, PATRICK S (b)(6)
 (b)(6)
Subject: RE: Redelegation

Thank you. (b)(5)

From: (b)(6)
Sent: Wednesday, February 01, 2017 9:54:00 PM
To: MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; (b)(6)
Subject: RE: Redelegation

(b)(5)

(b)(5)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 10:40 AM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: FW: DHS OIG request
Attachments: (INV_FORM-26)_ADVICE_OF_RIGHTS_(KALKINES).pdf

Sir – Just an FYI regarding tomorrow’s interview. I am considered a witness in this investigation. We will provide the OIG with the list of employees on duty and the list of travelers by COB today. APD (b)(6), (b)(7)(C) will also be interviewed tomorrow. She has been provided with the guidance that I received from both you and Ms.

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

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

Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 9:19 AM
To: (b)(6), (b)(7)(C)
Subject: RE: DHS OIG request

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

Thank you.

You will initially be provided your Kalkines Rights (Attached), which means it is a compelled interview. We are not recording the interview.

If anyone else under your direct supervision is available tomorrow for interviews please let me know and make them available.

Thanks again,

(b)(6), (b)(7)(C)
Resident Agent in Charge
Department of Homeland Security
Office of Inspector General
New York Resident Office
Office
(b)(6), (b)(7)(C) Cell
Fax

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 8:40 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: DHS OIG request

(b)(6), (b)(7)(C) Will do. I have a few questions regarding tomorrow's interview:

Am I a subject, target, or witness with regard to your investigation?

Do you plan on giving me any warnings? If so, please provide a copy in advance.

Will it be recorded?

Thanks,

(b)(6), (b)(7)(C)
 Port Director
 U.S. Customs and Border Protection
 JFK Airport
 Office: (b)(6), (b)(7)(C)
 Cell: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 8:38 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: DHS OIG request
Importance: High

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

As per our conversation yesterday, when you get the opportunity, can you please provide me with the following information:

1. A list of all CBP personnel (in the order of the chain of command) that were on duty at JFK from January 27th to January 31, 2017.
2. A List of all travelers that were detained, released or removed pursuant to the POTUS Executive Order, dated January 27, 2017.

I look forward to speaking with you tomorrow.

Thank you in advance for your cooperation,

(b)(6), (b)(7)(C)
 Resident Agent in Charge
 Department of Homeland Security
 Office of Inspector General
 New York Resident Office

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:27 PM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: FINAL SIGNED EO FOR ACTION

Got it sir.

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Friday, January 27, 2017 9:24:44 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: FINAL SIGNED EO FOR ACTION

All -FYI. Implementation guidance is forthcoming tonight and must be acted upon immediately. More to follow - thanks.

REP

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:07:26 PM
To: DIRECTORS FIELD OPS
Subject: FW: FINAL SIGNED EO FOR ACTION

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)
Sent: Friday, January 27, 2017 6:41 PM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C); HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C); LANDFRIED, PHIL A (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C); MURDOCK, JUDSON W
 (b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 6:41 PM
To: WAGNER, JOHN P <(b)(6), (b)(7)(C)>
 FLANAGAN, PATRICK S <(b)(6), (b)(7)(C)>
(b)(6), (b)(7)(C)
Subject: FINAL SIGNED EO FOR ACTION

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 4:09 AM
To: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: RE: UPDATE: Protests at JFK

FLD;

As of 0330 hours;

- All of the protesters have vacated Terminal 4 for the night.
- A few PAPD Patrol units remain on-site with barricades remaining in place.
- One Media CNN truck remains.

Regards;

(b)(6), (b)(7)(C)
 (A) Assistant Director, Border Security
 U.S. Customs & Border Protection
 New York Field Office
 T (b)(6), (b)(7)(C)
 M

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:47 PM
To: OFO-FIELD LIAISON (b)(7)(E) (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: RE: UPDATE: Protests at JFK

FLD;

- As of 2135 hours, JFK Terminal 4 is reporting that the crowds of protesters are decreasing at this time.

(b)(6), (b)(7)(C)
 (A) Assistant Director, Border Security
 U.S. Customs & Border Protection
 New York Field Office
 T (b)(6), (b)(7)(C)
 M

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

Sent: Saturday, January 28, 2017 7:48 PM

To: OFO-FIELD LIAISON (b)(7)(E) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Cc: PEREZ, ROBERT E (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Subject: UPDATE: Protests at JFK

Importance: High

FLD;

Regarding the protests at JFK Airport;

- Photos attached.
- The protesters are being contained, are peaceful, are keeping their distance and are being closely monitored.
- As of 1900, protestors are in the parking garage (all levels) with signs.
- Crowd estimate is approximately 2,500-3,000. Demonstration mainly contained to Terminal 4 at this time, sporadic protesters at all the other terminals. PAPD, National Guard, state police, and NYPD assets will be deployed to all terminals.
- Air Train service is restricted, only ticketed passengers and persons with airport ID will be allowed to enter the air train to access the central terminal areas.
- No impact to airport operations.

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

(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office

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

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

Sent: Saturday, January 28, 2017 5:47 PM

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

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

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

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

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

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

OFO-FIELD LIAISON

(b)(7)(E)

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

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

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

PEREZ, ROBERT E

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

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

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

SITROOM

(b)(7)(E)

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

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

Subject: (b)(7)(E) Media Interest at JFK Airport Regarding EO

Importance: High

Please review the attached national report and photographs detailing a demonstration at JFK Airport, Terminal 4.

SYNOPSIS:

CBP at JFK is encountering media and congressional interest resulting for the Executive Order (EO) issued by President Trump on 1/27/2017. Operations have not been adversely impacted. Passengers are being processed in accordance with the (EO), and coordination is on-going with law enforcement partners to handle protests and media requests. CBP has also been in contact with Airline stakeholders to coordinate on passenger processing efforts.

DETAILS:

On January 27, 2017, President Trump issued an Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”. This EO suspended all entry into the United States for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen as per Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those people traveling on diplomatic visas, NATO visas, C2 visas going to the United Nations, G1, G2, G3 and G4 visas. The order also includes all immigrant classes of admission, returning resident aliens, refugees and asylees. As a result of this order, Terminal 4 staff office has received numerous phone calls from media, lawyers, concerned citizens and congressional staffers inquiring about the individuals being detained by CBP at JFK. Congressman Nadler and Congresswoman Nydia Velasquez came to Terminal 4 at JFK and attempted to enter the FIS. WC (b)(6), (b)(7)(C) and DC (b)(6), (b)(7)(C) were dispatched to speak to them. They were provided with information regarding 2 individuals we were detaining and were concerned that they were going to be sent out of the country before having an opportunity to speak to an attorney. Media personnel with cameras were confined to the parking lot across the street from T4. Additional Port Authority Police and National Guard personnel have been allocated to the Terminal to maintain order in and around the area. CBP will join a 3 pm conference call to discuss assets and crowd control measures.

According to the Port Authority Police Department, a group of demonstrators (about 80) are currently protesting in a parking lot outside Terminal 4 under the presence of media channels. With assistance of PAPD and Port Authority (PA) operations we have directed the protesters to remain in a specific lot where they are currently staged and monitored. The Port Authority Police closed inner arrivals roadways to all traffic with exception to police vehicles, and yellow cabs. Some arrivals doorways also have been restricted from PAPD at this time, and all arrivals foot traffic has been directed to specific exit doors. The remaining 4 CBP terminals at JFK have not been impacted. Port Authority police are making sure media personnel are not congregating in the terminals. Updates will follow.

UPDATE: A conference call with Port Authority police was held at 3 PM. CBP Port Director briefed the other law enforcement agencies on how CBP is processing the passengers who are subject to this EO. Due to the demonstration scheduled to take place in the Terminal 4 parking lot at 1830 hours, additional police personnel will be deployed to the area to ensure that the demonstration remains peaceful. Approximately 350-400 demonstrators are currently in the east side of the parking lot.

TIMELINE:

01/28/2017

0000-1000 Hours: Phone calls from media, lawyers and concerned citizens asking questions about the people be detained.

1115 Hours: Congressman Nadler and Congresswoman Velasquez arrive at the FIS at T4 asking to speak with a supervisor. DC (b)(6), (b)(7)(C) and WC (b)(6), (b)(7)(C) speak with them and they leave the area.

1145 Hours: Congressman Nadler holds a press conference in the T4 public parking lot.

1230 Hours: One detainee, (b)(6), (b)(7)(C) is admitted and escorted out of the FIS.

Biographical Information on Detainees:

Subject #1: (admitted and released)

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

COC: IRAQ arrived at JFK Terminal One at 1753 hours on 01/27/2017.

PP: Iraq # (b)(6), (b)(7)(C)

VISA: SQ1

Subject #2: (pending decision)

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

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

PP: Iraq (b)(6), (b)(7)(C)

VISA: ZZ, foil (b)(6), (b)(7)(C)

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

Watch Commander

U.S. Customs and Border Protection

JFK Airport

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

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 8:05 PM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir – APP provided an additional option. The JFK SES PD can approve the NLIA 1st time refugee waiver requests.

Please let me know how you would like to proceed.

(b)(6), (b)(7)(C)
 (A) Assistant Director, Border Security
 U.S. Customs & Border Protection
 New York Field Office
 T (b)(6), (b)(7)(C)
 M

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 7:54 PM
To: PEREZ, ROBERT E <(b)(6), (b)(7)(C)>
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir –

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

Date	Carrier	Flt #	ETA	PAX Count
31 Jan 2017	UA	085	16:50	5
31 Jan 2017	ET	508	19:15	6
02 Feb 2017	LH	402	16:20	25
02 Feb 2017	AF	3634	16:48	2
02 Feb 2017	CX	890	21:00	20

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

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

(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office

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

From: HUTTON, JAMES R

Sent: Monday, January 30, 2017 7:16 PM

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

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

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

Unfortunately if not listed then doesn't have the authority (assuredly an oversight)

Yes
each one needs a waiver

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

Sent: Monday, January 30, 2017 6:05:04 PM

To: HUTTON, JAMES R

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

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

Sir –

Relative to the Re-Delegation of EO Section 5 Refugee Waiver Authority, the NYFO has two questions for clarification;

- Per the delegation order, only the Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport were delegated the authority to admit individuals to the United States as first-time refugees on a case-by-case basis.
 - Does this delegation specifically exclude other SES Port Directors from exercising this authority?
- Are we correct to interpret the below/attached as all of the approximately 842 refugees will require waivers regardless of country?

Thank you,

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

(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office

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

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

From: HUTTON, JAMES R

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

To: DIRECTORS FIELD OPS (b)(6), (b)(7)(C) ORDER SECURITY ASST DIRECTORS

(b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ

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

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

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

Importance: High

DFOs

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

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

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. (b)(5), (b)(7)(E)

(b)(5), (b)(7)(E) The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(5), (b)(7)(E)

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6)

 (b)(6)



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

Acting Deputy Commissioner/EAC,

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 7:54 PM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: FW: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir –

APP confirmed that the Newark SES PD does not have 1st time refugee waiver authority. They also confirmed that all those on the 1st time refugee list will require waivers, regardless of country.

As you will need to approve the 1st time refugee waivers for NLIA, there are fifty-eight (58) refugee arrivals this week, of which eleven (11) are due to arrive tomorrow. Date/flight break out follows;

Date	Carrier	Flt #	ETA	PAX Count
31 Jan 2017	UA	085	16:50	5
31 Jan 2017	ET	508	19:15	6
02 Feb 2017	LH	402	16:20	25
02 Feb 2017	AF	3634	16:48	2
02 Feb 2017	CX	890	21:00	20

We will work with the port on a waiver request template.

Unless you feel otherwise, I believe it is best to receive one request per flight, with the request containing the information required to adjudicate the waiver requests for each individual on that flight.

(b)(6), (b)(7)(C)
 (A) Assistant Director, Border Security
 U.S. Customs & Border Protection
 New York Field Office

T
 M: (b)(6), (b)(7)(C)

From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 7:16 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Unfortunately if not listed then doesn't have the authority (assuredly an oversight)

Yes
each one needs a waiver

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 6:05:04 PM
To: HUTTON, JAMES R
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir –

Relative to the Re-Delegation of EO Section 5 Refugee Waiver Authority, the NYFO has two questions for clarification;

- Per the delegation order, only the Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport were delegated the authority to admit individuals to the United States as first-time refugees on a case-by-case basis.
 - Does this delegation specifically exclude other SES Port Directors from exercising this authority?
- Are we correct to interpret the below/attached as all of the approximately 842 refugees will require waivers regardless of country?

Thank you,

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office
T (b)(6), (b)(7)(C)
M

From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS (b)(6), (b)(7)(C) BORDER SECURITY ASST DIRECTORS
(b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ
(b)(6)
Cc: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)

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

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

DFOs

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

Miami
Chicago
Dulles
LAX
Houston

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. (b)(5), (b)(7)(E)

(b)(5), (b)(7)(E) The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(5), (b)(7)(E)

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6)

(b)(6)



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From: MCALEENAN, KEVIN K

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

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

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

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

FLANAGAN, PATRICK S <

(b)(6), (b)(7)(C)**Subject:** Redelegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 7:51 PM
To: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: UPDATE: Protests at JFK
Attachments: 20170128_184045.jpg; 20170128_184040.jpg; 20170128_183949.jpg
Importance: High

FLD;

Regarding the protests at JFK Airport;

- Photos attached.
- The protesters are being contained, are peaceful, are keeping their distance and are being closely monitored.
- As of 1900, protestors are in the parking garage (all levels) with signs.
- Crowd estimate is approximately 2,500-3,000. Demonstration mainly contained to Terminal 4 at this time, sporadic protesters at all the other terminals. PAPD, National Guard, state police, and NYPD assets will be deployed to all terminals.
- Air Train service is restricted, only ticketed passengers and persons with airport ID will be allowed to enter the air train to access the central terminal areas.
- No impact to airport operations.

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office

T
M: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 5:47 PM
To: (b)(6), (b)(7)(C)

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

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

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

OFO-FIELD LIAISON

(b)(7)(E)

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

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

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

PEREZ, ROBERT E

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

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

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

SITROOM

(b)(7)(E)

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

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

Subject: (b)(7)(E)

Media Interest ay JFK Airport Regarding EO

Importance: High

Please review the attached national report and photographs detailing a demonstration at JFK Airport, Terminal 4.

SYNOPSIS:

CBP at JFK is encountering media and congressional interest resulting for the Executive Order (EO) issued by President Trump on 1/27/2017. Operations have not been adversely impacted. Passengers are being processed in accordance with the (EO), and coordination is on-going with law enforcement partners to handle protests and media requests. CBP has also been in contact with Airline stakeholders to coordinate on passenger processing efforts.

DETAILS:

On January 27, 2017, President Trump issued an Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”. This EO suspended all entry into the United States for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen as per Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those people traveling on diplomatic visas, NATO visas, C2 visas going to the United Nations, G1, G2, G3 and G4 visas. The order also includes all immigrant classes of admission, returning resident aliens, refugees and asylees. As a result of this order, Terminal 4 staff office has received numerous phone calls from media, lawyers, concerned citizens and congressional staffers inquiring about the individuals being detained by CBP at JFK. Congressman Nadler and Congresswoman Nydia Velasquez came to Terminal 4 at JFK and attempted to enter the FIS. WC (b)(6), (b)(7)(C) and DC (b)(6), (b)(7)(C) were dispatched to speak to them. They were provided with information regarding 2 individuals we were detaining and were concerned that they were going to be sent out of the country before having an opportunity to speak to an attorney. Media personnel with cameras were confined to the parking lot across the street from T4. Additional Port Authority Police and National Guard personnel have been allocated to the Terminal to maintain order in and around the area. CBP will join a 3 pm conference call to discuss assets and crowd control measures.

According to the Port Authority Police Department, a group of demonstrators (about 80) are currently protesting in a parking lot outside Terminal 4 under the presence of media channels. With assistance of PAPD and Port Authority (PA) operations we have directed the protesters to remain in a specific lot where they are currently staged and monitored. The Port Authority Police closed inner arrivals roadways to all traffic with exception to police vehicles, and yellow cabs. Some arrivals doorways also have been restricted from PAPD at this time, and all arrivals foot traffic has been directed to specific exit doors. The remaining 4 CBP terminals at JFK have not been impacted. Port Authority police are making sure media personnel are not congregating in the terminals. Updates will follow.

UPDATE: A conference call with Port Authority police was held at 3 PM. CBP Port Director briefed the other law enforcement agencies on how CBP is processing the passengers who are subject to this EO. Due to the demonstration scheduled to take place in the Terminal 4 parking lot at 1830 hours, additional police personnel will be deployed to the area to ensure that the demonstration remains peaceful. Approximately 350-400 demonstrators are currently in the east side of the parking lot.

TIMELINE:**01/28/2017**

0000-1000 Hours: Phone calls from media, lawyers and concerned citizens asking questions about the people be detained.

1115 Hours: Congressman Nadler and Congresswoman Velasquez arrive at the FIS at T4 asking to speak with a supervisor. DC (b)(6), (b)(7)(C) and WC (b)(6), (b)(7)(C) speak with them and they leave the area.

1145 Hours: Congressman Nadler holds a press conference in the T4 public parking lot.

1230 Hours: One detainee, (b)(6), (b)(7)(C) is admitted and escorted out of the FIS.

Biographical Information on Detainees:

Subject #1: (admitted and released)

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

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

COC: IRAQ arrived at JFK Terminal One at 1753 hours on 01/27/2017.

PP: Iraq # (b)(6), (b)(7)(C)

VISA: SQ1

Subject #2: (pending decision)

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

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

PP: Iraq # (b)(6), (b)(7)(C)

VISA: ZZ, foil # (b)(6), (b)(7)(C)

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

Watch Commander

U.S. Customs and Border Protection

JFK Airport

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:35 PM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Will do.

From: PEREZ, ROBERT E
Sent: Monday, January 30, 2017 4:33:53 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Thanks – I will call (b)(6), (b)(7)(C) now, and (b)(6), (b)(7)(C), please call me later when you can speak freely.

REP

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:31 PM
To: (b)(6), (b)(7)(C); PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Currently on the train. I can call in but it will be difficult to speak given the subject matter. 1730 works, I can be in my car by then.

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:28:45 PM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

Sir – I am available. If you would like, I can conference you all in on the number below

Conference # (b)(6), (b)(7)(C)
Participant Code: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport

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

From: PEREZ, ROBERT E
Sent: Monday, January 30, 2017 4:26 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Re-Delegation of EO Section 5 Refugee Waiver Authority
Importance: High

(b)(6), (b)(7)(C) – FYI and action. Please let me know when you’re available for a call on this – thanks.

REP

From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS (b)(7)(E) BORDER SECURITY ASST DIRECTORS
EXECUTIVE DIRECTORS HQ
(b)(7)(E)

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

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

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

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

DFOs

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

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

The Executive Order (EO) does allow for a waiver pursuant to Section 5(e) with concurrence of the Secretary of State and Secretary of Homeland Security. (b)(5), (b)(7)(E)

(b)(5), (b)(7)(E) The Secretary of Homeland Security has delegated his authority to the Commissioner of U.S. Customs and Border Protection. The Commissioner has further delegated his authority (see below) that allows the listed individuals to effectuate said waiver per Section 5(e) of the EO. The below also outlines the guidelines, systems checks etc, on how waivers should be granted:

Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include (b)(5), (b)(7)(E)

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6)

(b)(6)



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

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include

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

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 6:31 AM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Redefinition of 3(g) Authority

Got it.

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

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

From: PEREZ, ROBERT E
Sent: Thursday, February 02, 2017 6:23:11 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Redefinition of 3(g) Authority

FYI.

From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 10:28:30 PM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN P; ENFORCEMENT PROGRAMS DIVISION
Subject: FW: Redefinition of 3(g) Authority

Directors,

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

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 7:16:55 PM
To: HOFFMAN, TODD A
Subject: Redefinition of 3(g) Authority

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6)

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



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

DELEGATED BY

Commissioner

DELEGATED TO

Deputy Commissioner
 Executive Assistant Commissioner, Field Operations
 Deputy Executive Assistant Commissioner, Field Operations
 Executive Director Operations, Field Operations
 Executive Director, National Targeting Center – Passenger
 Directors, Field Operations
 Port Director, John F. Kennedy Airport
 Port Director, Los Angeles International Airport

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include [redacted] (b)(7)(E)

[redacted] (b)(7)(E)

This authority may not be further delegated.

Commissioner

From: MCALEENAN, KEVIN K

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

To: [redacted] (b)(6) Owen, Todd C (AC OFO)
[redacted] (b)(6) WAGNER, JOHN P [redacted] (b)(6) HOFFMAN, TODD A
[redacted] (b)(6) HUTTON, JAMES R [redacted] (b)(6)
Cc: ALLES, RANDOLPH D [redacted] (b)(6) FLANAGAN, PATRICK S [redacted] (b)(6)
[redacted] (b)(6)

Subject: RE: Redelegation

Thank you. [redacted] (b)(5)

From: [redacted] (b)(6)

Sent: Wednesday, February 01, 2017 9:54:00 PM

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

Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; [redacted] (b)(6)

Subject: RE: Redelegation

[redacted] (b)(5)

(b)(5)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:07 PM
To: PEREZ, ROBERT E
Subject: RE: FINAL SIGNED EO FOR ACTION

Got it.

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office
T (b)(6), (b)(7)(C)
M (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Friday, January 27, 2017 10:05 PM
To: (b)(6), (b)(7)(C)
Subject: RE: FINAL SIGNED EO FOR ACTION

Negative - (b)(5)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:52:06 PM
To: PEREZ, ROBERT E
Subject: RE: FINAL SIGNED EO FOR ACTION

Sir - I verbally notified both ports. One question, (b)(5)
(b)(5)

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
New York Field Office
U.S. Customs and Border Protection
O (b)(6), (b)(7)(C)
M (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Friday, January 27, 2017 9:24:44 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

All -FYI. Implementation guidance is forthcoming tonight and must be acted upon immediately. More to follow - thanks.

REP

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:07:26 PM
To: DIRECTORS FIELD OPS
Subject: FW: FINAL SIGNED EO FOR ACTION

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)
Sent: Friday, January 27, 2017 6:41 PM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 6:41 PM
To: WAGNER, JOHN P (b)(6), (b)(7)(C)
FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FINAL SIGNED EO FOR ACTION

From: PEREZ, ROBERT E
Sent: Friday, January 27, 2017 9:25 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: FINAL SIGNED EO FOR ACTION
Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

All -FYI. Implementation guidance is forthcoming tonight and must be acted upon immediately. More to follow - thanks.

REP

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:07:26 PM
To: DIRECTORS FIELD OPS
Subject: FW: FINAL SIGNED EO FOR ACTION

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)
Sent: Friday, January 27, 2017 6:41 PM
To: HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) MURDOCK, JUDSON W
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K

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

To: WAGNER, JOHN P

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

FLANAGAN, PATRICK S <

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

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

Subject: FINAL SIGNED EO FOR ACTION

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 2:32 AM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order
Attachments: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 2:00:24 AM
To: MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) HOFFMAN, TODD A; DIRECTORS FIELD OPS
Cc: (b)(6), (b)(7)(C) ALLES, RANDOLPH D; FLANAGAN, PATRICK S
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

DFO's
 Kindly request waivers pertaining to below follow per guidance in attached message. I will be reaching out to address any questions/concerns you may have.

Thank you,

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

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



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From: MCALEENAN, KEVIN K
Sent: Sunday, January 29, 2017 1:39 AM

To: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON,
 JAMES R (b)(6), (b)(7)(C) DIRECTORS FIELD OPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) ALLES, RANDOLPH D
 (b)(6), (b)(7)(C); FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



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

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

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

Vigilance • Service • Integrity

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:34 PM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Importance: High

DFO's

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

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

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

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

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

Sample

(b)(5)

(b)(5)

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

(b)(5)

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

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



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE DIRECTORS HQ
(b)(7)(E) BORDER SECURITY ASST DIRECTORS
(b)(7)(E)
Cc: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Directors,

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

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman
Executive Director

Admissibility and Passenger Programs
Office of Field Operations

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

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

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

Wherever possible, (b)(7)(E) will coordinate the denial of boarding through (b)(7)(E)
(b)(7)(E)

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)
 - (2)
 - (3)
 - (4)
- (b)(7)(E)

Returning Residents,

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

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

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

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

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

OCC

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

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

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

Details:

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

J. Ryan Hutton
 Deputy Executive Director
 Admissibility and Passenger Programs

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

Washington, DC



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



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From: PEREZ, ROBERT E
Sent: Tuesday, January 31, 2017 9:03 PM
To: (b)(6), (b)(7)(C)
Subject: FW: FAQs
Attachments: Final QA v5 (Q1-25).docx

FYI.

From: HOFFMAN, TODD A
Sent: Tuesday, January 31, 2017 7:23:24 PM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Subject: FW: FAQs

FYSA. Please continue to direct all information requests to HQ.

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: Tuesday, January 31, 2017 7:12 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C) HOFFMAN, TODD A
(b)(6), (b)(7)(C) FRIEL, MICHAEL J (b)(6), (b)(7)(C)
Cc: FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: RE: FAQs

All,

The attached FAQs have been approved by the Commissioner. This will remain an iterative document as we get new/updated questions so please share the question and draft responses so we can continue to keep this document updated. Please let me know if you have any additional questions.

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

(b)(6), (b)(7)(C)
Office of the Commissioner
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 7:59 AM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order
Attachments: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High

Good morning sir! Are you available for a quick call? Thanks.

REP




From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 2:00 AM
To: MCALEENAN, KEVIN K (b)(6), (b)(7)(C) Owen, Todd C (AC OFO)
(b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) DIRECTORS FIELD OPS
(b)(7)(E)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) ALLES, RANDOLPH D
(b)(6), (b)(7)(C) FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order
Importance: High

DFO's

Kindly request waivers pertaining to below follow per guidance in attached message. I will be reaching out to address any questions/concerns you may have.

Thank you,

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

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





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From: MCALEENAN, KEVIN K

Sent: Sunday, January 29, 2017 1:39 AM

To: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON,
JAMES R (b)(6), (b)(7)(C) DIRECTORS FIELD OPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) ALLES, RANDOLPH D
(b)(6), (b)(7)(C) FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



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

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

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

Vigilance • Service • Integrity

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:34 PM
To: HOFFMAN, TODD A; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: (b)(6), (b)(7)(C)
 UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C); RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C); EO 212(f) Waiver for (b)(6), (b)(7)(C)
Importance: High

DFO's

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

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

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

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

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

Sample

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

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

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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

☎ (b)(6), (b)(7)(C)
📧 (b)(6), (b)(7)(C)
✉ (b)(6), (b)(7)(C)



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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE DIRECTORS HQ
(b)(7)(E) BORDER SECURITY ASST DIRECTORS
(b)(7)(E)
Cc: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
HUTTON, JAMES R (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Directors,

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

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman
Executive Director

Admissibility and Passenger Programs
Office of Field Operations

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

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

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

Wherever possible, (b)(7)(E) will coordinate the denial of boarding through (b)(7)(E)
(b)(7)(E)

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)
 - (2)
 - (3)
 - (4)
- (b)(7)(E)

Returning Residents,

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

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

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

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

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

OCC

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

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

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

Details:

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

Washington, DC



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



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From: PEREZ, ROBERT E
Sent: Thursday, February 02, 2017 6:23 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Redefinition of 3(g) Authority
Attachments: Executive Order Redefinition From Commissioner to OFO SES Draft 2-1-17.docx

FYI.

From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 10:28:30 PM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN P; ENFORCEMENT PROGRAMS DIVISION
Subject: FW: Redefinition of 3(g) Authority

Directors,

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

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 7:16:55 PM
To: HOFFMAN, TODD A
Subject: Redefinition of 3(g) Authority

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

(b)(6)



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

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

DELEGATED BY

Commissioner

DELEGATED TO

Deputy Commissioner
 Executive Assistant Commissioner, Field Operations
 Deputy Executive Assistant Commissioner, Field Operations
 Executive Director Operations, Field Operations
 Executive Director, National Targeting Center – Passenger
 Directors, Field Operations
 Port Director, John F. Kennedy Airport
 Port Director, Los Angeles International Airport

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

This authority may not be further delegated.

Commissioner

From: MCALEENAN, KEVIN K

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

To: (b)(6); Owen, Todd C (AC OFO); (b)(6); WAGNER, JOHN P; (b)(6); HOFFMAN, TODD A

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

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

(b)(6)

Subject: RE: Redelegation

Thank you. (b)(5)

From: (b)(6)

Sent: Wednesday, February 01, 2017 9:54:00 PM

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

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

Subject: RE: Redelegation

(b)(5)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 8:26 AM
To: (b)(6), (b)(7)(C)
Subject: RE: Important: EO Waiver Request for Commissioner Consideration

No problem – thanks.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:24 AM
To: PEREZ, ROBERT E (b)(6), (b)(7)(C)
Subject: RE: Important: EO Waiver Request for Commissioner Consideration

10-4, mind is moving faster than the fingers. Sorry about that.

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office
T (b)(6), (b)(7)(C)
M (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 8:22 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Important: EO Waiver Request for Commissioner Consideration

Thanks (b)(6), (b)(7)(C) – also, please include (b)(6), (b)(7)(C) on all future waiver requests to HQ.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:16 AM
To: PEREZ, ROBERT E (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Important: EO Waiver Request for Commissioner Consideration

10-4

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office
T (b)(6), (b)(7)(C)
M (b)(6), (b)(7)(C)

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 8:16 AM

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

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

Subject: RE: Important: EO Waiver Request for Commissioner Consideration

(b)(6), (b)(7)(C) - please make sure both ports are keeping us timely informed about any protests at the airports, and send to Ops as appropriate - thanks.

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

Sent: Sunday, January 29, 2017 8:03 AM

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

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

Subject: Important: EO Waiver Request for Commissioner Consideration

WC's;

Effective immediately all EO waiver requests generated at the Port must include specific language addressing the benefit to the interest of the United States in the first paragraph.

For example;

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

(b)(7)(E)

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

(A) Assistant Director, Border Security
U.S. Customs & Border Protection
New York Field Office

T
M: **(b)(6), (b)(7)(C)**

From: PEREZ, ROBERT E
Sent: Thursday, February 02, 2017 6:27 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Mohammed v. Trump, No. 17-cv-00786

FYI.

From: HOFFMAN, TODD A
Sent: Thursday, February 02, 2017 5:40:38 AM
To: DIRECTORS FIELD OPS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C) HOWE, RANDY J; ENFORCEMENT PROGRAMS DIVISION; HUTTON, JAMES R
Subject: FW: Mohammed v. Trump, No. 17-cv-00786

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 2:37:59 AM
To: HOFFMAN, TODD A
Cc: HUTTON, JAMES R
Subject: RE: Mohammed v. Trump, No. 17-cv-00786

MEMORANDUM FOR: Executive Directors, Office of Field Operations
 Executive Director, National Targeting Center
 Directors, Field Operations

FROM: Todd A. Hoffman
 Executive Director
 Admissibility and Passenger Programs
 Office of Field Operations

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

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

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

(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)

CBP HQ

[EO Crisis Action Team](#)

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

From: MCALEENAN, KEVIN K

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

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

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

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

Subject: RE: (b)(6), (b)(7)(C) v. Trump, No. 17-cv-00786

Adding DFO LA and APD LAX

From: MCALEENAN, KEVIN K

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

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

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

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

Acting Deputy/Executive Assistant Commissioner,

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

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

Here is the list from Post Djibouti:

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

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

From: PEREZ, ROBERT E
Sent: Friday, February 03, 2017 8:16 PM
To: (b)(6), (b)(7)(C)
Subject: RE: call bullets

Thanks (b)(6), (b)(7)(C) - ok to forward.

REP

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 6:14:35 PM
To: PEREZ, ROBERT E
Subject: FW: call bullets

Sir - (b)(6), (b)(7)(C) and I participated in an ADFO conference call with the CAT at 1700 to discuss the new EO reporting requirements. (b)(6), (b)(7)(C) made some comments at the end. The raw bullets appear below.

I will rework them and notify the Ports, building on the DFO CC notes from earlier today.

I wanted you to see them before I send them to the Ports.

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs and Border Protection
New York Field Office
O
M: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 5:46:28 PM
To: (b)(6), (b)(7)(C)
Subject: call bullets

(b)(7)(E)

(b)(7)(E)

Regards,

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

Integrity Officer
New York Field Office
Border Security Unit
U.S. Customs and Border Protection

T:
C: **(b)(6), (b)(7)(C)**
F:

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

From: PEREZ, ROBERT E
Sent: Thursday, February 02, 2017 11:31 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: RE: DHS OIG request

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

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 10:40:17 AM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: FW: DHS OIG request

Sir – Just an FYI regarding tomorrow’s interview. I am considered a witness in this investigation. We will provide the OIG with the list of employees on duty and the list of travelers by COB today. APD (b)(6), (b)(7)(C) will also be interviewed tomorrow. She has been provided with the guidance that I received from both you and Ms.

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

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

Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 9:19 AM
To: (b)(6), (b)(7)(C)
Subject: RE: DHS OIG request

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

Thank you.

You will initially be provided your Kalkines Rights (Attached), which means it is a compelled interview. We are not recording the interview.

If anyone else under your direct supervision is available tomorrow for interviews please let me know and make them available.

Thanks again,

(b)(6), (b)(7)(C)
Resident Agent in Charge
Department of Homeland Security

Office of Inspector General
New York Resident Office

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

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 8:40 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: DHS OIG request

(b)(6), (b)(7)(C) Will do. I have a few questions regarding tomorrow's interview:

Am I a subject, target, or witness with regard to your investigation?

Do you plan on giving me any warnings? If so, please provide a copy in advance.

Will it be recorded?

Thanks,

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 8:38 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: DHS OIG request
Importance: High

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

As per our conversation yesterday, when you get the opportunity, can you please provide me with the following information:

1. A list of all CBP personnel (in the order of the chain of command) that were on duty at JFK from January 27th to January 31, 2017.
2. A List of all travelers that were detained, released or removed pursuant to the POTUS Executive Order, dated January 27, 2017.

I look forward to speaking with you tomorrow.

Thank you in advance for your cooperation,

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

Resident Agent in Charge
Department of Homeland Security
Office of Inspector General
New York Resident Office

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

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 10:47 PM
To: Owen, Todd C (AC OFO); CAMPBELL, CARL S
Cc: HOFFMAN, TODD A; (b)(6), (b)(7)(C)
Subject: RE: (No Subject)

Understood sir.

REP

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

From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 10:46 PM
To: PEREZ, ROBERT E <(b)(6), (b)(7)(C)> (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Cc: HOFFMAN, TODD A <(b)(6), (b)(7)(C)> (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: (No Subject)

Thanks Bob. Continue to hold them but do not allow them to depart.

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

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

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 10:43 PM
To: Owen, Todd C (AC OFO) (b)(6) (b)(6)
Cc: HOFFMAN, TODD A (b)(6)
(b)(6), (b)(7)(C)
Subject: RE: (No Subject)

Sir - as requested, as of 1030pm we have 12 subjects being held at JFK (none at Newark). Details below:

Name:	Status	Disposition	Departure flight/time
(b)(6), (b)(7)(C), (b)(7)(E)			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD
			TBD

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

TBD
TBD

Will continue to stand by for guidance. Thanks.

REP

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

From: Owen, Todd C (AC OFO)

Sent: Saturday, January 28, 2017 9:46 PM

To: PEREZ, ROBERT E; (b)(6); (b)(6)

Cc: HOFFMAN, TODD A; (b)(6)

Subject: RE: (No Subject)

Thx.

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

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 2:42:52 AM
To: Owen, Todd C (AC OFO); (b)(6)
Cc: HOFFMAN, TODD A
Subject: RE: (No Subject)

Already working on it sir - will have for you asap. Have confirmed that we are not boarding any others until further guidance received - thanks.

REP

From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 9:39:51 PM
To: PEREZ, ROBERT E; (b)(6), (b)(7)(C)
Cc: HOFFMAN, TODD A
Subject:

Bob, need a quick talley of how many people you currently have held at JFK, awaiting to be returned, even if voluntarily departing. Need ASAP as part of the court stay order. Thx.

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

From: PEREZ, ROBERT E
Sent: Friday, January 27, 2017 9:23 PM
To: HUTTON, JAMES R
Subject: RE: FINAL SIGNED EO FOR ACTION

Thanks Ryan.

From: HUTTON, JAMES R
Sent: Friday, January 27, 2017 9:22:04 PM
To: PEREZ, ROBERT E
Subject: FW: FINAL SIGNED EO FOR ACTION

DFO
EO attached

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:41:28 PM
To: HOFFMAN, TODD A; HUTTON, JAMES R; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C); (b)(6), (b)(7)(C); MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 6:41 PM
To: WAGNER, JOHN P; (b)(6), (b)(7)(C)
FLANAGAN, PATRICK S; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FINAL SIGNED EO FOR ACTION

From: PEREZ, ROBERT E
Sent: Wednesday, February 01, 2017 3:11 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Question

All good (b)(6), (b)(7)(C) Stay well.

Regards,

REP

From: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Sent: Wednesday, February 1, 2017 1:31 PM
To: PEREZ, ROBERT E (b)(5), (b)(6)
Subject: RE: Question

Thought so, thanks. By the way. If you can comment, Was it really that much confusion or just the normal amount when something new is rolled out?

From: (b)(6), (b)(7)(C) (b)(5), (b)(6)
Sent: Wednesday, February 01, 2017 1:22 PM
To: (b)(5), (b)(6)
Subject: RE: Question

Negative (b)(5), (b)(6) - USCs not impacted.

Regards,

REP

From: (b)(5), (b)(6)
Sent: Wednesday, February 01, 2017 12:54:26 PM
To: PEREZ, ROBERT E
Subject: Question

Rob

I know you are swamped.

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

Please be alert for any emails that may ask you for login information or directs you to login via a link. If you believe this message is a phish or aren't sure whether this message is trustworthy, please send the original message as an attachment to 'phishing@timeinc.com'.

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 12:32 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Congressman at T4

Thanks (b)(6), (b)(7)(C) please get the sit room to us asap.

(b)(6), (b)(7)(C) edit below info into bullets and send to OPs asap - thanks.

REP

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:25:18 PM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: FW: Congressman at T4

Sir – Below are the details on the Congressman who is at JFK. We are also joining a PAPD led conference call at 3 pm to discuss assets and a strategy to handle any protests in and around the airport. We will generate a sit-room with all the details regarding the 2 Iraqis, the media presence and our coordination with the law enforcement community.

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

Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:16 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: Congressman at T4
Importance: High

As you heard when you spoke to (b)(6), (b)(7)(C) we had Congressman Jerrold Nadler and Congresswoman Nidia Velasquez with 2 staff members, 2 lawyers and 1 journalist (he was not with them but he came to the door with

them). The Congressman was concerned for the welfare of the 2 individuals we have here at T4. Clearly they are most concerned with the man who has the (b)(6), (b)(7)(C) We provided what limited information we could to them (basically that we are still processing paperwork and that decisions as to final disposition will not be made by those of us here). They understood that and just wanted to be sure that they were not going to put on a plane and sent out of the country. We told them they were not being sent out of the country at this time. They were pleased with that.

I did NOT speak to the journalist but he did copy my name down as I was speaking to the Congressman so my name and (b)(6), (b)(7)(C)'s name may appear in some paper but we were not answering any of his questions.

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

Chief, Tactical Operations

U.S. Customs and Border Protection

JFK Airport

(O)

(F)

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

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 1:03 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

Thanks [redacted] sitroom report from the Port should be sent asap on this as well.

REP

From: (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Sent: Saturday, January 28, 2017 12:55:34 PM
To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E; (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Subject: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

OFO Field Liaison,

Please view the bullets below regarding Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK.

The Congressman expressed concerned for the welfare of the two Iraqi subjects being held at JFK Terminal 4, especially, in regard to (b)(6), (b)(7)(C) who has the (b)(6), (b)(7)(C)

CBP stated that the passenger is being processed.

CBP did not interact with any journalists, however one journalist copied two CBP managers' names while speaking to the Congressman (Nassauer, and Goico) might appear in the news.

At 12:46, (b)(6), (b)(7)(C) was released.

He was escorted out a side door by two CBP managers, where Congressman Nadler met him.

Respectfully,

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Border Security Coordinator
U.S. Customs & Border Protection
Office of Field Operations, New York
Office: (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Blackberry: (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Fax: (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Email
HSDN (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

"A man can be destroyed but not defeated."

Ernest Hemingway

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 9:44 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: (No Subject)

(b)(6), (b)(7)(C) as we discussed. Need an accurate count asap please - thanks.

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 9:42:52 PM
To: Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)
Cc: HOFFMAN, TODD A
Subject: RE: (No Subject)

Already working on it sir - will have for you asap. Have confirmed that we are not boarding any others until further guidance received - thanks.

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

From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 9:39:51 PM
To: PEREZ, ROBERT E; CAMPBELL, CARL S
Cc: HOFFMAN, TODD A
Subject:

(b)(6), (b)(7)(C) need a quick talley of how many people you currently have held at JFK, awaiting to be returned, even if voluntarily departing. Need ASAP as part of the court stay order. Thx.

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

From: PEREZ, ROBERT E
Sent: Tuesday, January 31, 2017 8:26 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Pls call

Well done sir!

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 8:18:26 PM
To: Owen, Todd C (AC OFO)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Thank you sir.

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: Owen, Todd C (AC OFO)
Sent: Tuesday, January 31, 2017 8:10:49 PM
To: (b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Thx for the call, (b)(6), (b)(7)(C) I could not be more pleased with the conduct of your officers throughout all of this.

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

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 1:02:11 AM
To: Owen, Todd C (AC OFO)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Sir - As a follow up to our conversation, I wanted to advise you that we made a decision on Monday to preserve all video/audio from the weekend just in case any allegations of mistreatment are made.

Thanks,

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

U.S. Customs and Border Protection

JFK Airport

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

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

From: Owen, Todd C (AC OFO)

Sent: Tuesday, January 31, 2017 7:44:39 PM

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

Cc: PEREZ, ROBERT E

Subject: Pls call

Frank, can you please give me a call tonight. I have a question on this weekend's handling of the EO at JFK.

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

Thx.

Todd C. Owen

Executive Assistant Commissioner

Office of Field Operations

U.S. Customs & Border Protection

From: PEREZ, ROBERT E
Sent: Monday, January 30, 2017 11:39 AM
To:
Cc: (b)(6), (b)(7)(C)
Subject: RE: Public Information related to the EO

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:11:13 AM
To: PEREZ, ROBERT E
Cc: (b)(6), (b)(7)(C)
Subject: RE: Public Information related to the EO

Sir – per the EO-CAT, the Office of Public Affairs is trying to clear some information to put out, however, all information for public release is still embargoed.

Regards,

(b)(6), (b)(7)(C)
(A) Assistant Director, Border Security
U.S. Customs and Border Protection
New York Field Office
O
M: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 10:17 AM
To: PEREZ, ROBERT E (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Public Information related to the EO

Sir,

As discussed, we have contacted the EO-CAT as well as OPA on the urgent necessity for public information for the numerous stakeholders impacted by the EO.

We will continue to press for this type of product for public consumption.

Details to follow as we receive them.

As of now, CBP/OPA is saying to refer inquiries to the public DHS web site, which does not currently contain any guidance useful for stakeholders.

<https://www.dhs.gov/>

Regards,

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

(A) Assistant Director, Border Security
U.S. Customs and Border Protection
New York Field Office

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

From: PEREZ, ROBERT E
Sent: Friday, February 03, 2017 8:19 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Potential EO Guidance

(b)(6), (b)(7)(C) FYI. Nothing yet.

REP

From: HOFFMAN, TODD A
Sent: Friday, February 03, 2017 6:42:25 PM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: (b)(6), (b)(7)(C)
Subject: Potential EO Guidance

Directors,

We may need to take immediate action this evening related to the EO. Once I receive word, I will send out policy guidance and reach out via phone tree.

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

From: PEREZ, ROBERT E
Sent: Tuesday, January 31, 2017 8:25 PM
To: Owen, Todd C (AC OFO)
Subject: RE: Pls call

Much appreciated sir - thanks.

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 8:18:26 PM
To: Owen, Todd C (AC OFO)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Thank you sir.

(b)(6), (b)(7)(C)
Port Director
U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: Owen, Todd C (AC OFO)
Sent: Tuesday, January 31, 2017 8:10:49 PM
To: (b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Thx for the call. (b)(6), (b)(7)(C) I could not be more pleased with the conduct of your officers throughout all of this.

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

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 1:02:11 AM
To: Owen, Todd C (AC OFO)
Cc: PEREZ, ROBERT E
Subject: RE: Pls call

Sir - As a follow up to our conversation, I wanted to advise you that we made a decision on Monday to preserve all video/audio from the weekend just in case any allegations of mistreatment are made.

Thanks,

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

U.S. Customs and Border Protection
JFK Airport
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

From: Owen, Todd C (AC OFO)
Sent: Tuesday, January 31, 2017 7:44:39 PM
To: (b)(6), (b)(7)(C)
Cc: PEREZ, ROBERT E
Subject: Pls call

(b)(6), (b)(7)(C) can you please give me a call tonight. I have a question on this weekend's handling of the EO at JFK.

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

Thx.

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

From: PEREZ, ROBERT E
Sent: Saturday, January 28, 2017 8:11 PM
To: PEREZ, ROBERT E
Subject: RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) MINOR): Nondelivered
Importance: High

Your message did not reach some or all of the intended recipients.

Subject:RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) MINOR)
Sent: Saturday, January 28, 2017 08:11 PM (UTC-05:00) Eastern Time (US & Canada)

The following recipient(s) could not be reached:

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:29 AM
To: PEREZ, ROBERT E
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Good now my friend.

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 8:24:03 AM
To: (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Of course – just let me know.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:11 AM
To: PEREZ, ROBERT E (b)(6), (b)(7)(C)
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

I am in approx 15 is that ok?

From: PEREZ, ROBERT E
Sent: Sunday, January 29, 2017 7:58:32 AM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Good morning sir! Are you available for a quick call? Thanks.

REP

From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 2:00 AM
To: MCALEENAN, KEVIN K (b)(6), (b)(7)(C) Owen, Todd C (AC OFO)
(b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) HOFFMAN, TODD A (b)(6), (b)(7)(C) DIRECTORS FIELD OPS
(b)(7)(E)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) ALLES, RANDOLPH D
(b)(6), (b)(7)(C) FLANAGAN, PATRICK S <(b)(6), (b)(7)(C)>
Subject: RE: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order
Importance: High

DFO's

Kindly request waivers pertaining to below follow per guidance in attached message. I will be reaching out to address any questions/concerns you may have.

Thank you,

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

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



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From: MCALEENAN, KEVIN K
Sent: Sunday, January 29, 2017 1:39 AM
To: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C); WAGNER, JOHN P (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); HOFFMAN, TODD A (b)(6), (b)(7)(C); HUTTON, JAMES R (b)(6), (b)(7)(C); DIRECTORS FIELD OPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); ALLES, RANDOLPH D (b)(6), (b)(7)(C); FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

Please take immediate action on the instruction below with regard to travelers impacted by the order. APP will follow with further guidance:

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody. Ports of entry should assess those individuals by referring them for a (b)(7)(E) consideration for a waiver pursuant to Section 3(g) or 5(e) as appropriate. (b)(7)(E) the case should be referred to up the chain to determine appropriate next steps. In any event, no alien subject to the Executive Order may be subject to Expedited Removal or another immediate form of removal. For any alien

currently in CBP custody who had previously been processed for Expedited Removal and not yet removed, please re-process according to this guidance. For any questions regarding this guidance please contact Admissibility and Passenger Programs, duty officer.



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

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

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

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