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**From:** (b)(6), (b)(7)(C)  
**To:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 11:45 AM  
**Subject:** Message Recall Failure: LAX - February 1, 2017: 0200 Hour - Executive Order Reporting

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 10:58 AM  
**To:** MARTEL, CARLOS C  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)  
**Attachments:** (b)(6), (b)(7)(C), (b)(7)(E) docx; (b)(6), (b)(7)(C), (b)(7)(E) docx

DFO,

(b)(5)

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 10:48:36 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Ma'am,

Please see attached (b)(7)(E) on two LPRs, citizenship Iran.

Please advise.

Thank you,

(b)(6), (b)(7)(C)  
 Chief CBP Officer  
 Vessel Operations/ Port Hueneme  
 Los Angeles/ Long Beach Seaport  
 Office  
 Mobile: (b)(6), (b)(7)(C)  
 Email:

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 7:46:08 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

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



*CBP Enforcement Officer*

*Criminal Enforcement Unit/LAX*

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

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

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

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

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 12:19 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Re-Delegation of EO Section 5 Refugee Waiver Authority

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:31:07 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** ENFORCEMENT PROGRAMS DIVISION  
**Subject:** FW: Re-Delegation of EO Section 5 Refugee Waiver Authority

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

Have confirmed that the delegation of the waiver to the DFO for first-time refugees is related to the 842 refugees outlined below.

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:24 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Re-Delegation of EO Section 5 Refugee Waiver Authority  
**Importance:** High

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

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

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

DFOs

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

- JFK
- Newark

Miami  
Chicago  
Dulles  
LAX  
Houston

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

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


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


*This authority may not*

*be further delegated.*

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

 **(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 [ **(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 (b)(7)(E) Executive Director, (b)(7)(E) 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. (b)(7)(E)

(b)(7)(E)

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:31 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** ENFORCEMENT PROGRAMS DIVISION  
**Subject:** FW: Re-Delegation of EO Section 5 Refugee Waiver Authority  
**Attachments:** S Signed Action Memo Refugees.pdf; Copy of 30Jan-2 Feb Booking Spreadsheet Details (2).xlsx; 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

**Importance:** High

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

Have confirmed that the delegation of the waiver to the DFO for first-time refugees is related to the 842 refugees outlined below.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:24 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Re-Delegation of EO Section 5 Refugee Waiver Authority  
**Importance:** High

**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)  
**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 30<sup>th</sup> – February 2<sup>nd</sup>. These are first time entrants and thus should only arrive to the seven (7) designated POEs:

- JFK
- Newark
- Miami
- Chicago

Dulles  
LAX  
Houston

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

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

(b)(7)(E)

(b)(7)(E)

*This authority may not be further delegated.*

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

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



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



Acting Deputy Commissioner/EAC,

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

(b)(7)(E)

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

(b)(7)(E)

This authority may not be further delegated.



United States Department of State

Washington, D.C. 20520

January 28, 2017

UNCLASSIFIED

**ACTION MEMO FOR ACTING SECRETARY (b)(6)**

FROM: PRM (b)(6), (b)(7)(C) Acting

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

**Recommendation**

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

Approve (b)(6), (b)(7)(C) Disapprove \_\_\_\_\_

**Background**

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

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

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UNCLASSIFIED- 2 -

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

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

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

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Approved:

Drafted:

Cleared:

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

**SUMMARY OF NATIONALITY CODES**

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



ARRIVALS - 30 JANUARY 2017

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

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









ARRIVALS - 31 JANUARY 2017

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

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





					1	N	N	01/31/2017	AA	2375	ORD	DFW	18:25	20:53				DFW	MiM	NP	1	ORD
					2	N	Y	01/31/2017	AA	2894	ORD	LAN	18:50	20:59				LAN	MiM	NP	1	ORD
					3	N	Y	01/31/2017	AA	3467	ORD	CLE	18:40	20:57				CLE	MiM	NP	1	ORD
					SubTotal Y:		0	2														
(b)(6), (b)(7)(C)	01/31/17	16:35	QR	777	27																	
					1-2	N	Y	01/31/2017	AA	4658	MIA	BNA	21:35	23:03				BNA	MiM	BT	2	MIA
					20-21	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52				SDF	RMI	BT	2	MIA
					22	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52				SDF	RMI	BT	1	MIA
					3-5	N	Y	01/31/2017	AA	4658	MIA	BNA	21:35	23:03				BNA	MiM	BT	3	MIA
					16-17	N	N	01/31/2017	AA	1083	MIA	MSP	20:02	23:04				MSP	RMI	BT	2	MIA
					18-19	N	N	01/31/2017	AA	1083	MIA	MSP	20:02	23:04				MSP	RMI	BT	2	MIA
					11-14	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38				DEN	RMI	BT	4	MIA
					23-26	N	N	01/31/2017	AA	4596	MIA	SDF	20:09	22:52				SDF	RMI	BT	4	MIA
					15	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38				DEN	RMI	BT	1	MIA
					10	N	Y	01/31/2017	AA	1828	MIA	CLT	21:45	23:56				CLT	MiM	BT	1	MIA
					6-7	N	N	01/31/2017	AA	1532	MIA	DEN	19:59	22:38				DEN	RMI	BT	2	MIA
					8-9	N	N	01/31/2017	AA	2203	MIA	LAS	20:14	22:54				LAS	MiM	BT	2	MIA
					27	N	Y	01/31/2017	AA	3833	MIA	GSO	21:50	23:58				GSO	MiM	BT	1	MIA
					SubTotal Y:		0	7														
(b)(6), (b)(7)(C)	01/31/17	14:55	EK	235	24																	
					11-13	N	Y	01/31/2017	UA	795	ORD	PIT	21:15	23:43				PIT	RMI	BT	3	ORD
					6-8	N	N	01/31/2017	UA	1420	ORD	CLE	19:30	21:51				CLE	RMI	BT	3	ORD
					1-5	N	Y	01/31/2017	AA	3408	ORD	CMH	20:00	22:13				CMH	RMI	BT	5	ORD
					20-23													ORD		BT	4	ORD
					18-19	N	Y	01/31/2017	AA	3408	ORD	CMH	20:00	22:13				CMH	RMI	BT	2	ORD
					9-10	N	N	01/31/2017	UA	146	ORD	DSM	19:45	21:14				DSM	RMI	BT	2	ORD

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







						25-27	N	Y	01/31/2017	DL	2317	IAD	ATL	12:12	14:15	DL	5149	17:10	XNA	RMI			CD	3	IAD	
																								CD		
						22-24	N	Y	01/31/2017	UA	299	IAD	TPA	12:35	15:05					TPA	MiM			CD	3	IAD
																								CD		
						15	N	Y	01/31/2017	AA	1556	IAD	DFW	11:29	13:58					DFW	RMI			CD		
						16-20	N	Y	01/31/2017	AA	1556	IAD	DFW	11:29	13:58					DFW	RMI			RW	1	IAD
																								RW	5	IAD
																								BI		
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																								RW		
																								RW		
						21	N	Y	01/31/2017	UA	221	IAD	ORD	13:00	14:06	UA	5784	15:55	FSD	RMI			CD	1	IAD	
					</																					





ARRIVALS - 1 FEBRUARY 2017

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	
(b)(6), (b)(7)(C)	02/01/17	13:10	LH	430	33	<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>							
										ET	1	ORD	
										ER	1	ORD	
										ER	1	ORD	
(b)(6), (b)(7)(C)	02/01/17	13:10	LH	430	2								
										CI	2	ORD	
										CM			
					SubTotal Y:								
(b)(6), (b)(7)(C)	02/01/17	09:00	ET	504	26								
										ER	4	LAX	
										ER			
										ER			
										ER			
										ER	6	LAX	
										ER			
										ER			
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										ER	3	LAX	
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										ER	1	LAX	
										ER	2	LAX	
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									ER	1	LAX		









































309 pax

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

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

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

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

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

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

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

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

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #

## Message

---

**From:** (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), (b)(7)(E)  
**Sent:** 2/1/2017 3:27:28 AM  
**To:** (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), (b)(7)(E)  
**Subject:** RE: LAX Update

ok

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 7:24 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: LAX Update

No. our report is just f-ed up. We're fixing it now and I'll review them before they go to HQ.

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

(A) Assistant Port Director

Los Angeles International Airport (LAX)

U.S. Customs & Border Protection

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

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

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

Sent: Tuesday, January 31, 2017 6:59 PM

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

Subject: RE: LAX Update

I have no idea what is going on. Did HQs ask a question?

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

Sent: Tuesday, January 31, 2017 6:24 PM

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

Cc:

Subject: FW: LAX Update

Background for another email regarding the HQ report...

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

(A) Assistant Port Director

Los Angeles International Airport (LAX)

U.S. Customs & Border Protection

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

From: (b)(6), (b)(7)(C)  
Sent: Tuesday, January 31, 2017 6:18 PM  
To: (b)(6), (b)(7)(C)  
Subject: FW: LAX Update

My email and discussion with him.

Thank you,

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

CBP Watch Commander

Los Angeles International Airport

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

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

**Sent:** Tuesday, January 31, 2017 4:41 PM

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

**Subject:** LAX Update

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

I couldn't get you on the phone. Here's our update and reasoning:

This past Saturday, three were Withdrawn: Iran = 1 nonimmigrant, 1 immigrant

Iraq = 1 nonimmigrant

This raises column B5 to seven (7). The one immigrant visa in column C5 has no immigrant visa disposition – it's one of the two withdrawals.

Column B6 becomes 2, and column F6 becomes 1.

Field Office: Los Angeles		Date: 1/27/2017 -1/31/2017		Report Time: 1800		Cumulative							
Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number of Immigrants not granted waivers	Number of Immigrants granted waivers	Number of LPRs not granted waivers	Number of LPR Waivers Granted by DFO
Iran	7	1	252	1	2	0	0	0	6	0	0	0	252
Iraq	2	1	20	0	1	0	0	0	1	0	1	0	20

Thank you,

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

CBP Watch Commander

Los Angeles International Airport

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 9:59 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: FAQs  
**Attachments:** Final QA v5 (Q1-25).docx

Not sure if the PD sent this to you.

**From:** MARTEL, CARLOS C  
**Sent:** Tuesday, January 31, 2017 4:32 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: FAQs

Port Directors: Please advise your staff that any information requests should be directed the EO CAT at (b)(7)(E) with a carbon copy to (b)(6), (b)(7)(C) and myself.

Thanks,

Carlos C. Martel  
Director, Field Operations  
Los Angeles Field Office  
U. S. Customs and Border Protection  
(b)(6), (b)(7)(C) Office  
Mobile

**From:** HOFFMAN, TODD A  
**Sent:** Tuesday, January 31, 2017 4:23 PM  
**To:** DIRECTORS FIELD OPS (b)(7)(E); EXECUTIVE DIRECTORS HQ  
(b)(7)(E)  
**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)

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals  
Frequently Asked Questions  
12/5/2017 5:14:19 PM

1. **How many persons impacted by the EO are currently detained at each Port of Entry (POE)?**
  - a. All individuals who arrive in the United States are subject to inspection. This inspection may require additional time. There are many reasons why an inspection may take more time. However, at this moment, there are no individuals held in custody on the basis of the Executive Order.
2. **What is happening to those currently in detention? Will they be released?**
  - a. CBP is not currently holding in its custody any individual based on the Executive Order. However, at any given time there may be a number of people going through inspection who fall within the scope of the Executive Order.
3. **How many no-board recommendations have been issued? How many individuals were denied entry to the United States due to the Executive Order? Please break this number out by refugees, LPRs, Students, and other NIVs.**
  - a. There are a number of reasons that we may make a recommendation to a carrier that they not board an individual, including because their visa is no longer valid. Below are the actions taken in accordance with the Executive Order signed January 27, 2017. *Statistics are valid as of 1500 hrs, January 30, 2017*

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

4. **Please explain the process for considering an individual for an exemption under the EO.**
  - a. Senior DHS personnel can review individual cases and grant exemptions on a case-by-case basis if that individual's admission to the U.S. falls within the parameters of the Executive Order. CBP is processing exemptions consistent with the Secretary's guidance.
5. **Are all Lawful Permanent Residents (LPRs) eligible for an exemption – returning and first time arrivals?**
  - a. It is important to understand that individuals with immigrant visas overseas are not LPRs. Eligible individuals only become Lawful Permanent Residents once they have been inspected and admitted at a port of entry.
  - b. Lawful Permanent Residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed on a case-by-case

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals  
Frequently Asked Questions  
12/5/2017 5:14:19 PM

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

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

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals  
Frequently Asked Questions  
12/5/2017 5:14:19 PM

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

**Additional Questions**

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

Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals  
Frequently Asked Questions  
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**20. Can Canadian immigrants affected by the Executive Order apply for an immigrant or nonimmigrant visa to the United States?**

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

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

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

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

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

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

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

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

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

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

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

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

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Frequently Asked Questions  
12/5/2017 5:14:19 PM

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

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

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

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**From:** (b)(6), (b)(7)(C)  
**To:**  
**Sent:** Tuesday, January 31, 2017 9:06 PM  
**Subject:** Message Recall Failure: LAX - January 31, 2017: 1800 Hour - Executive Order Reporting

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 9:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance  
**Attachments:** Guidance on Withdrawal - Court Compliance; Re-Delegation of EO Section 5 Refugee Waiver Authority; Arrival of Central American Minors (CAM) Parolees - Jan 31st; RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; Signed memo

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

fyi

**From:** MARTEL, CARLOS C  
**Sent:** Tuesday, January 31, 2017 8:55 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Port Directors: Please note updated delegation authority information and how to handle crew. Please advise if you have any questions.

Carlos C. Martel  
 Director, Field Operations  
 Los Angeles Field Office  
 U. S. Customs and Border Protection

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

**From:** HOFFMAN, TODD A  
**Sent:** Tuesday, January 31, 2017 4:17 AM  
**To:** DIRECTORS FIELD OPS (b)(7)(E)  
**Cc:** HUTTON, JAMES R (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P  
 (b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ (b)(7)(E)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance

**Directors,**

Here is a quick summary regarding the Executive Order:

- You have waiver authority for:



- o LPRs- still require an individualized waiver for each entry.
- o First time refugees.
- o Remaining in-scope categories – C1 approval required. Delegation request to DFOs is currently with the S1. We hope to have today.

- [Redacted: (b)(7)(E)] We continue to push at all levels.

- Issued WD guidance based on court order.

- [Redacted: (b)(7)(E)]

- C1, C2, EAC Owen, etc., continue to work through a prioritized list of Congressional calls.
- We’re working with Department of State to align our EO policies and protocols with additional changes expected soon.
- We’ll have FAQs posted via CBP website and a public inquiry call center established later today.

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

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

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

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

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

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

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

**(b)(5)**

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

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



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**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 7:17 PM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C); WAGNER, JOHN P; (b)(6), (b)(7)(C)  
**Cc:** HOFFMAN, TODD A <(b)(6), (b)(7)(C)>; HUTTON, JAMES R <(b)(6), (b)(7)(C)>  
 (b)(6), (b)(7)(C)

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

Subject: Guidance on Withdrawal

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

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

Deputy Associate Chief Counsel

Office of Chief Counsel

U.S. Customs and Border Protection

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

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

#### DFOs

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

JFK  
Newark  
Miami  
Chicago  
Dulles  
LAX  
Houston

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

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

(b)(7)(E)

(b)(7)(E)

*This authority may not be further delegated.*

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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



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**From:** MCALEENAN, KEVIN K

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

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

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

**Subject:** Redelegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

This authority may not be further delegated.





United States Department of State

Washington, D.C. 20520

January 28, 2017

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**ACTION MEMO FOR ACTING SECRETARY** (b)(6)

FROM: PRM (b)(6), (b)(7)(C) Acting

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

**Recommendation**

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

Approve (b)(6), (b)(7)(C) Disapprove \_\_\_\_\_

**Background**

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

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

UNCLASSIFIED

UNCLASSIFIED- 2 -

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

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

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

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Approved: A/S **(b)(6), (b)(7)(C)** Acting (ok)

Drafted: PRM/A – **(b)(6), (b)(7)(C)**

Cleared: L – **(b)(6), (b)(7)(C)**  
C –



**SUMMARY OF NATIONALITY CODES**

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

**ARRIVALS - 30 JANUARY 2017**

PF #	DOA PoE	Arr Time	Carrier	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E
(b)(6), (b)(7)(C)	01/30/17	13:10	LH							
								ET	1	ORD
								ER	1	ORD
(b)(6), (b)(7)(C)	01/30/17	16:34	DL							
								CI	3	JFK
								CI		
								CI		
(b)(6), (b)(7)(C)	01/30/17	19:25	CI							
								AF	3	LAX
								AF		
								AF		
(b)(6), (b)(7)(C)	01/30/17	20:25	CI							
								AF	1	LAX
(b)(6), (b)(7)(C)	01/30/17	13:30	UA							
								CD	1	ORD
								CD	5	ORD
								CD		
								CD		
								CD		
								CD		
								CD	1	ORD
								CD	1	ORD
								CD	1	ORD
								CD	1	ORD
								CD	1	ORD
								CD	1	ORD
								CD	4	ORD

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







***ARRIVALS - 30 JANUARY 2017***

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97 pax











**ARRIVALS - 31 JANUARY 2017**

						BT	1	MIA
						BT	1	MIA
						BT	2	MIA
						BT		
						BT	2	MIA
						BT		
						BT	1	MIA
					SubTotal			
(b)(6), (b)(7)(C)	01/31/17	14:55	EK	235	24			
						BT	3	ORD
						NP		
						BT		
						BT	3	ORD
						BT		
						BT		
						BT	5	ORD
						BT		
						BT		
						BT		
						BT	4	ORD
						NP		
						BT		
						BT		
						BT	2	ORD
						BT		
						BT	2	ORD
						BT		
						BT	2	ORD
						BT		
						BT	3	ORD
						NP		

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













**ARRIVALS - 31 JANUARY 2017**

						CD		
						CD		
						CD		
						CD		
						CD	2	JFK
						CD		
						CD	1	JFK
						CD	3	JFK
						CD		
						CD		
						CD	5	JFK
						CD		
						CD		
						CD		
						CD		
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	1	JFK
						CD	3	JFK
						CD		
						CD		
						CD	1	JFK

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

288 pax

















2-Feb-17

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E
(b)(6), (b)(7)(C)	02/02/17	12:11	AA	932	9							
										CO	1	MIA
										CO	1	MIA
										CO	3	MIA
										CO		
										CO		
										CO	2	MIA
										CO		
										CO	2	MIA
										CO		
					SubTota							
(b)(6), (b)(7)(C)	02/02/17	16:20	LH	402	40							
										ER	1	EWR
										ER	1	EWR
										ER	2	EWR
										ER		
										ER	2	EWR
										ER		
										ER	5	EWR
										ER		
										ER		
										ER		
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR
										ER	1	EWR

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



















2-Feb-17

						CD	4	ORD
						CD		
						CD		
						CD		
						CD	1	ORD
						CD	1	ORD
						CD	1	ORD
						CD	1	ORD
						CD	2	ORD
						CD		
						CD	1	ORD
						CD	4	ORD
						CD		
						CD		
						CD	6	ORD
						CD		
						CD		
						CD		
						CD	2	ORD
						CD		
						CD	1	ORD
						CD	1	ORD
						CD	2	ORD
						CD		
					SubTota			
(b)(6), (b)(7)(C)	02/02/17	11:45	KL	601	10			
						CD	1	LAX
						CD	8	LAX
						CD		
						CD		

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





THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

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

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

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

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

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

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

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

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #

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

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

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

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

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

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



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**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 9:34 PM  
**To:** HOFFMAN, TODD A; (b)(6), (b)(7)(C); DIRECTORS FIELD OPS  
 (b)(7)(E); EXECUTIVE DIRECTORS HQ; (b)(7)(E); BORDER SECURITY ASST DIRECTORS <(b)(7)(E)>  
**Cc:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C); WAGNER, JOHN P; (b)(6), (b)(7)(C)

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



**(b)(6), (b)(7)(C)****Subject:** UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States**Importance:** High

DFO's

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

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

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

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




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

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

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

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

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

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



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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

**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)

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

*Returning Residents,*

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

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

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

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

*Returning aliens ineligible who withdraw their application for admission:*

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

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

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

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

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

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

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

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

**Sample**

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

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



# (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:** HOFFMAN, TODD A

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

**To:** DIRECTORS FIELD OPS (b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ  
(b)(6), (b)(7)(C) BORDER SECURITY ASST DIRECTORS

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

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

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

**Importance:** High

Directors,

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

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman  
Executive Director



Admissibility and Passenger Programs  
Office of Field Operations

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

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

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

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- (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).*

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- (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.

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*Returning aliens ineligible who withdraw their application for admission:*

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

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

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

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

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

Approved per C1, 1722 hours.

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

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

**Exemption to Executive Order Request**

**January 28, 2017**

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

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




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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

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



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

Waiver granted by C1, 1312 hours.

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

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

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

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

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

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

• **(b)(6), (b)(7)(C)**  
7.  
•

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

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

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

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

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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs



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

Washington, DC

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



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

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

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



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1300 Pennsylvania Avenue NW  
Washington, DC 20229



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

JAN 28 2017

Memorandum For: Directors, Field Operations

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

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

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

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

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

(b)(7)(E)

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

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

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

be referred to ERO for detention. Field Offices should clearly indicate to both CIS and ERO that aliens are subject to Executive Order during the referral process.

*Returning Residents,*

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

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

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

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

*Returning aliens ineligible who withdraw their application for admission:*

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

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

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

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

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

**From:** MARTEL, CARLOS C

**Sent:** Tuesday, January 31, 2017 3:10 PM

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

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

**Subject:** FW: Perservation of Electronic Media

ACC: FYSA

Carlos C. Martel  
Director, Field Operations  
Los Angeles Field Office  
U. S. Customs and Border Protection

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

**From:** MURDOCK, JUDSON W

**Sent:** Tuesday, January 31, 2017 2:56 PM

**To:** DIRECTORS FIELD OPS (b)(7)(E)

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

(b)(6), (b)(7)(C); HOFFMAN, TODD A (b)(6), (b)(7)(C)

**Subject:** FW: Perservation of Electronic Media



DFOs,

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

Thanks,  
 Jud Murdock  
 Executive Director, Operations (Acting)  
 Office of Field Operations  
 U.S. Customs and Border Protection

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

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---

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

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

Thank you,

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 5:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 12:45 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

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

Please ensure that your staff is aware.

Thanks  
(b)(6), (b)(7)(C)  
Border Security Coordinator  
Los Angeles Field Office  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:26 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Possible Protest at (b)(6), (b)(7)(C)

(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)**

Thanks

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

Border Security Coordinator

Los Angeles Field Office

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 3:56 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: ACTION:MS: Project Code for Executive Order "Protecting the Nation for Foreign Terrorist Entry into the United States" - (b)(7)(E)

Are you sending this out?

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 12:47 PM  
**To:** DIRECTORS FIELD OPS (b)(7)(E)  
**Cc:** MISSION SUPPORT ASST DIRECTORS (b)(7)(E) BORDER SECURITY ASST DIRECTORS (b)(7)(E) TRADE OPERATIONS ASST DIRECTORS (b)(7)(E) (b)(6), (b)(7)(C)  
**Subject:** ACTION:MS: Project Code for Executive Order "Protecting the Nation for Foreign Terrorist Entry into the United States" - (b)(7)(E)

Directors, Field Operations, and Executive Directors,

The Office of Finance has created Project code (b)(7)(E) to track CBP costs associated with Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017).

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

Please let me know if you have any questions for what should be included with this project code or have a member of your staff contact Mr. (b)(6), (b)(7)(C) of my staff. Thank you.

(b)(6), (b)(7)(C)  
Director, Budget  
Office of Field Operations

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 3:25 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

I believe (b)(7)(E) I'll check with MSO.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 12:09 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:47 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

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

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:44 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

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

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

Sent: Tuesday, January 31, 2017 11:26 AM

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

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

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

Subject: Possible Protest at (b)(6), (b)(7)(C)

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

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

Thanks

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

Border Security Coordinator

Los Angeles Field Office

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:35 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) - fyi as well.

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:26 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Possible Protest at (b)(6), (b)(7)(C)

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

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

Thanks  
(b)(6), (b)(7)(C)  
Border Security Coordinator  
Los Angeles Field Office  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:32 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

Thanks to (b)(6), (b)(7)(C) for advising the Field Office!!

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:31 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

Thank you

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:29:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

Fyi...

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:26 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C. (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Possible Protest at (b)(6), (b)(7)(C)

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

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

Thanks

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

Border Security Coordinator

Los Angeles Field Office

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:31 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** RE: Possible Protest at (b)(6), (b)(7)(C)

10-4. Thank you ---

I'm at LAX meeting with PD...

(b)(6), (b)(7)(C)  
Branch Chief  
Northern and Coastal Branch  
Office of Public Affairs  
Customs and Border Protection  
U.S. Department of Homeland Security  
(b)(6), (b)(7)(C)  
On twitter: @CBPLosAngeles

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:29:04 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

Fyi...

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:26 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Possible Protest at (b)(6), (b)(7)(C)

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

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

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

Thanks

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

Border Security Coordinator

Los Angeles Field Office

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



**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:31 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Possible Protest at (b)(6), (b)(7)(C)

Fyi as well..

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:26 AM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Possible Protest at (b)(6), (b)(7)(C)

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

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

Thanks  
(b)(6), (b)(7)(C)  
Border Security Coordinator  
Los Angeles Field Office  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:27 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C  
**Subject:** FW: Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:09 AM  
**To:** OFO-FIELD LIAISON (b)(7)(E) (b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
**Subject:** Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

## **SITUATIONAL AWARENESS**

### **Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office**

#### **Summary:**

On January 30, 2017, a comment on a Facebook page titled Protest Against Muslim Ban at LAX listed the address of the Los Angeles Field Office and encourages others to “show up and protest.” The post does not include a possible date of the protest.

#### **Details:**

On January 30, 2017, a Facebook user named (b)(6), (b)(7)(C) posted a message on the Protest Against Muslim Ban At LAX page.

On her Facebook post, (b)(6), (b)(7)(C) stated she spoke with an ACLU attorney at LAX, who confirmed that at least 25 people were being detained under the Executive Order. One green card holder stated she was in a room with 20 other green card holders. (b)(6), (b)(7)(C) urged others to go to LAX and demand 1) travelers are allowed through, 2) detainees are released or given access to counsel, and 3) detainees are given access to their phones.

In response to (b)(6), (b)(7)(C) post, user named (b)(6), (b)(7)(C) wrote “show up and protest Los Angeles CBP (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)”

The post does not include a possible date of the protest.

Updated to follow as additional information is received.



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

### Protest Against Muslim Ban At LAX

12 mins · 🌐

CONTINUING UPDATE: IMMEDIATE ACTION

1) GO TO LAX. They need you! Go!

2) Vigilant Love is on the ground. Follow them. <https://www.facebook.com/VigilantLove/?fref=nf>

3) I just got off the phone with an attorney working with the ACLU at LAX and confirmed that at least 25 people are being detained, and that - hey, here's some fucked up shit - people from NON-LISTED countries are being held for hours.

"Lawyers are still not getting access and the only info available is from those who are getting through. One green card holder said she was in a room with 20 other green card holders! People from Jordan, Vietnam, Mexico, India, are some of those who were held for a few hours. ACLU estimates between 20-100 still being held as of now, tho there is no way to know true number. Also dual citizens are being held."

CBP is running this place like a CIA black site because if we know who is held the lawyers can file for their release.

GO NOW AND DEMAND

- That travelers are allowed through
- That detainees are released or given access to counsel
- That detainees are given access to their phones

GIVE US THE NAMES

If you can't physically get there call CBP and tell them GIVE US THE NAMES OF THE DETAINEES

Support the ACLU, support CAIR, support One Justice, support Vigilant Love

👍 Like    💬 Comment    ➦ Share

👍 😬 😞 63

34 shares

[View previous comments](#)

5 of 12

(b)(6), (b)(7)(C) Show up and protest Los Angeles CBP at (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 Like · Reply · 🗨️ 1 · 2 mins

(b)(6), (b)(7)(C) We're talking about this right now.  
 Like · Reply · 🗨️ 1 · 2 mins

---


**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:23 PM  
**To:** MARTEL, CARLOS C; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Protesters may assemble in Long Beach (Field Office)  
**Attachments:** muslimbanpost.png

FYSA

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:58:52 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** Protesters may assemble in Long Beach (Field Office)

Comments below (from a facebook post last night 1/30) indicate protesters may come to Long Beach (Field Office).

 **(b)(6), (b)(7)(C)** **Protest Against Muslim Ban At LAX** 12 mins · 🌐

CONTINUING UPDATE: IMMEDIATE ACTION

- 1) GO TO LAX. They need you! Go!
- 2) Vigilant Love is on the ground. Follow them. <https://www.facebook.com/VigilantLove/?fref=nf>
- 3) I just got off the phone with an attorney working with the ACLU at LAX and confirmed that at least 25 people are being detained, and that - hey, here's some fucked up shit - people from NON-LISTED countries are being held for hours.

"Lawyers are still not getting access and the only info available is from those who are getting through. One green card holder said she was in a room with 20 other green card holders! People from Jordan, Vietnam, Mexico, India, are some of those who were held for a few hours. ACLU estimates between 20-100 still being held as of now, tho there is no way to know true number. Also dual citizens are being held."

CBP is running this place like a CIA black site because if we know who is held the lawyers can file for their release.

GO NOW AND DEMAND

- That travelers are allowed through
- That detainees are released or given access to counsel
- That detainees are given access to their phones

GIVE US THE NAMES

If you can't physically get there call CBP and tell them GIVE US THE NAMES OF THE DETAINEES

Support the ACLU, support CAIR, support One Justice, support Vigilant Love

---

👍 Like    💬 Comment    ➦ Share

---

👍 🤔 😞 63

---

34 shares

---

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

---

👍 Like · Reply · 🗨️ 1 · 2 mins

Respectfully,

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

Professionalism Service Manager



U.S. Customs and Border Protection  
Office of Field Operations  
Los Angeles/Long Beach Seaport

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



**Professionalism** (pro·fes·sion·al·ism) – The attitudes and behaviors that exemplify integrity, honor, character, and pride, as well as skill and good judgment. (CBP Directive No. 3310-002D Section 4.6)



**(b)(6), (b)(7)(C)****Protest Against Muslim Ban At LAX**

12 mins · 🌐



CONTINUING UPDATE: IMMEDIATE ACTION

1) GO TO LAX. They need you! Go!

2) Vigilant Love is on the ground. Follow them. <https://www.facebook.com/VigilantLove/?fref=nf>

3) I just got off the phone with an attorney working with the ACLU at LAX and confirmed that at least 25 people are being detained, and that - hey, here's some fucked up shit - people from NON-LISTED countries are being held for hours.

"Lawyers are still not getting access and the only info available is from those who are getting through. One green card holder said she was in a room with 20 other green card holders! People from Jordan, Vietnam, Mexico, India, are some of those who were held for a few hours. ACLU estimates between 20-100 still being held as of now, tho there is no way to know true number. Also dual citizens are being held."

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👍 🙄 😞 63

34 shares

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

Like · Reply · 👍 1 · 2 mins

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:16 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

Get your pepper spray ready! hahaha

(b)(6), (b)(7)(C)  
Section Chief - Trade  
Los Angeles / Long Beach Seaport  
U.S. Customs and Border Protection  
OFFICE: (b)(6), (b)(7)(C)  
CAL CARTAGE: (b)(6), (b)(7)(C)  
CELL: (b)(6), (b)(7)(C)  
E-MAIL: (b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:12 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

Thanks for the heads up!!

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 10:59 AM  
**To:** MARTEL, CARLOS C (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) LALB-WATCH-CMDR  
(b)(7)(E)  
**Subject:** Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

**SITUATIONAL AWARENESS**

**Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office**

**Summary:**

On January 30, 2017, a comment on a Facebook page titled Protest Against Muslim Ban at LAX listed the address of the Los Angeles Field Office and asked others to “show up and protest.” The post does not include a possible date of the protest

**Details:**

On January 30, 2017, a Facebook user named (b)(6), (b)(7)(C) posted a message on the Protest Against Muslim Ban At LAX page.



On her Facebook post, (b)(6), (b)(7)(C) stated she spoke with an ACLU attorney at LAX, who confirmed that at least 25 people were being detained under the Executive Order. One green card holder stated she was in a room with 20 other green card holders. (b)(6), (b)(7)(C) urged others to go to LAX and demand 1) travelers are allowed through, 2) detainees are released or given access to counsel, and 3) detainees are given access to their phones.

In response to (b)(6), (b)(7)(C)'s post, user named (b)(6), (b)(7)(C) wrote "show up and protest Los Angeles CBP (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)"

The post does not include a possible date of the protest.

Updated to follow as additional information is received.



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

**Protest Against Muslim Ban At LAX**

12 mins · 🌐

CONTINUING UPDATE: IMMEDIATE ACTION

- 1) GO TO LAX. They need you! Go!
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👍 Like    💬 Comment    ➦ Share

👍 😬 😞 63

34 shares

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(b)(6), (b)(7)(C) Show up and protest Los Angeles CBP at (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 Like · Reply · 1 · 2 mins

(b)(6), (b)(7)(C) We're talking about this right now.  
 Like · Reply · 1 · 2 mins

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

Section Chief - Trade  
Los Angeles / Long Beach Seaport  
U.S. Customs and Border Protection

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

CAL CARTAGE: (b)(6), (b)(7)(C)

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

E-MAIL: (b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 2:08 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

10-4

(b)(6), (b)(7)(C)  
Border Security Coordinator  
Los Angeles Field Office  
(b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:07 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** MARTEL, CARLOS C <(b)(6), (b)(7)(C)>  
**Subject:** FW: Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

(b)(6), (b)(7)(C) – Please notify field liaison and also put something out to the FO personnel. If they see or encounter anyone they shouldn't engage.

(b)(6), (b)(7)(C) Can you advise building management.

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 10:59 AM  
**To:** MARTEL, CARLOS C <(b)(6), (b)(7)(C)>  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C); LALB-WATCH-CMDR  
(b)(7)(E)  
**Subject:** Situational Awareness: Long Beach, CA: Facebook Post Calls for Protest at the Los Angeles Field Office

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The post does not include a possible date of the protest.

Updated to follow as additional information is received.

 **(b)(6), (b)(7)(C)** ▶ **Protest Against Muslim Ban At LAX** 12 mins · 🌐

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---

👍 Like    💬 Comment    ➦ Share

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👍 😬 😞 63


---

34 shares

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 **(b)(6), (b)(7)(C)** Show up and protest Los Angeles CBP at **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
 Like · Reply · 🗨️ 1 · 2 mins

 **(b)(6), (b)(7)(C)** We're talking about this right now.  
 Like · Reply · 🗨️ 1 · 2 mins

**(b)(6), (b)(7)(C)**  
 Section Chief - Trade  
 Los Angeles / Long Beach Seaport  
 U.S. Customs and Border Protection

OFFICE: (b)(5), (b)(6)

CAL CARTAGE: (b)(5), (b)(6)

CELL: (b)(5), (b)(6)

E-MAIL: (b)(5), (b)(6)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 12:43 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance  
**Attachments:** Guidance on Withdrawal - Court Compliance; Re-Delegation of EO Section 5 Refugee Waiver Authority; Arrival of Central American Minors (CAM) Parolees - Jan 31st; RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; Signed memo

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

Fyi as well...

**From:** MARTEL, CARLOS C  
**Sent:** Tuesday, January 31, 2017 8:55 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Port Directors: Please note updated delegation authority information and how to handle crew. Please advise if you have any questions.

Carlos C. Martel  
 Director, Field Operations  
 Los Angeles Field Office  
 U. S. Customs and Border Protection

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

**From:** HOFFMAN, TODD A  
**Sent:** Tuesday, January 31, 2017 4:17 AM  
**To:** DIRECTORS FIELD OPS (b)(7)(E)  
**Cc:** HUTTON, JAMES R (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P  
 (b)(6), (b)(7)(C) EXECUTIVE DIRECTORS HQ (b)(7)(E)  
**Subject:** FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Directors,

Here is a quick summary regarding the Executive Order:

- You have waiver authority for:



- LPRs- still require an individualized waiver for each entry.
- First time refugees.
- Remaining in-scope categories – C1 approval required. Delegation request to DFOs is currently with the S1. We hope to have today.

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

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

 We continue to push at all levels.
- Issued WD guidance based on court order.
- Crewman that are now lacking a valid visa and are determined to pose no additional concerns to the security of the United States may be detained on board the vessel, with an approved security plan, for the duration of the vessel's U.S. voyage. Crewman that pose a concern to the security of the United States should be ordered removed under safeguard pursuant to standard operating procedures. Removal requires OCC review and concurrence to ensure Court order compliance.
- C1, C2, EAC Owen, etc., continue to work through a prioritized list of Congressional calls.
- We're working with Department of State to align our EO policies and protocols with additional changes expected soon.
- We'll have FAQs posted via CBP website and a public inquiry call center established later today.

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

1/30 email: court compliance on WD

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

1/30 email: Arrival of Central American Minors (CAM) Parolees – Jan 31 arrival

1/28 email: Waiver Routing 

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

 added to routing on 1/29.

1/28: Executive Order Guidance to the Field – Signed Memo

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

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

 or 

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

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

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

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

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

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

(b)(5)

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

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



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**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 7:17 PM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C); WAGNER, JOHN P; (b)(6), (b)(7)(C)  
**Cc:** HOFFMAN, TODD A <(b)(6), (b)(7)(C)>; HUTTON, JAMES R <(b)(6), (b)(7)(C)>  
 (b)(6), (b)(7)(C)

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

Subject: Guidance on Withdrawal

(b)(5)

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

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

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

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

#### DFOs

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

JFK  
Newark  
Miami  
Chicago  
Dulles  
LAX  
Houston

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

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

(b)(7)(E)

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

Washington, DC

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



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**From:** MCALEENAN, KEVIN K

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

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

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

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

**Subject:** Redelégation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(7)(E)

(b)(7)(E)

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





United States Department of State

Washington, D.C. 20520

January 28, 2017

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**ACTION MEMO FOR ACTING SECRETARY** (b)(6)

FROM: PRM (b)(6), (b)(7)(C) Acting

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

**Recommendation**

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

Approve (b)(6), (b)(7)(C) Disapprove \_\_\_\_\_

**Background**

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

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

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UNCLASSIFIED- 2 -

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

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

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

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Approved: A/S (b)(6), (b)(7)(C) Acting (ok)

Drafted: PRM/A - (b)(6), (b)(7)(C)

Cleared: L - (b)(6), (b)(7)(C)  
C - (b)(6), (b)(7)(C)