
From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:46 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Update: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

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

See questions below.

Thank you

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:19:17 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Update: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

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

Thank you for addressing the issue with dual citizenship.

How about those who changed their citizenships, but we could not tell if they are dual citizens? Say, a Canadian citizen presents himself for inspection with a Canadian passport. On the bio page, it shows the **Place of Birth: Syria**. Obviously he was a Syrian citizen at one point and could well be a dual citizen. Are we going to process him per EO?

The other issue is the crew members from 7 T-countries. Please advise if we will detain them onboard with safeguard or remove them. I received a few phone calls from CBP San Diego Seaport seeking guidance.

Thank you,

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

Watch Commander
 LA/LB Seaport

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 4:45 PM
To: LALB-WATCH-CMDR (b)(7)(E) (b)(6), (b)(7)(C)
Subject: FW: Update: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from

Foreign Terrorist Entry Into the United States

Importance: High

See Reporting Guidance below. Additionally, the following information should be disseminated to address if encountered:

1. Protests/Demonstrations (scheduled, planned or occurring): immediate high level bullets to me, DFO, AD (b)(6), (b)(7)(C) asap, where, when, group, size, all pertinent available information. Send what you have and we can update later.
2. Media and other inquiries refer to PAO. (b)(6), (b)(7)(C) info sent yesterday.
Note: only Port Director has authority to speak on behalf of Port. No comments from staff.
3. Congressional Inquiries: advise you will take information and forward up to leadership. Develop high level bullets, who, what, when, where, etc., and send to me, DFO and AD (b)(6), (b)(7)(C) asap.
4. Crew from 7-countries or with dual citizenship must be processed per EO, high level of scrutiny. Also, annotate what they presented to you upon arrival.
5. LPRs from the 7-countries, scrutinize per guidance and develop high level bullets on findings. Only DFO can issue a waiver. Send biographical info and bullets to DFO, AD (b)(6), (b)(7)(C) and me. Plus, call me via cell (b)(6), (b)(7)(C)
6. Running totals, along with stats for the 3 reporting cycles.
7. If you are receiving questions, compile a list of them and send to me.

Thank you,

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

Port Director

Los Angeles/Long Beach Seaport

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

From: MARTEL, CARLOS C

Sent: Saturday, January 28, 2017 7:05:55 PM

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

Cc:

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

(b)(6), (b)(7)(C) please note change in reporting requirements. We will now submit both a running total and totals per time frame.

(b)(6), (b)(7)(C) please note OCA contacts and APP mailbox for port inquiries/questions.

Thanks,

Carlos C. Martel
Director, Field Operations

Los Angeles Field Office
U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 11:59:39 PM
To: OFO-FIELD LIAISON; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C) MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Update: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Directors,

Per the conference call this afternoon, Field Liaison would like to provide the following take-away items:

- Any calls or requests from a member of Congress or their staff should be referred to Office of Congressional Affairs: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
- For questions pertaining to the implementation of the new policy please contact Admissibility and Passenger Programs, Enforcement Programs Division.
(b)(7)(E)

There has been a slight change to the reporting requirements as well. Effective immediately, please use the updated spreadsheet attached. In addition to the running cumulative total, the EAC would like to see totals for the reporting timeframe.

If you have any questions regarding to reporting, please contact the Field Liaison Division, at (b)(7)(E) or (b)(7)(E)

(b)(6), (b)(7)(C)
Branch Chief
U.S. Customs and Border Protection
Office of Field Operations
Field Liaison Division
Desk: [Redacted]
Mobile: (b)(6), (b)(7)(C)
Fax:



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media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. State and local Homeland security officials may share this document with authorized security personnel without further approval from DHS.

From: (b)(6), (b)(7)(C) On Behalf Of OFO-FIELD LIAISON

Sent: Saturday, January 28, 2017 1:09 AM

To: DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE DIRECTORS HQ

(b)(7)(E); BORDER SECURITY ASST DIRECTORS

(b)(7)(E) TRADE OPERATIONS ASST DIRECTORS

(b)(7)(E); MISSION SUPPORT ASST DIRECTORS

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

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

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

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

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

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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

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

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

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 8:41 PM
To: OFO-FIELD LIAISON
Cc: MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: RE: CAIR/Attorney Inquiry

FLD, We received one request last night from a private attorney which was declined. No requests from CAIR.

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

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON
Sent: Sunday, January 29, 2017 1:03:11 AM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: OFO-FIELD LIAISON; (b)(6), (b)(7)(C) MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: CAIR/Attorney Inquiry

Directors,

Operations received reports of requests and/or attempts by private attorneys or attorneys with the Council on American-Islamic Relations (CAIR) to gain access to observe secondary inspections or represent aliens in secondary. Can you advise if this is occurring in your AOR? Negative responses requested.

Thank you,

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

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



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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:39 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) LAX-WATCH
 COMMANDER
Subject: RE: CAIR/Attorney Inquiry

Understood and we will not.

(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: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 5:38 PM
To: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: RE: CAIR/Attorney Inquiry

Just to reiterate that under no circumstances are we to allow any attorney access to detainees or the FIS.

Thanks,

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

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:18:21 AM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: CAIR/Attorney Inquiry

We are not aware of anyone from CAIR attempting to gain access to observe secondary inspections or represent aliens in secondary at LAX.

(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: MARTEL, CARLOS C

Sent: Saturday, January 28, 2017 5:08 PM

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

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

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

Subject: FW: CAIR/Attorney Inquiry

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

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON

Sent: Sunday, January 29, 2017 1:03:11 AM

To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS

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

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

Subject: CAIR/Attorney Inquiry

Directors,

Operations received reports of requests and/or attempts by private attorneys or attorneys with the Council on American-Islamic Relations (CAIR) to gain access to observe secondary inspections or represent aliens in secondary. Can you advise if this is occurring in your AOR? Negative responses requested.

Thank you,

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

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

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



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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:24 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); LAX-WATCH COMMANDER
Subject: RE: CAIR/Attorney Inquiry

Update – we did receive emails from several attorneys (unknown if from CAIR) who were requesting to represent anyone affected by this order. The emails were forwarded to (b)(6), (b)(7)(C). Calls of the same nature were forwarded to (b)(6), (b)(7)(C) as well.

(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: Saturday, January 28, 2017 5:18 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: CAIR/Attorney Inquiry

We are not aware of anyone from CAIR attempting to gain access to observe secondary inspections or represent aliens in secondary at LAX.

(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: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 5:08 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: CAIR/Attorney Inquiry

Please advise.
Carlos C. Martel

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON
Sent: Sunday, January 29, 2017 1:03:11 AM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: OFO-FIELD LIAISON; (b)(6), (b)(7)(C) MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: CAIR/Attorney Inquiry

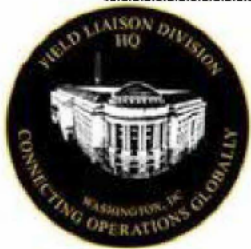
Directors,

Operations received reports of requests and/or attempts by private attorneys or attorneys with the Council on American-Islamic Relations (CAIR) to gain access to observe secondary inspections or represent aliens in secondary. Can you advise if this is occurring in your AOR? Negative responses requested.

Thank you,

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

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



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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:13 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: CAIR/Attorney Inquiry

Stand by

(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: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 5:08 PM
To: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: CAIR/Attorney Inquiry

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON
Sent: Sunday, January 29, 2017 1:03:11 AM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: OFO-FIELD LIAISON; (b)(6), (b)(7)(C) MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: CAIR/Attorney Inquiry

Directors,

Operations received reports of requests and/or attempts by private attorneys or attorneys with the Council on American-Islamic Relations (CAIR) to gain access to observe secondary inspections or represent aliens in secondary. Can you advise if this is occurring in your AOR? Negative responses requested.

Thank you,

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

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

Branch Chief

U.S. Customs and Border Protection

Office of Field Operations

Field Liaison Division

Desk:

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

Fax:



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From: (b)(6), (b)(7)(C) on behalf of
 (b)(6), (b)(7)(C) <info@losangeles.cair.com>
Sent: Saturday, January 28, 2017 3:11 PM
To: (b)(6), (b)(7)(C)
Subject: Urgent Information About the 'Muslim Ban'



GREATER LOS ANGELES AREA

stay in touch with us



Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures from the Internet.

Urgent Information About the 'Muslim Ban'

Dear community members and friends,

Like you, we only recently received the final, signed copies of President Trump's Executive Orders targeting Muslims and refugees. And like you, we are appalled at these attempts to erode our American values by targeting individuals based on race, religion, and national origin.

A complete analysis will take time, but we continue to hear from many of you, worried about what this means for your families and friends. Accordingly, we wanted to reach out and offer some preliminary guidance. We will send out more details as they become clear.

What you need to know right now:

- Generally, non-citizens, including green card holders (lawful permanent residents), from Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen will be restricted from entering the U.S. for at least 90 days. Non-citizens from these countries who are presently in the U.S. should consult with an immigration attorney prior to any international travel
 - However, if you are a green card holder (lawful permanent resident) outside of the U.S. please reach out to an immigration attorney before you travel back to the U.S.
- The refugee program is being halted immediately, for at least 120 days. This will mean that anyone, anywhere in the process, will not move forward. The effort to resettle Syrian refugees in the U.S. is being halted indefinitely

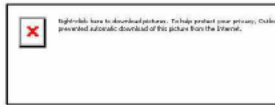
What you should do to protect yourself:

- If you are non-citizen, even green card holders (lawful permanent residents), from one of the seven countries named above, and you are inside the U.S., please plan to delay all international travel for at least 90 days
- If you are a non-citizen from one of the seven countries named above, and you are outside of the U.S., you may face issues at the airport. Please keep looking for updates in the coming days to assess your travel options. If you are facing an emergency at the airport or are coming home in the coming days, please have our numbers on hand (714-776-1177)
- Whether you are a citizen or not, do not permit law enforcement or immigration officers to

without consulting with an attorney

What you can do to push back against this:

- Click here to sign up to get trained as a higher level CAIR-LA Volunteer and help present hold more "Know Your Rights" sessions and immigration and civic engagement workshops.
- Click Here to book a general Know Your Rights and immigration workshop for your masjid, MSA or youth group today.
- Call your members of Congress and the U.S. Senate at 202.224.3121 to ask them to speak out against anti-Muslim and anti-immigrant bigotry and oppose these Executive Orders
- Sign a letter of support for S.B. 31, which is critical legislation needed to protect against the creation of a Muslim registry: <http://bit.ly/civilrightsills>
- Join us for one of our upcoming "Post-Inauguration Panels":
 - Islamic Center of Corona on Friday, February 10 at 8:00 pm
 - Al Ansar Masjid in Anaheim on Friday, February 17 at 8:00 pm
 - Islamic Community Center of Redlands on Friday, March 3 at 7:30 pm
 - Islamic Center of Northridge on Saturday, March 4 at 7:30 pm
 - Islamic Center of Hawthorne on Friday, March 10 at 7:30 pm
 - Islamic Society of Simi Valley on Saturday, March 11 at 7:30 pm
- Donate to support CAIR-LA's efforts.



Sincerely,

(b)(6), (b)(7)(C)
 Executive Director of CAIR-LA

CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.



OFFICE LOCATION
 2160 W. Crescent Ave, Suite F
 Anaheim, CA 92801
 Tel (714) 776-1847 | Fax (714) 776-8340



From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 2:43 PM
To: (b)(6), (b)(7)(C) OFO-FIELD LIAISON
Cc: (b)(6), (b)(7)(C) LAX-WATCH-CMDR; (b)(6), (b)(7)(C)
Subject: RE: Los Angeles, CA: Executive Order Reporting

Field Liaison, please disregard. Another report will submitted in a few minutes with our running total.

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

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 7:26:54 PM
To: OFO-FIELD LIAISON
Cc: MARTEL, CARLOS C; (b)(6), (b)(7)(C) LAX-WATCH-CMDR; (b)(6), (b)(7)(C)
Subject: Los Angeles, CA: Executive Order Reporting

See attached.

(b)(6), (b)(7)(C) Watch Commander
Los Angeles International Airport
(b)(6), (b)(7)(C)

U.S. Customs and Border Protection
(b)(6), (b)(7)(C)
Los Angeles, CA 90045

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:38 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Trump sued by 2 Iraqis held at JFK; 1 man released

If not already viewed/aware, CNN/Fox reporting below legal action and release of immigrant from JFK (open source/not confirmed).

Trump sued by 2 Iraqis held at JFK; 1 man released

<http://www.cnn.com/2017/01/28/politics/2-iraqis-file-lawsuit-after-being-detained-in-ny-due-to-travel-ban/index.html>

Message

From: (b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)]

Sent: 1/28/2017 5:49:21 PM

To: (b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)] /O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C) LAX-WATCH COMMANDER [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LAX-WATCH COMMANDERca9] (b)(6), (b)(7)(C) C [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)] /O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)] (b)(6), (b)(7)(C) /O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)] /O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)]

cc: (b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)] MARTEL, CARLOS C [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CARLOS.C.MARTEL] (b)(6), (b)(7)(C) [/O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6), (b)(7)(C)]

Subject: Recall: ACTION: EO Guidance - Returning Refugees

(b)(6), (b)(7)(C) would like to recall the message, "ACTION: EO Guidance - Returning Refugees".

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 11:07 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: RE: Los Angeles, CA: Executive Order Reporting

Yes, i just caught that. Thanks
 Carlos C. Martel
 Director, Field Operations
 Los Angeles Field Office
 U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 4:04:21 PM
To: MARTEL, CARLOS C
Cc: (b)(6), (b)(7)(C)
Subject: RE: Los Angeles, CA: Executive Order Reporting

The subject represented in the "immigrant/LPR" column was a first time immigrant (subject to withdrawal as per the EO/policy).

Ideally, should be a different column on the report to capture that scenario.

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 8:08:11 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Los Angeles, CA: Executive Order Reporting

(b)(6), (b)(7)(C) I see one was an LPR. Why did we allow them to withdrawal rather than grant a waiver?

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

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:11:47 AM
To: OFO-FIELD LIAISON
Cc: MARTEL, CARLOS C; (b)(6), (b)(7)(C) LAX-WATCH-CMDR; (b)(6), (b)(7)(C)
Subject: Los Angeles, CA: Executive Order Reporting

See attached.

(b)(6), (b)(7)(C) Watch Commander
Los Angeles International Airport

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

U.S. Customs and Border Protection

(b)(6), (b)(7)(C)
Los Angeles, CA 90045

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 10:08 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Los Angeles, CA: Executive Order Reporting
Attachments: Los Angeles - 20170127 - Executive Order Reporting.xlsx

(b)(6), (b)(7)(C) I see one was an LPR. Why did we allow them to withdrawal rather than grant a waiver?

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

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:11:47 AM
To: OFO-FIELD LIAISON
Cc: MARTEL, CARLOS C; (b)(6), (b)(7)(C) LAX-WATCH-CMDR (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Los Angeles, CA: Executive Order Reporting

See attached.

(b)(6), (b)(7)(C) Watch Commander
Los Angeles International Airport
Office: (b)(6), (b)(7)(C)

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

Executive Order Tracking

Field Office: Los Angeles

Date: 1/27/2017

Country	Number of Non-Immigrant Encounters	Number Immigrant/LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of LPR Waivers Granted by DFO
Iran	1	1	0	2	0	0	0
Iraq	1	0	0	1	0	0	0
Libya	0	0	0	0	0	0	0
Somalia	0	0	0	0	0	0	0
Sudan	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0

1300 Pennsylvania Avenue NW
Washington, DC 20229



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

January 28, 2017

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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

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

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

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

Executive Order Tracking

Field Office:

Date:

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

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

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

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

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

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

Returning Residents,

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

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

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

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

From: MCALEENAN, KEVIN K

Sent: Saturday, January 28, 2017 12:22:59 AM

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

Cc: ALLES, RANDOLPH D; (b)(6), (b)(7)(C) FLANAGAN, PATRICK S

Subject: Delegation of Case-by-Case Waiver Authority per Executive Order on Protection the Nation From Foreign Terrorist Entry Into the United States

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) (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, on a case-by-case basis, and when in the national interest, and only with respect to Lawful Permanent Residents of the United States, to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017). Prior to taking any such action, the Lawful Permanent Resident who is the subject of the action must be subjected to a thorough examination by an immigration officer. This authority may not be further delegated.

KM



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

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

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

Vigilance • Service • Integrity

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 2:14 AM
To: MARTEL, CARLOS C <(b)(6), (b)(7)(C)>
Cc: (b)(6), (b)(7)(C) LAX-WATCH
 COMMANDER; (b)(6), (b)(7)(C)
Subject: RE: EV EO 3 IRANIANS (Total)

All,

This is a correction to my typo. Subject: (b)(6), (b)(7)(C) is a citizen of Iraq.

Respectfully,

(b)(6), (b)(7)(C) CHIEF | Admissibility Review Unit | DHS-USCBP | LOS ANGELES INTERNATIONAL AIRPORT (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) Los Angeles, CA 90045
 (b)(6), (b)(7)(C)

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:56 PM
To: MARTEL, CARLOS C <(b)(6), (b)(7)(C)>
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) LAX-WATCH
 (b)(6), (b)(7)(C)
 COMMANDER <(b)(7)(E)> (b)(6), (b)(7)(C)
Subject: EV EO 3 IRANIANS (Total)

All,

See below information prepared by ARU Chief: (b)(6), (b)(7)(C) There are currently three (not four) cases.

Respectfully,

(b)(6), (b)(7)(C)
 Section Chief
 Passenger Operations
 U.S. Customs and Border Protection
 Los Angeles International Airport

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:40:04 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: IRANIANS

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

(b)(7)(E)

According to CBPO (b)(6), (b)(7)(C) and Watch Commander

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

(b)(7)(E)

(b)(7)(E)

The POEs should make the admissibility determination.

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

Respectfully,

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

CHIEF | Admissibility Review Unit | DHS-USCBP | LOS ANGELES INTERNATIONAL AIRPORT

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

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

Los Angeles, CA 90045

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:56 AM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) LAX-WATCH
 COMMANDER; (b)(6), (b)(7)(C)
Subject: EV EO 3 IRANIANS (Total)
Attachments: image003.png

All,

See below information prepared by ARU Chief (b)(6), (b)(7)(C) There are currently three (not four) cases.

Respectfully,

(b)(6), (b)(7)(C)
 Section Chief
 Passenger Operations
 U.S. Customs and Border Protection
 Los Angeles International Airport

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:40:04 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: IRANIANS

Wendy,

(b)(7)(E) According to CBPO (b)(6), (b)(7)(C) and Watch Commander (b)(6), (b)(7)(C) (b)(7)(E)
 (b)(7)(E) The POEs should make the admissibility determination.

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

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

Respectfully,

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

CHIEF | Admissibility Review Unit | DHS-USCBP | LOS ANGELES INTERNATIONAL AIRPORT

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

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

Los Angeles, CA 90045

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:32 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); MARTEL, CARLOS C
Subject: RE: Situational Awareness: Los Angeles, CA: Implementation of Immigration Executive Order

10-4.

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:29:17 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); MARTEL, CARLOS C
Subject: FW: Situational Awareness: Los Angeles, CA: Implementation of Immigration Executive Order

Fysa...so far, 2 F1s and 2 first time immigrants...

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 11:22:51 PM
To: (b)(6), (b)(7)(C); LAX-WATCH-CMDR; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: Situational Awareness: Los Angeles, CA: Implementation of Immigration Executive Order

Situational Awareness: Los Angeles, CA: Implementation of Immigration Executive Order

Summary:

On Thursday, January 27, 2017 at 1900 hours, a conference call with HQ and Port management was held regarding the President's executive order which suspends the entry of citizens from Iran, Libya, Syria, Iraq, Yemen, Somalia, and Sudan.

(b)(7)(E)

(b)(7)(E) HQ is working on providing additional guidance.

Details:

On Thursday, January 27, 2017 at 1900 hours, a conference call with HQ and Port management was held regarding the President's executive order which suspends the entry of citizens from Iran, Libya, Syria, Iraq, Yemen, Somalia, and Sudan.

(b)(7)(E)

(b)(7)(E)

(b)(7)(E) The current guidance provided is to refer all subjects that are citizens from one of the "Extreme Vetting" countries. HQ is working on providing guidance regarding the possibilities of waivers for LPRs.

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

Musters were held at all locations advising officers to refer all arriving passengers in possession of travel documents from the identified countries. Officers were told there is no discretion, all subjects need to be referred and that the policy applies to returning LPRs. HQ is working on providing guidance regarding the possibilities of waivers for LPRs.

Listed below are seven subjects identified by (b)(7)(E) that are scheduled to arrive at LAX tomorrow, January 28, 2017. Updates will be provided as information arrives guidance is received.

NTC EVENT # Subject's Name

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

Thank you,

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

Acting Chief, Passenger Operations
Los Angeles International Airport
U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:19 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Attachments: 20170127 Executive Order Reporting.pdf; 20170127 Executive Order Reporting attachment.xlsx

Fyi

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 1:13:13 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Port Directors:

As discussed earlier, LAX will submit one consolidated report for LAX, LAS, and LALB. Note time frames.

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

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 6:08:45 AM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C) OFO-FIELD LIAISON; (b)(6), (b)(7)(C) MURDOCK, JUDSON W;
 (b)(6), (b)(7)(C)
Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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

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

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

1300 Pennsylvania Avenue NW
Washington, DC 20229



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

January 28, 2017

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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

Executive Order Tracking

Field Office:

Date:

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

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 1:13 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Attachments: 20170127 Executive Order Reporting.pdf; 20170127 Executive Order Reporting attachment.xlsx

Port Directors:

As discussed earlier, LAX will submit one consolidated report for LAX, LAS, and LALB. Note time frames.

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

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

From: (b)(6), (b)(7)(C) on behalf of OFO-FIELD LIAISON
Sent: Saturday, January 28, 2017 6:08:45 AM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS
Cc: (b)(6), (b)(7)(C) OFO-FIELD LIAISON; (b)(6), (b)(7)(C) MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
Subject: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

As we push forward in our efforts to protect our Nation, OFO Operations will require daily reporting on our activities as related to this Executive Order. Reporting will include encounters in the air, land and sea environments with anyone who arrives into the U.S. from the seven (7) countries (Iran, Iraq, Libya, Somalia,

Sudan, Syria and Yemen) that meets the criteria outlined in the Executive Order and the instructions issued to the field by Admissibility and Passenger Programs.

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

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

1300 Pennsylvania Avenue NW
Washington, DC 20229



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

January 28, 2017

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

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

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

On January 27, 2017, President Donald Trump issued Executive Order: *Protecting the Nation from Foreign Terrorist Entry into the United States*. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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Executive Order Tracking

Field Office:

Date:

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:43 AM
To: (b)(6), (b)(7)(C)
Subject: RE: Warning Order: New Executive Order

10 4.

(b)(6), (b)(7)(C)
 (A) Assistant Port Director
 Passenger Operations
 U.S. Customs & Border Protection
 Los Angeles International Airport
 (b)(6), (b)(7)(C) office
 cell

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:40 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Warning Order: New Executive Order

Fyi

From: MARTEL, CARLOS C
Sent: Saturday, January 28, 2017 12:36:18 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Warning Order: New Executive Order

Still pending.

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 5:32:59 AM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
Subject: RE: Warning Order: New Executive Order

DFOs –

APP and OPS are working attentively with our partners to finalize the guidance on policy and reporting. It should be coming shortly.

Thank you,

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

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:23 PM
To: (b)(6), (b)(7)(C); DIRECTORS FIELD OPS (b)(7)(E)
BORDER SECURITY ASST DIRECTORS (b)(7)(E); TRADE OPERATIONS ASST
DIRECTORS (b)(7)(E); MISSION SUPPORT ASST DIRECTORS
(b)(7)(E); EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON (b)(7)(E)
Subject: RE: Warning Order: New Executive Order

We will be having a DFO call within a couple of hours please stand by for further information

Thank you,

(b)(6), (b)(7)(C)
Deputy Executive Director (Acting)
OFO Operations
(b)(6), (b)(7)(C) (c)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:50:24 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION
SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON
Subject: Warning Order: New Executive Order

DFOs,

President Trump just signed an Executive Order: Protecting the Nation from Foreign Terrorists Entry into the United States.

Headquarters is currently working on instructions for the field related to this Presidential Executive Order. Please standby for guidance on immediate implementation.

Thank you,

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

Deputy Executive Director (Acting)
OFO Operations

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 8:57 PM
To: (b)(6), (b)(7)(C)
Subject: FW: About Iranian passengers travelling to US

Importance: High

Fysa

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:26:51 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: About Iranian passengers travelling to US

(b)(6), (b)(7)(C) Please see below... (b)(6), (b)(7)(C) is lead for TBITEC consortium at LAX representing carriers...i have not responded...

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:12:50 PM
To: (b)(6), (b)(7)(C)
Subject: FW: About Iranian passengers travelling to US

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

With all the news about certain countries not being allowed into the US, is there any changes that need to be shared with the TBIT community?

Thank you,

(b)(6), (b)(7)(C)
 General Manager- TBITEC

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 5:12 PM
Subject: About Iranian passengers travelling to US
Importance: High

Hello Dear Ladies and Gentlemen;

Did you hear anything about this news ? Is it true or do you have any idea about the below conditions ? just wanted to ask you about it..

Kind regards.

<https://www.niacaction.org/what-does-trumps-ban-on-iranians-and-muslims-mean-for-you/>

- **If you are an Iranian national outside of the U.S. with a valid U.S. visa, you will not be able to enter the United States.**
- **Iranian dual citizens (e.g. a dual national of France and Iran) may be barred from entering the United States.**
- **U.S. permanent residents (green card holders) who are outside of the United States may be barred from reentry.**
- **U.S. citizens will not be directly affected by the ban.**



(b)(6), (b)(7)(C) | Station Manager, LAX

380 World Way West , Suite 3326 Los Angeles, CA 90045 | 7/27 call center 8008748875 (b)(6), (b)(7)(C)



Bu E-mail mesajı ve ekleri, isimleri yazılı alıcılar dışındaki kişilere açıklanmaması, dağıtılmaması ve iletilmemesi gereken kişiye özel ve gizli bilgiler içerebilir. Mesajın muhatabı değilseniz lütfen gönderici ile irtibat kurunuz, mesaj ve eklerini siliniz. E-mail sistemlerinin tasdığı güvenlik risklerinden dolayı, mesajların gizlilikleri ve bütünlükleri bozulabilir, mesaj virus içerebilir. Bilinen virüslere karşı kontrolleri yapılmış olarak yollanan mesajın sisteminizde yaratabileceği olası zararlardan Şirketimiz (T.H.Y. A.O) sorumlu tutulamaz.

This email and its attachments may contain private and confidential information intended for the use of the addressee only, which should not be announced, copied or forwarded. If you are not the intended recipient, please contact the sender, delete the message and its attachments. Due to security risks of email systems, the confidentiality and integrity of the message may be damaged, the message may contain viruses. This message is scanned for known viruses and our Company (Turkish Airlines Inc.) will not be liable for possible system damages caused by the message.

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 8:01 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Warning Order: New Executive Order

Good copy...

From: MARTEL, CARLOS C
Sent: Friday, January 27, 2017 5:33:57 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Warning Order: New Executive Order

Port Directors: We will be having a conf call following the DFO call. Time to be determined.

Please call (b)(7)(E). Pin (b)(7)(E)

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:22:55 AM
To: (b)(6), (b)(7)(C) DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON
Subject: RE: Warning Order: New Executive Order

We will be having a DFO call within a couple of hours please stand by for further information

Thank you,

(b)(6), (b)(7)(C)
 Deputy Executive Director (Acting)
 OFO Operations
 (b)(6), (b)(7)(C) (c)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:50:24 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION

SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ

Cc: OFO-FIELD LIAISON

Subject: Warning Order: New Executive Order

DFOs,

President Trump just signed an Executive Order: Protecting the Nation from Foreign Terrorists Entry into the United States.

Headquarters is currently working on instructions for the field related to this Presidential Executive Order. Please standby for guidance on immediate implementation.

Thank you,

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

Deputy Executive Director (Acting)

OFO Operations

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

Subject: FW: Single Focus Conference Call

Location: EAC Conference Room

Start: 1/27/2017 9:00 PM

End: 1/27/2017 10:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Received

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

Required Attendees: (b)(6), (b)(7)(C)

Resources: EAC Conference Room

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

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

All times listed are in the following time zone:(UTC-05:00) Eastern Time (US & Canada)

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

Sent: Friday, January 27, 2017 7:48:04 PM

To: (b)(6), (b)(7)(C) DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

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

Subject: Single Focus Conference Call

When: Friday, January 27, 2017 9:00 PM-10:00 PM.

Where: EAC Conference Room

Good Evening Directors,

There will be a DFO/XD Conference Call this evening at 2100 hours to discuss the guidance and implementation of the Presidential Executive Order: Protecting the Nation from Foreign Terrorists Entry into The United States.

Call in information is as follows:

Phone numbers: [REDACTED] **(b)(7)(E)**
PIN: [REDACTED] **(b)(7)(E)**

Please note this call is for Principles.

Thank you,

[REDACTED] **(b)(6), (b)(7)(C)**

[REDACTED] **(b)(6), (b)(7)(C)**

Branch Chief
U.S. Customs and Border Protection
Office of Field Operations
Field Liaison Division
Desk: [REDACTED]
Mobile: [REDACTED] **(b)(6), (b)(7)(C)**
Fax: [REDACTED]

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:47 PM
To: (b)(6), (b)(7)(C)
Subject: FW: EXECUTIVE ORDER: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

See me before you leave.

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 4:45 PM
To: (b)(6), (b)(7)(C)
Subject: EXECUTIVE ORDER: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

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).

(BB NOTE: from the best I can decipher this applies to the countries impacted by last year's Miller Act VWP changes: Iran, Iraq, Syria, Sudan, Libya, Somalia and Yemen)

(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: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:35 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Warning Order: New Executive Order

10-4

(b)(6), (b)(7)(C)
Port Director
Los Angeles/Long Beach Seaport
U.S. Customs and Border Protection
(b)(6), (b)(7)(C) {office}
{mobile}
{fax}

From: MARTEL, CARLOS C
Sent: Friday, January 27, 2017 4:34 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Warning Order: New Executive Order

Port Directors: We will be having a conf call following the DFO call. Time to be determined.

Please call (b)(7)(E) Pin (b)(7)(E)

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:22:55 AM
To: (b)(6), (b)(7)(C) DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON
Subject: RE: Warning Order: New Executive Order

We will be having a DFO call within a couple of hours please stand by for further information

Thank you,

(b)(6), (b)(7)(C)
Deputy Executive Director (Acting)
OFO Operations

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

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

Sent: Friday, January 27, 2017 6:50:24 PM

To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ

Cc: OFO-FIELD LIAISON

Subject: Warning Order: New Executive Order

DFOs,

President Trump just signed an Executive Order: Protecting the Nation from Foreign Terrorists Entry into the United States.

Headquarters is currently working on instructions for the field related to this Presidential Executive Order. Please standby for guidance on immediate implementation.

Thank you,

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

Deputy Executive Director (Acting)

OFO Operations

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:05 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders Attached
Attachments: 170125 - ECIInteriorEnforcement FINAL.DOCX; 170125 - ECBorderSecurityEO FINAL.DOCX

Thank you!

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 3:44 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Executive Orders Attached

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

I have read the two (2) attached documents. Here are some portions of each that *may* impact our operations and change how we currently do things:

EO: Border Security and Immigration Enforcement Improvements:

Section 2 (b): detain individuals apprehended on suspicion of violating Federal or State law, including Federal immigration law, pending further proceedings regarding those violations,
(c): expedite determinations of apprehended individuals' claims of eligibility to remain in the United States;
(d): remove promptly those individuals whose legal claims to remain in the United States have been lawfully rejected, after any appropriate civil or criminal sanctions have been imposed

Possible impact of the above sections to current operations:

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

Section 6: The Secretary..... ensure the detention of aliens apprehended for violations of immigration law pending the outcome of their removal proceedings or their removal from the country to the extent permitted by law.

Possible impact of the above sections to current operations:

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

Section 10: Federal-State Agreements

Possible impact of the above sections to current operations:

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

Section 11 (d): The Secretary..... ensure that parole authority under section 212(d)(5) of the INA is exercised only a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual demonstrates urgent humanitarian reasons or a significant public benefit derived from such parole.

Possible impact of the above sections to current operations:

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

EO: Enhancing Public Safety in the Interior of the United States:

Section 5: In executing faithfully the immigration laws of the U.S., the Secretary shall prioritize for removal those aliens described by the Congress in sections 212(a)(2), (a)(3), and (a)(6)(C)... as well as removable aliens who:

- (a) Have been convicted of a criminal offense;*
- (b) Have been charged with any criminal offense, where such charge has not been resolved;*
- (c) Have committed acts that constitute a chargeable criminal offense*
- (d) ...*
- (e) Have abused any program related to receipt of public benefits*

Possible impact of the above sections to current operations:

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

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

Thanks,

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:55 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders Attached

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

The DFO would like you to go thru these two documents and pull out any significant actions that may impact the INS process. Please review these immediately and let me know by COB today.

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

From: MARTEL, CARLOS C
Sent: Wednesday, January 25, 2017 3:36 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Executive Orders Attached

FYSA

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

From: MURDOCK, JUDSON W
Sent: Wednesday, January 25, 2017 1:41 PM
To: DIRECTORS FIELD OPS (b)(7)(E); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: Executive Orders Attached

FYI

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

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

EXECUTIVE ORDER

- - - - -

ENHANCING PUBLIC SAFETY IN THE INTERIOR OF THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (INA) (8 U.S.C. 1101 *et seq.*), and in order to ensure the public safety of the American people in communities across the United States as well as to ensure that our Nation's immigration laws are faithfully executed, I hereby declare the policy of the executive branch to be, and order, as follows:

Section 1. Purpose. Interior enforcement of our Nation's immigration laws is critically important to the national security and public safety of the United States. Many aliens who illegally enter the United States and those who overstay or otherwise violate the terms of their visas present a significant threat to national security and public safety. This is particularly so for aliens who engage in criminal conduct in the United States.

Sanctuary jurisdictions across the United States willfully violate Federal law in an attempt to shield aliens from removal from the United States. These jurisdictions have caused immeasurable harm to the American people and to the very fabric of our Republic.

Tens of thousands of removable aliens have been released into communities across the country, solely because their home countries refuse to accept their repatriation. Many of these aliens are criminals who have served time in our Federal, State, and local jails. The presence of such individuals in the United States, and the practices of foreign nations that refuse the repatriation of their nationals, are contrary to the national interest.

Although Federal immigration law provides a framework for Federal-State partnerships in enforcing our immigration laws to ensure the removal of aliens who have no right to be in the United States, the Federal Government has failed to discharge this basic sovereign responsibility. We cannot faithfully execute the immigration laws of the United States if we exempt classes or categories of removable aliens from potential enforcement. The purpose of this order is to direct executive departments and agencies (agencies) to employ all lawful means to enforce the immigration laws of the United States.

Sec. 2. Policy. It is the policy of the executive branch to:

(a) Ensure the faithful execution of the immigration laws of the United States, including the INA, against all removable aliens, consistent with Article II, Section 3 of the United States Constitution and section 3331 of title 5, United States Code;

(b) Make use of all available systems and resources to ensure the efficient and faithful execution of the immigration laws of the United States;

(c) Ensure that jurisdictions that fail to comply with applicable Federal law do not receive Federal funds, except as mandated by law;

(d) Ensure that aliens ordered removed from the United States are promptly removed; and

(e) Support victims, and the families of victims, of crimes committed by removable aliens.

Sec. 3. Definitions. The terms of this order, where applicable, shall have the meaning provided by section 1101 of title 8, United States Code.

Sec. 4. Enforcement of the Immigration Laws in the Interior of the United States. In furtherance of the policy

described in section 2 of this order, I hereby direct agencies to employ all lawful means to ensure the faithful execution of the immigration laws of the United States against all removable aliens.

Sec. 5. Enforcement Priorities. In executing faithfully the immigration laws of the United States, the Secretary of Homeland Security (Secretary) shall prioritize for removal those aliens described by the Congress in sections 212(a)(2), (a)(3), and (a)(6)(C), 235, and 237(a)(2) and (4) of the INA (8 U.S.C. 1182(a)(2), (a)(3), and (a)(6)(C), 1225, and 1227(a)(2) and (4)), as well as removable aliens who:

- (a) Have been convicted of any criminal offense;
- (b) Have been charged with any criminal offense, where such charge has not been resolved;
- (c) Have committed acts that constitute a chargeable criminal offense;
- (d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
- (e) Have abused any program related to receipt of public benefits;
- (f) Are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or
- (g) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

Sec. 6. Civil Fines and Penalties. As soon as practicable, and by no later than one year after the date of this order, the Secretary shall issue guidance and promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties that the Secretary is authorized under the law to assess and collect from aliens

unlawfully present in the United States and from those who facilitate their presence in the United States.

Sec. 7. Additional Enforcement and Removal Officers. The Secretary, through the Director of U.S. Immigration and Customs Enforcement, shall, to the extent permitted by law and subject to the availability of appropriations, take all appropriate action to hire 10,000 additional immigration officers, who shall complete relevant training and be authorized to perform the law enforcement functions described in section 287 of the INA (8 U.S.C. 1357).

Sec. 8. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in a manner that provides the most effective model for enforcing Federal immigration laws for that jurisdiction.

Sec. 9. Sanctuary Jurisdictions. It is the policy of the executive branch to ensure, to the fullest extent of the law, that a State, or a political subdivision of a State, shall comply with 8 U.S.C. 1373.

(a) In furtherance of this policy, the Attorney General and the Secretary, in their discretion and to the extent consistent with law, shall ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions) are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary. The Secretary has the authority to designate, in his discretion and to the extent consistent with law, a jurisdiction as a sanctuary jurisdiction. The Attorney General shall take appropriate enforcement action against any entity that violates 8 U.S.C. 1373, or which has in effect a statute, policy, or practice that prevents or hinders the enforcement of Federal law.

(b) To better inform the public regarding the public safety threats associated with sanctuary jurisdictions, the Secretary shall utilize the Declined Detainer Outcome Report or its equivalent and, on a weekly basis, make public a comprehensive list of criminal actions committed by aliens and any jurisdiction that ignored or otherwise failed to honor any detainers with respect to such aliens.

(c) The Director of the Office of Management and Budget is directed to obtain and provide relevant and responsive information on all Federal grant money that currently is received by any sanctuary jurisdiction.

Sec. 10. Review of Previous Immigration Actions and Policies. (a) The Secretary shall immediately take all appropriate action to terminate the Priority Enforcement Program (PEP) described in the memorandum issued by the Secretary on November 20, 2014, and to reinstitute the immigration program known as "Secure Communities" referenced in that memorandum.

(b) The Secretary shall review agency regulations, policies, and procedures for consistency with this order and, if required, publish for notice and comment proposed regulations rescinding or revising any regulations inconsistent with this order and shall consider whether to withdraw or modify any inconsistent policies and procedures, as appropriate and consistent with the law.

(c) To protect our communities and better facilitate the identification, detention, and removal of criminal aliens within constitutional and statutory parameters, the Secretary shall consolidate and revise any applicable forms to more effectively communicate with recipient law enforcement agencies.

Sec. 11. Department of Justice Prosecutions of Immigration Violators. The Attorney General and the Secretary shall work together to develop and implement a program that ensures that adequate resources are devoted to the prosecution of criminal immigration offenses in the United States, and to develop cooperative strategies to reduce violent crime and the reach of transnational criminal organizations into the United States.

Sec. 12. Recalcitrant Countries. The Secretary of Homeland Security and the Secretary of State shall cooperate to effectively implement the sanctions provided by section 243(d) of the INA (8 U.S.C. 1253(d)), as appropriate. The Secretary of State shall, to the maximum extent permitted by law, ensure that diplomatic efforts and negotiations with foreign states include as a condition precedent the acceptance by those foreign states

of their nationals who are subject to removal from the United States.

Sec. 13. Office for Victims of Crimes Committed by Removable Aliens. The Secretary shall direct the Director of U.S. Immigration and Customs Enforcement to take all appropriate and lawful action to establish within U.S. Immigration and Customs Enforcement an office to provide proactive, timely, adequate, and professional services to victims of crimes committed by removable aliens and the family members of such victims. This office shall provide quarterly reports studying the effects of the victimization by criminal aliens present in the United States.

Sec. 14. Privacy Act. Agencies shall, to the extent consistent with applicable law, ensure that their privacy policies exclude persons who are not United States citizens or lawful permanent residents from the protections of the Privacy Act regarding personally identifiable information.

Sec. 15. Reporting. Except as otherwise provided in this order, the Secretary and the Attorney General shall each submit to the President a report on the progress of the directives contained in this order within 90 days of the date of this order and again within 180 days of the date of this order.

Sec. 16. Transparency. To promote the transparency and situational awareness of criminal aliens in the United States, the Secretary and the Attorney General are hereby directed to collect relevant data and provide quarterly reports on the following:

(a) the immigration status of all aliens incarcerated under the supervision of the Federal Bureau of Prisons;

(b) the immigration status of all aliens incarcerated as Federal pretrial detainees under the supervision of the United States Marshals Service; and

(c) the immigration status of all convicted aliens incarcerated in State prisons and local detention centers throughout the United States.

Sec. 17. Personnel Actions. The Office of Personnel Management shall take appropriate and lawful action to facilitate hiring personnel to implement this order.

Sec. 18. 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.

THE WHITE HOUSE,

EXECUTIVE ORDER

- - - - -

BORDER SECURITY AND IMMIGRATION ENFORCEMENT IMPROVEMENTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (8 U.S.C. 1101 *et seq.*) (INA), the Secure Fence Act of 2006 (Public Law 109-367) (Secure Fence Act), and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208 Div. C) (IIRIRA), and in order to ensure the safety and territorial integrity of the United States as well as to ensure that the Nation's immigration laws are faithfully executed, I hereby order as follows:

Section 1. Purpose. Border security is critically important to the national security of the United States. Aliens who illegally enter the United States without inspection or admission present a significant threat to national security and public safety. Such aliens have not been identified or inspected by Federal immigration officers to determine their admissibility to the United States. The recent surge of illegal immigration at the southern border with Mexico has placed a significant strain on Federal resources and overwhelmed agencies charged with border security and immigration enforcement, as well as the local communities into which many of the aliens are placed.

Transnational criminal organizations operate sophisticated drug- and human-trafficking networks and smuggling operations on both sides of the southern border, contributing to a significant increase in violent crime and United States deaths from dangerous drugs. Among those who illegally enter are those

who seek to harm Americans through acts of terror or criminal conduct. Continued illegal immigration presents a clear and present danger to the interests of the United States.

Federal immigration law both imposes the responsibility and provides the means for the Federal Government, in cooperation with border States, to secure the Nation's southern border. Although Federal immigration law provides a robust framework for Federal-State partnership in enforcing our immigration laws -- and the Congress has authorized and provided appropriations to secure our borders -- the Federal Government has failed to discharge this basic sovereign responsibility. The purpose of this order is to direct executive departments and agencies (agencies) to deploy all lawful means to secure the Nation's southern border, to prevent further illegal immigration into the United States, and to repatriate illegal aliens swiftly, consistently, and humanely.

Sec. 2. Policy. It is the policy of the executive branch to:

(a) secure the southern border of the United States through the immediate construction of a physical wall on the southern border, monitored and supported by adequate personnel so as to prevent illegal immigration, drug and human trafficking, and acts of terrorism;

(b) detain individuals apprehended on suspicion of violating Federal or State law, including Federal immigration law, pending further proceedings regarding those violations;

(c) expedite determinations of apprehended individuals' claims of eligibility to remain in the United States;

(d) remove promptly those individuals whose legal claims to remain in the United States have been lawfully rejected,

after any appropriate civil or criminal sanctions have been imposed; and

(e) cooperate fully with States and local law enforcement in enacting Federal-State partnerships to enforce Federal immigration priorities, as well as State monitoring and detention programs that are consistent with Federal law and do not undermine Federal immigration priorities.

Sec. 3. Definitions. (a) "Asylum officer" has the meaning given the term in section 235(b)(1)(E) of the INA (8 U.S.C. 1225(b)(1)).

(b) "Southern border" shall mean the contiguous land border between the United States and Mexico, including all points of entry.

(c) "Border States" shall mean the States of the United States immediately adjacent to the contiguous land border between the United States and Mexico.

(d) Except as otherwise noted, "the Secretary" shall refer to the Secretary of Homeland Security.

(e) "Wall" shall mean a contiguous, physical wall or other similarly secure, contiguous, and impassable physical barrier.

(f) "Executive department" shall have the meaning given in section 101 of title 5, United States Code.

(g) "Regulations" shall mean any and all Federal rules, regulations, and directives lawfully promulgated by agencies.

(h) "Operational control" shall mean the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

Sec. 4. Physical Security of the Southern Border of the United States. The Secretary shall immediately take the

following steps to obtain complete operational control, as determined by the Secretary, of the southern border:

(a) In accordance with existing law, including the Secure Fence Act and IIRIRA, take all appropriate steps to immediately plan, design, and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border;

(b) Identify and, to the extent permitted by law, allocate all sources of Federal funds for the planning, designing, and constructing of a physical wall along the southern border;

(c) Project and develop long-term funding requirements for the wall, including preparing Congressional budget requests for the current and upcoming fiscal years; and

(d) Produce a comprehensive study of the security of the southern border, to be completed within 180 days of this order, that shall include the current state of southern border security, all geophysical and topographical aspects of the southern border, the availability of Federal and State resources necessary to achieve complete operational control of the southern border, and a strategy to obtain and maintain complete operational control of the southern border.

Sec. 5. Detention Facilities. (a) The Secretary shall take all appropriate action and allocate all legally available resources to immediately construct, operate, control, or establish contracts to construct, operate, or control facilities to detain aliens at or near the land border with Mexico.

(b) The Secretary shall take all appropriate action and allocate all legally available resources to immediately assign asylum officers to immigration detention facilities for the

purpose of accepting asylum referrals and conducting credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1225(b)(1)) and applicable regulations and reasonable fear determinations pursuant to applicable regulations.

(c) The Attorney General shall take all appropriate action and allocate all legally available resources to immediately assign immigration judges to immigration detention facilities operated or controlled by the Secretary, or operated or controlled pursuant to contract by the Secretary, for the purpose of conducting proceedings authorized under title 8, chapter 12, subchapter II, United States Code.

Sec. 6. Detention for Illegal Entry. The Secretary shall immediately take all appropriate actions to ensure the detention of aliens apprehended for violations of immigration law pending the outcome of their removal proceedings or their removal from the country to the extent permitted by law. The Secretary shall issue new policy guidance to all Department of Homeland Security personnel regarding the appropriate and consistent use of lawful detention authority under the INA, including the termination of the practice commonly known as "catch and release," whereby aliens are routinely released in the United States shortly after their apprehension for violations of immigration law.

Sec. 7. Return to Territory. The Secretary shall take appropriate action, consistent with the requirements of section 1232 of title 8, United States Code, to ensure that aliens described in section 235(b)(2)(C) of the INA (8 U.S.C. 1225(b)(2)(C)) are returned to the territory from which they came pending a formal removal proceeding.

Sec. 8. Additional Border Patrol Agents. Subject to available appropriations, the Secretary, through the

Commissioner of U.S. Customs and Border Protection, shall take all appropriate action to hire 5,000 additional Border Patrol agents, and all appropriate action to ensure that such agents enter on duty and are assigned to duty stations as soon as is practicable.

Sec. 9. Foreign Aid Reporting Requirements. The head of each executive department and agency shall identify and quantify all sources of direct and indirect Federal aid or assistance to the Government of Mexico on an annual basis over the past five years, including all bilateral and multilateral development aid, economic assistance, humanitarian aid, and military aid. Within 30 days of the date of this order, the head of each executive department and agency shall submit this information to the Secretary of State. Within 60 days of the date of this order, the Secretary shall submit to the President a consolidated report reflecting the levels of such aid and assistance that has been provided annually, over each of the past five years.

Sec. 10. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law, and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g)

of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in the manner that provides the most effective model for enforcing Federal immigration laws and obtaining operational control over the border for that jurisdiction.

Sec. 11. Parole, Asylum, and Removal. It is the policy of the executive branch to end the abuse of parole and asylum provisions currently used to prevent the lawful removal of removable aliens.

(a) The Secretary shall immediately take all appropriate action to ensure that the parole and asylum provisions of Federal immigration law are not illegally exploited to prevent the removal of otherwise removable aliens.

(b) The Secretary shall take all appropriate action, including by promulgating any appropriate regulations, to ensure that asylum referrals and credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1125(b)(1)) and 8 CFR 208.30, and reasonable fear determinations pursuant to 8 CFR 208.31, are conducted in a manner consistent with the plain language of those provisions.

(c) Pursuant to section 235(b)(1)(A)(iii)(I) of the INA, the Secretary shall take appropriate action to apply,

in his sole and unreviewable discretion, the provisions of section 235(b)(1)(A)(i) and (ii) of the INA to the aliens designated under section 235(b)(1)(A)(iii)(II).

(d) The Secretary shall take appropriate action to ensure that parole authority under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) is exercised only on a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual demonstrates urgent humanitarian reasons or a significant public benefit derived from such parole.

(e) The Secretary shall take appropriate action to require that all Department of Homeland Security personnel are properly trained on the proper application of section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) and section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)), to ensure that unaccompanied alien children are properly processed, receive appropriate care and placement while in the custody of the Department of Homeland Security, and, when appropriate, are safely repatriated in accordance with law.

Sec. 12. Authorization to Enter Federal Lands. The Secretary, in conjunction with the Secretary of the Interior and any other heads of agencies as necessary, shall take all appropriate action to:

(a) permit all officers and employees of the United States, as well as all State and local officers as authorized by the Secretary, to have access to all Federal lands as necessary and appropriate to implement this order; and

(b) enable those officers and employees of the United States, as well as all State and local officers as

authorized by the Secretary, to perform such actions on Federal lands as the Secretary deems necessary and appropriate to implement this order.

Sec. 13. Priority Enforcement. The Attorney General shall take all appropriate steps to establish prosecution guidelines and allocate appropriate resources to ensure that Federal prosecutors accord a high priority to prosecutions of offenses having a nexus to the southern border.

Sec. 14. Government Transparency. The Secretary shall, on a monthly basis and in a publicly available way, report statistical data on aliens apprehended at or near the southern border using a uniform method of reporting by all Department of Homeland Security components, in a format that is easily understandable by the public.

Sec. 15. Reporting. Except as otherwise provided in this order, the Secretary, within 90 days of the date of this order, and the Attorney General, within 180 days, shall each submit to the President a report on the progress of the directives contained in this order.

Sec. 16. Hiring. The Office of Personnel Management shall take appropriate action as may be necessary to facilitate hiring personnel to implement this order.

Sec. 17. 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.

THE WHITE HOUSE,

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 7:00 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Subject: RE: Warning Order: New Executive Order

10-4

(b)(6), (b)(7)(C)
Port Director
Los Angeles/Long Beach Seaport
U.S. Customs and Border Protection
(b)(6), (b)(7)(C) (office)
(b)(6), (b)(7)(C) (mobile)
(b)(6), (b)(7)(C) (fax)

From: MARTEL, CARLOS C
Sent: Friday, January 27, 2017 3:59 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Warning Order: New Executive Order

Please note. Guidance is forthcoming.

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 11:50:24 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS; MISSION SUPPORT ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: OFO-FIELD LIAISON
Subject: Warning Order: New Executive Order

DFOs,

President Trump just signed an Executive Order: Protecting the Nation from Foreign Terrorists Entry into the United States.

Headquarters is currently working on instructions for the field related to this Presidential Executive Order. Please standby for guidance on immediate implementation.

Thank you,

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

Deputy Executive Director (Acting)
OFO Operations

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 6:44 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Executive Orders Attached
Attachments: 170125 - ECInteriorEnforcement FINAL.DOCX; 170125 - ECBorderSecurityEO FINAL.DOCX

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

I have read the two (2) attached documents. Here are some portions of each that *may* impact our operations and change how we currently do things:

EO: Border Security and Immigration Enforcement Improvements:

Section 2 (b): detain individuals apprehended on suspicion of violating Federal or State law, including Federal immigration law, pending further proceedings regarding those violations,
(c): expedite determinations of apprehended individuals’ claims of eligibility to remain in the United States;
(d): remove promptly those individuals whose legal claims to remain in the United States have been lawfully rejected, after any appropriate civil or criminal sanctions have been imposed

Possible impact of the above sections to current operations:

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

Section 6: The Secretary ensure the detention of aliens apprehended for violations of immigration law pending the outcome of their removal proceedings or their removal from the country to the extent permitted by law.

Possible impact of the above sections to current operations:

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

Section 10: Federal-State Agreements

Possible impact of the above sections to current operations:

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

Section 11 (d): The Secretary ensure that parole authority under section 212(d)(5) of the INA is exercised only a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual demonstrates urgent humanitarian reasons or a significant public benefit derived from such parole.

Possible impact of the above sections to current operations:

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

EO: Enhancing Public Safety in the Interior of the United States:

Section 5: In executing faithfully the immigration laws of the U.S., the Secretary shall prioritize for removal those aliens described by the Congress in sections 212(a)(2), (a)(3), and (a)(6)(C) as well as removable aliens who:

- (a) Have been convicted of a criminal offense;*
- (b) Have been charged with any criminal offense, where such charge has not been resolved;*
- (c) Have committed acts that constitute a chargeable criminal offense*
- (d) ...*
- (e) Have abused any program related to receipt of public benefits*

Possible impact of the above sections to current operations:

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

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

Thanks,

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

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 9:55 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders Attached

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

The DFO would like you to go thru these two documents and pull out any significant actions that may impact the INS process. Please review these immediately and let me know by COB today.

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

From: MARTEL, CARLOS C
Sent: Wednesday, January 25, 2017 3:36 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Executive Orders Attached

FYSA

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

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

From: MURDOCK, JUDSON W
Sent: Wednesday, January 25, 2017 1:41 PM
To: DIRECTORS FIELD OPS <(b)(7)(E)>; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Subject: Executive Orders Attached

FYI

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

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

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

EXECUTIVE ORDER

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ENHANCING PUBLIC SAFETY IN THE INTERIOR OF THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (INA) (8 U.S.C. 1101 *et seq.*), and in order to ensure the public safety of the American people in communities across the United States as well as to ensure that our Nation's immigration laws are faithfully executed, I hereby declare the policy of the executive branch to be, and order, as follows:

Section 1. Purpose. Interior enforcement of our Nation's immigration laws is critically important to the national security and public safety of the United States. Many aliens who illegally enter the United States and those who overstay or otherwise violate the terms of their visas present a significant threat to national security and public safety. This is particularly so for aliens who engage in criminal conduct in the United States.

Sanctuary jurisdictions across the United States willfully violate Federal law in an attempt to shield aliens from removal from the United States. These jurisdictions have caused immeasurable harm to the American people and to the very fabric of our Republic.

Tens of thousands of removable aliens have been released into communities across the country, solely because their home countries refuse to accept their repatriation. Many of these aliens are criminals who have served time in our Federal, State, and local jails. The presence of such individuals in the United States, and the practices of foreign nations that refuse the repatriation of their nationals, are contrary to the national interest.

Although Federal immigration law provides a framework for Federal-State partnerships in enforcing our immigration laws to ensure the removal of aliens who have no right to be in the United States, the Federal Government has failed to discharge this basic sovereign responsibility. We cannot faithfully execute the immigration laws of the United States if we exempt classes or categories of removable aliens from potential enforcement. The purpose of this order is to direct executive departments and agencies (agencies) to employ all lawful means to enforce the immigration laws of the United States.

Sec. 2. Policy. It is the policy of the executive branch to:

(a) Ensure the faithful execution of the immigration laws of the United States, including the INA, against all removable aliens, consistent with Article II, Section 3 of the United States Constitution and section 3331 of title 5, United States Code;

(b) Make use of all available systems and resources to ensure the efficient and faithful execution of the immigration laws of the United States;

(c) Ensure that jurisdictions that fail to comply with applicable Federal law do not receive Federal funds, except as mandated by law;

(d) Ensure that aliens ordered removed from the United States are promptly removed; and

(e) Support victims, and the families of victims, of crimes committed by removable aliens.

Sec. 3. Definitions. The terms of this order, where applicable, shall have the meaning provided by section 1101 of title 8, United States Code.

Sec. 4. Enforcement of the Immigration Laws in the Interior of the United States. In furtherance of the policy

described in section 2 of this order, I hereby direct agencies to employ all lawful means to ensure the faithful execution of the immigration laws of the United States against all removable aliens.

Sec. 5. Enforcement Priorities. In executing faithfully the immigration laws of the United States, the Secretary of Homeland Security (Secretary) shall prioritize for removal those aliens described by the Congress in sections 212(a)(2), (a)(3), and (a)(6)(C), 235, and 237(a)(2) and (4) of the INA (8 U.S.C. 1182(a)(2), (a)(3), and (a)(6)(C), 1225, and 1227(a)(2) and (4)), as well as removable aliens who:

- (a) Have been convicted of any criminal offense;
- (b) Have been charged with any criminal offense, where such charge has not been resolved;
- (c) Have committed acts that constitute a chargeable criminal offense;
- (d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
- (e) Have abused any program related to receipt of public benefits;
- (f) Are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or
- (g) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

Sec. 6. Civil Fines and Penalties. As soon as practicable, and by no later than one year after the date of this order, the Secretary shall issue guidance and promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties that the Secretary is authorized under the law to assess and collect from aliens

unlawfully present in the United States and from those who facilitate their presence in the United States.

Sec. 7. Additional Enforcement and Removal Officers. The Secretary, through the Director of U.S. Immigration and Customs Enforcement, shall, to the extent permitted by law and subject to the availability of appropriations, take all appropriate action to hire 10,000 additional immigration officers, who shall complete relevant training and be authorized to perform the law enforcement functions described in section 287 of the INA (8 U.S.C. 1357).

Sec. 8. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in a manner that provides the most effective model for enforcing Federal immigration laws for that jurisdiction.

Sec. 9. Sanctuary Jurisdictions. It is the policy of the executive branch to ensure, to the fullest extent of the law, that a State, or a political subdivision of a State, shall comply with 8 U.S.C. 1373.

(a) In furtherance of this policy, the Attorney General and the Secretary, in their discretion and to the extent consistent with law, shall ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions) are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary. The Secretary has the authority to designate, in his discretion and to the extent consistent with law, a jurisdiction as a sanctuary jurisdiction. The Attorney General shall take appropriate enforcement action against any entity that violates 8 U.S.C. 1373, or which has in effect a statute, policy, or practice that prevents or hinders the enforcement of Federal law.

(b) To better inform the public regarding the public safety threats associated with sanctuary jurisdictions, the Secretary shall utilize the Declined Detainer Outcome Report or its equivalent and, on a weekly basis, make public a comprehensive list of criminal actions committed by aliens and any jurisdiction that ignored or otherwise failed to honor any detainers with respect to such aliens.

(c) The Director of the Office of Management and Budget is directed to obtain and provide relevant and responsive information on all Federal grant money that currently is received by any sanctuary jurisdiction.

Sec. 10. Review of Previous Immigration Actions and Policies. (a) The Secretary shall immediately take all appropriate action to terminate the Priority Enforcement Program (PEP) described in the memorandum issued by the Secretary on November 20, 2014, and to reinstitute the immigration program known as "Secure Communities" referenced in that memorandum.

(b) The Secretary shall review agency regulations, policies, and procedures for consistency with this order and, if required, publish for notice and comment proposed regulations rescinding or revising any regulations inconsistent with this order and shall consider whether to withdraw or modify any inconsistent policies and procedures, as appropriate and consistent with the law.

(c) To protect our communities and better facilitate the identification, detention, and removal of criminal aliens within constitutional and statutory parameters, the Secretary shall consolidate and revise any applicable forms to more effectively communicate with recipient law enforcement agencies.

Sec. 11. Department of Justice Prosecutions of Immigration Violators. The Attorney General and the Secretary shall work together to develop and implement a program that ensures that adequate resources are devoted to the prosecution of criminal immigration offenses in the United States, and to develop cooperative strategies to reduce violent crime and the reach of transnational criminal organizations into the United States.

Sec. 12. Recalcitrant Countries. The Secretary of Homeland Security and the Secretary of State shall cooperate to effectively implement the sanctions provided by section 243(d) of the INA (8 U.S.C. 1253(d)), as appropriate. The Secretary of State shall, to the maximum extent permitted by law, ensure that diplomatic efforts and negotiations with foreign states include as a condition precedent the acceptance by those foreign states

of their nationals who are subject to removal from the United States.

Sec. 13. Office for Victims of Crimes Committed by Removable Aliens. The Secretary shall direct the Director of U.S. Immigration and Customs Enforcement to take all appropriate and lawful action to establish within U.S. Immigration and Customs Enforcement an office to provide proactive, timely, adequate, and professional services to victims of crimes committed by removable aliens and the family members of such victims. This office shall provide quarterly reports studying the effects of the victimization by criminal aliens present in the United States.

Sec. 14. Privacy Act. Agencies shall, to the extent consistent with applicable law, ensure that their privacy policies exclude persons who are not United States citizens or lawful permanent residents from the protections of the Privacy Act regarding personally identifiable information.

Sec. 15. Reporting. Except as otherwise provided in this order, the Secretary and the Attorney General shall each submit to the President a report on the progress of the directives contained in this order within 90 days of the date of this order and again within 180 days of the date of this order.

Sec. 16. Transparency. To promote the transparency and situational awareness of criminal aliens in the United States, the Secretary and the Attorney General are hereby directed to collect relevant data and provide quarterly reports on the following:

(a) the immigration status of all aliens incarcerated under the supervision of the Federal Bureau of Prisons;

(b) the immigration status of all aliens incarcerated as Federal pretrial detainees under the supervision of the United States Marshals Service; and

(c) the immigration status of all convicted aliens incarcerated in State prisons and local detention centers throughout the United States.

Sec. 17. Personnel Actions. The Office of Personnel Management shall take appropriate and lawful action to facilitate hiring personnel to implement this order.

Sec. 18. 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.

THE WHITE HOUSE,

EXECUTIVE ORDER

- - - - -

BORDER SECURITY AND IMMIGRATION ENFORCEMENT IMPROVEMENTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (8 U.S.C. 1101 *et seq.*) (INA), the Secure Fence Act of 2006 (Public Law 109-367) (Secure Fence Act), and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208 Div. C) (IIRIRA), and in order to ensure the safety and territorial integrity of the United States as well as to ensure that the Nation's immigration laws are faithfully executed, I hereby order as follows:

Section 1. Purpose. Border security is critically important to the national security of the United States. Aliens who illegally enter the United States without inspection or admission present a significant threat to national security and public safety. Such aliens have not been identified or inspected by Federal immigration officers to determine their admissibility to the United States. The recent surge of illegal immigration at the southern border with Mexico has placed a significant strain on Federal resources and overwhelmed agencies charged with border security and immigration enforcement, as well as the local communities into which many of the aliens are placed.

Transnational criminal organizations operate sophisticated drug- and human-trafficking networks and smuggling operations on both sides of the southern border, contributing to a significant increase in violent crime and United States deaths from dangerous drugs. Among those who illegally enter are those

who seek to harm Americans through acts of terror or criminal conduct. Continued illegal immigration presents a clear and present danger to the interests of the United States.

Federal immigration law both imposes the responsibility and provides the means for the Federal Government, in cooperation with border States, to secure the Nation's southern border. Although Federal immigration law provides a robust framework for Federal-State partnership in enforcing our immigration laws -- and the Congress has authorized and provided appropriations to secure our borders -- the Federal Government has failed to discharge this basic sovereign responsibility. The purpose of this order is to direct executive departments and agencies (agencies) to deploy all lawful means to secure the Nation's southern border, to prevent further illegal immigration into the United States, and to repatriate illegal aliens swiftly, consistently, and humanely.

Sec. 2. Policy. It is the policy of the executive branch to:

(a) secure the southern border of the United States through the immediate construction of a physical wall on the southern border, monitored and supported by adequate personnel so as to prevent illegal immigration, drug and human trafficking, and acts of terrorism;

(b) detain individuals apprehended on suspicion of violating Federal or State law, including Federal immigration law, pending further proceedings regarding those violations;

(c) expedite determinations of apprehended individuals' claims of eligibility to remain in the United States;

(d) remove promptly those individuals whose legal claims to remain in the United States have been lawfully rejected,

after any appropriate civil or criminal sanctions have been imposed; and

(e) cooperate fully with States and local law enforcement in enacting Federal-State partnerships to enforce Federal immigration priorities, as well as State monitoring and detention programs that are consistent with Federal law and do not undermine Federal immigration priorities.

Sec. 3. Definitions. (a) "Asylum officer" has the meaning given the term in section 235(b)(1)(E) of the INA (8 U.S.C. 1225(b)(1)).

(b) "Southern border" shall mean the contiguous land border between the United States and Mexico, including all points of entry.

(c) "Border States" shall mean the States of the United States immediately adjacent to the contiguous land border between the United States and Mexico.

(d) Except as otherwise noted, "the Secretary" shall refer to the Secretary of Homeland Security.

(e) "Wall" shall mean a contiguous, physical wall or other similarly secure, contiguous, and impassable physical barrier.

(f) "Executive department" shall have the meaning given in section 101 of title 5, United States Code.

(g) "Regulations" shall mean any and all Federal rules, regulations, and directives lawfully promulgated by agencies.

(h) "Operational control" shall mean the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

Sec. 4. Physical Security of the Southern Border of the United States. The Secretary shall immediately take the

following steps to obtain complete operational control, as determined by the Secretary, of the southern border:

(a) In accordance with existing law, including the Secure Fence Act and IIRIRA, take all appropriate steps to immediately plan, design, and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border;

(b) Identify and, to the extent permitted by law, allocate all sources of Federal funds for the planning, designing, and constructing of a physical wall along the southern border;

(c) Project and develop long-term funding requirements for the wall, including preparing Congressional budget requests for the current and upcoming fiscal years; and

(d) Produce a comprehensive study of the security of the southern border, to be completed within 180 days of this order, that shall include the current state of southern border security, all geophysical and topographical aspects of the southern border, the availability of Federal and State resources necessary to achieve complete operational control of the southern border, and a strategy to obtain and maintain complete operational control of the southern border.

Sec. 5. Detention Facilities. (a) The Secretary shall take all appropriate action and allocate all legally available resources to immediately construct, operate, control, or establish contracts to construct, operate, or control facilities to detain aliens at or near the land border with Mexico.

(b) The Secretary shall take all appropriate action and allocate all legally available resources to immediately assign asylum officers to immigration detention facilities for the

purpose of accepting asylum referrals and conducting credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1225(b)(1)) and applicable regulations and reasonable fear determinations pursuant to applicable regulations.

(c) The Attorney General shall take all appropriate action and allocate all legally available resources to immediately assign immigration judges to immigration detention facilities operated or controlled by the Secretary, or operated or controlled pursuant to contract by the Secretary, for the purpose of conducting proceedings authorized under title 8, chapter 12, subchapter II, United States Code.

Sec. 6. Detention for Illegal Entry. The Secretary shall immediately take all appropriate actions to ensure the detention of aliens apprehended for violations of immigration law pending the outcome of their removal proceedings or their removal from the country to the extent permitted by law. The Secretary shall issue new policy guidance to all Department of Homeland Security personnel regarding the appropriate and consistent use of lawful detention authority under the INA, including the termination of the practice commonly known as "catch and release," whereby aliens are routinely released in the United States shortly after their apprehension for violations of immigration law.

Sec. 7. Return to Territory. The Secretary shall take appropriate action, consistent with the requirements of section 1232 of title 8, United States Code, to ensure that aliens described in section 235(b)(2)(C) of the INA (8 U.S.C. 1225(b)(2)(C)) are returned to the territory from which they came pending a formal removal proceeding.

Sec. 8. Additional Border Patrol Agents. Subject to available appropriations, the Secretary, through the

Commissioner of U.S. Customs and Border Protection, shall take all appropriate action to hire 5,000 additional Border Patrol agents, and all appropriate action to ensure that such agents enter on duty and are assigned to duty stations as soon as is practicable.

Sec. 9. Foreign Aid Reporting Requirements. The head of each executive department and agency shall identify and quantify all sources of direct and indirect Federal aid or assistance to the Government of Mexico on an annual basis over the past five years, including all bilateral and multilateral development aid, economic assistance, humanitarian aid, and military aid. Within 30 days of the date of this order, the head of each executive department and agency shall submit this information to the Secretary of State. Within 60 days of the date of this order, the Secretary shall submit to the President a consolidated report reflecting the levels of such aid and assistance that has been provided annually, over each of the past five years.

Sec. 10. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law, and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g)

of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in the manner that provides the most effective model for enforcing Federal immigration laws and obtaining operational control over the border for that jurisdiction.

Sec. 11. Parole, Asylum, and Removal. It is the policy of the executive branch to end the abuse of parole and asylum provisions currently used to prevent the lawful removal of removable aliens.

(a) The Secretary shall immediately take all appropriate action to ensure that the parole and asylum provisions of Federal immigration law are not illegally exploited to prevent the removal of otherwise removable aliens.

(b) The Secretary shall take all appropriate action, including by promulgating any appropriate regulations, to ensure that asylum referrals and credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1125(b)(1)) and 8 CFR 208.30, and reasonable fear determinations pursuant to 8 CFR 208.31, are conducted in a manner consistent with the plain language of those provisions.

(c) Pursuant to section 235(b)(1)(A)(iii)(I) of the INA, the Secretary shall take appropriate action to apply,

in his sole and unreviewable discretion, the provisions of section 235(b)(1)(A)(i) and (ii) of the INA to the aliens designated under section 235(b)(1)(A)(iii)(II).

(d) The Secretary shall take appropriate action to ensure that parole authority under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) is exercised only on a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual demonstrates urgent humanitarian reasons or a significant public benefit derived from such parole.

(e) The Secretary shall take appropriate action to require that all Department of Homeland Security personnel are properly trained on the proper application of section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) and section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)), to ensure that unaccompanied alien children are properly processed, receive appropriate care and placement while in the custody of the Department of Homeland Security, and, when appropriate, are safely repatriated in accordance with law.

Sec. 12. Authorization to Enter Federal Lands. The Secretary, in conjunction with the Secretary of the Interior and any other heads of agencies as necessary, shall take all appropriate action to:

(a) permit all officers and employees of the United States, as well as all State and local officers as authorized by the Secretary, to have access to all Federal lands as necessary and appropriate to implement this order; and

(b) enable those officers and employees of the United States, as well as all State and local officers as

authorized by the Secretary, to perform such actions on Federal lands as the Secretary deems necessary and appropriate to implement this order.

Sec. 13. Priority Enforcement. The Attorney General shall take all appropriate steps to establish prosecution guidelines and allocate appropriate resources to ensure that Federal prosecutors accord a high priority to prosecutions of offenses having a nexus to the southern border.

Sec. 14. Government Transparency. The Secretary shall, on a monthly basis and in a publicly available way, report statistical data on aliens apprehended at or near the southern border using a uniform method of reporting by all Department of Homeland Security components, in a format that is easily understandable by the public.

Sec. 15. Reporting. Except as otherwise provided in this order, the Secretary, within 90 days of the date of this order, and the Attorney General, within 180 days, shall each submit to the President a report on the progress of the directives contained in this order.

Sec. 16. Hiring. The Office of Personnel Management shall take appropriate action as may be necessary to facilitate hiring personnel to implement this order.

Sec. 17. 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.

THE WHITE HOUSE,