

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 9:53 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Situational Awareness: 1/27/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations

Fysa

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 6:24 PM  
**To:** MARTEL, CARLOS C <(b)(6), (b)(7)(C)>  
**Cc:** (b)(6), (b)(7)(C); LAX-WATCH COMMANDER <(b)(7)(E)>  
 (b)(7)(E); (b)(6), (b)(7)(C)  
**Subject:** Situational Awareness: 1/27/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations

**Situational Awareness: 1/27/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations**

**Summary:**

On Saturday, January 28, 2017, protestors of the January 27, 2017 Presidential Executive Order arrived at the Los Angeles International Airport and began conducting an organized vigil.

**Details:**

On Friday, January 27, 2017, the President signed an Executive Order entitled "*Protecting the Nation from Foreign Terrorist Entry into the United States*". The Executive Order suspends the entry of citizens from Iran, Libya, Syria, Iraq, Yemen, Somalia, and Sudan into the U.S.

On January 28, 2017, attorneys, private citizens and members of the media began to arrive at the Public Information Office (PIO) at the Tom Bradley International Terminal (TBIT). The CBP Officer assigned to PIO advised the inquiring parties to contact the Office Public Affairs. Due to the size of the crowd, a Supervisory CBPO and additional CBPOs were deployed to PIO to assist. The SCBPO and additional CBPOs handed OPA contact information to the inquiring parties. The PIO, which normally is staffed from 0700-2300 hours, was closed at 1700 due to security concerns related to the protest.

Between 1600 and 1700 hours, approximately 150 protestors arrived and began holding an organized vigil outside the TBIT departure level. There are six media vans and reporters are interviewing both passengers and protestors. There is no CBP presence in the area.

The Los Angeles World Airport (LAWA) Police Department has deployed an enhanced visible presence in the area.

CBP has deployed a (b)(7)(E)  
 (b)(7)(E) A similar contingent will be deployed tomorrow.

Attorneys advertising their services and holding signs are lingering in the PIO area.

The LAX Port Director, LAWA PD Chief and the LAWA Executive Director are in close communication.

Currently, two (2) additional protests are scheduled for January 29, 2017. Attendance estimates per social media indicate that at 1100 hours, 185 protesters will be at TBIT (no specific location) and at 1300 hours, 1,500 protesters will be at TBIT in the arrivals level.

CBP management at the Las Vegas International Airport (LAS) contacted the LAX Port Director and relayed information suggesting that there will be potential protests in Las Vegas in the days ahead. No further details at this time.

Updates to follow.



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

(A) Assistant Port Director  
Los Angeles International Airport (LAX)  
U.S. Customs & Border Protection

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 9:23 AM  
**To:** (b)(6), (b)(7)(C) LAX-SECTION CHIEF; LAX-WATCH COMMANDER; LAX-CHIEF ALL; LAX-SUPERVISOR ALL; (b)(6), (b)(7)(C)  
**Subject:** RE: DAILY MUSTERGRAM – Saturday, February 04, 2017

Team, please change / reissue muster to include new guidance suspending the EO....

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 7:14:18 AM  
**To:** LAX-SECTION CHIEF; LAX-WATCH COMMANDER; LAX-CHIEF ALL; LAX-SUPERVISOR ALL; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** DAILY MUSTERGRAM – Saturday, February 04, 2017

**DAILY MUSTERGRAM – Saturday, February 04, 2017**

**URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry**

Team, please see below/attached White House guidance... *effective immediately. LPRs are no longer subject to the EO*... accordingly, please CEASE processing/referring LPRs under the EO guidance effective IMMEDIATELY.

All other EO provisions remain, to include refugee guidance, and waiver requirements.

(b)(6), (b)(7)(C) please confirm for LAS, SNA, GA ports.

(b)(6), (b)(7)(C) please do not message outward to stakeholders/public/media yet until DHS/CBP provides green light.

(b)(6), (b)(7)(C) please review CAT and make recommendations for structure/staffing going forward. Thx..

Regards,

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

**ATTORNEY CLIENT PRIVILEGED  
 ATTORNEY WORK PRODUCT**

All,

(b)(5)

(b)(5)

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

Deputy Associate Chief Counsel  
Enforcement and Operations  
Office of the Chief Counsel  
U.S. Customs and Border Protection

.....

**UPDATE: Canadian Landed Immigrants and Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”**

MEMORANDUM FOR: Directors, Field Operations  
Director, Field Operations Academy

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

SUBJECT: Canadian Landed Immigrants and Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”

Effective immediately, Canadian Landed Immigrants that are citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen with a valid U.S. Visa may be considered for an exemption of the 212(f) bar under Section 3(g) of the President’s Executive Order if and only if the person satisfies the following conditions:

1. Proof to the satisfaction of the inspection Officer of person's Landed Immigrant Status in Canada;
2. Possession of a valid U.S. visa;
3. Travel that originates in Canada;
4. From only a pre-clearance airport; or
5. Applying for admission at a land border port of entry;
6. And the applicant is otherwise admissible.

The admission of such individuals must be in the national interest of the United States. Prior to any such admission, each individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b)(7)(E)

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

(b)(7)(E) Each exemption must be considered on a case by case basis with waiver submitted to Commissioner of CBP as previously outlined in the attached email.

Please ensure that this memorandum is 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) Director, Enforcement Programs Division at (b)(6), (b)(7)(C) or send inquiries to (b)(7)(E)

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

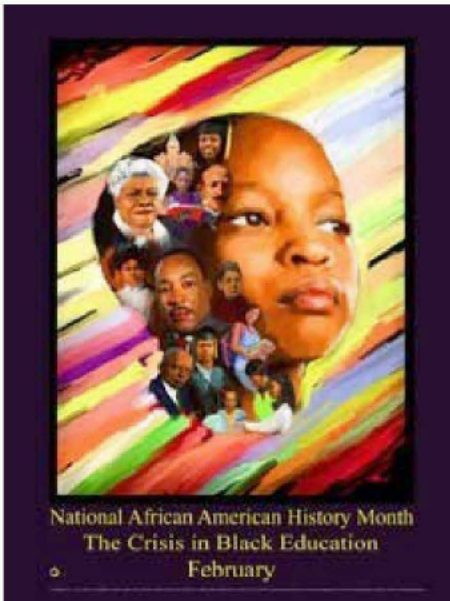
.....  
**Waivers for Executive Order "Protecting the Nation for Foreign Terrorist Entry into the United States"**

Please instruct your staff to ensure they **keep records of emails/requests & approvals for waivers, etc.** for EO encounters as we may very likely be asked to provide copies in the future.

.....

**Today's Notable Black History Facts: National Black History Month - February 1-28, 2017**

.....



National Black History Month – February 1-28, 2017  
Theme: “*Crisis in Black Education*”

**Black History Month**, also known as African-American History Month in America, is an annual observance in the United States, Canada, and the United Kingdom for remembrance of important people and events in the history of the African diaspora. It is celebrated annually in the U.S. and Canada in February, and in the U.K. during the month of October.

National Black History Month originated in 1915, when historian and author Dr. Carter G. Woodson founded the Association for the Study of Negro Life and History (ASALH). Dr. Woodson initiated the First Negro History Week on February 26, 1926. The month of February was chosen because it coincided with the birthday of Abraham Lincoln on February 12<sup>th</sup>, and of Frederick Douglass on February 14<sup>th</sup>, both of which dates Black communities had celebrated together since the late 19<sup>th</sup> century. The official shift from Black History Week to Black History Month, was in 1976 on the 50<sup>th</sup> anniversary of the beginning of Negro History Week, the ASALH made the shift to Black History Month. Every U.S. president since Gerald R. Ford through Barack Obama has issued a statement honoring the spirit of Black History Month.

In honor of Black History Month, the LAX-DIPC will share important facts and information about Black history each week throughout the month of February. As we recognize the history, culture, and contributions of African-Americans, I encourage you to participate in events being held in your local areas and throughout your communities. The LAX-DIPC will also host an event to celebrate Black History Month on Thursday, February 23, 2017, beginning at 11:30AM. \*Flyers will be posted at a later date.

**Today’s Notable Black History Fact(s):**

- **Carter G. Woodson** (Author/Historian) – Known as the “Father of Black History,” Carter G. Woodson was born in Buckingham County, Virginia on December 19, 1875, and was the son of former slaves, James and Eliza Woodson. Coming from a large, poor family, he could not regularly attend school. Through self-instruction, Woodson mastered the fundamentals of common school subjects by age 17. Wanting more education, Carter went to Fayette County to earn a living as a miner in the coal fields. He was able to only devote a few months each year to his schooling. Woodson contended that “*the teaching of black history was essential to ensure the physical and intellectual survival of the race within broader society.*”

- **Brown vs. Board of Education** – In 1954, Brown vs. Board of Education struck down the segregated school system in a landmark case. Desegregation was a civil rights gain, as it granted access to *all* students. However, some states and districts undermined the spirit of equal and equitable opportunity. For example, Mississippi spent \$81.66 to educate a white student compared to \$21.77 for a black student. Even the curriculum was different for white and black students.

Attachments:

1. 2017 National Black History Month Poster
2. 2017 National Black History Month Presentation

Respectfully,

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

Supervisory U.S. Customs & Border Protection Officer  
Professionalism Service Manager – LAX

.....  
**ACTION: Project Code for Executive Order "Protecting the Nation for Foreign Terrorist Entry into the United States" - (b)(7)(E)**

Supervisors/Managers:

Project code, **(b)(7)(E)** has been created by HQ to track costs associated with the Executive Order, "Protecting the Nation from Foreign Terrorist Entry into the United States". This project code is intended to capture all costs as a direct result of the Executive Order (E.O.) that are not for work already being captured by a previously issued national project code.

Normal location codes (i.e. **(b)(7)(E)** **(b)(7)(E)** **(b)(7)(E)**) should continue to be used in conjunction with the new project code (see below examples for on-shift hours and overtime work tickets).

All hours associated with the E.O (on shift and overtime) need to be updated to include the Project Code **(b)(7)(E)** in **(b)(7)(E)** beginning Friday, 1/27/17 to present. Operations Branch was not provided the E.O hours worked (on shift or overtime) so is unable to make corrections. If there are any questions or if you need assistance with this tasking, please contact the Operations Branch.

Thank you,

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

US Customs and Border Protection  
Chief- LAX Operations/Training/Firearms Division

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

**On Shift Hours**  
.....

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

**Work Tickets**

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

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



And as a reminder, they are to **avoid any interaction, conversation with members of the public and the news media** with regard to the Executive Orders signed by the administration.

Thanks,

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

(A) Assistant Port Director  
Los Angeles International Airport (LAX)

.....

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

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

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

All,

There has been some confusion regarding whom to refer and whom is inadmissible under the newly signed EV Executive Orders under President Trump.

Some guidance was obtained and is as follows:

- 1) Persons with dual citizenship applying as visa waiver applicants shall be treated as citizens of the country for which they present their passport. For example, if a dual citizen of Australia and Iran presents an Australian passport, that person is Australian, and only the Australian citizenship will be recognized.
- 2) Persons with VWP passports that were subject to the Miller Bill requirements, who have a valid B1/B2 USNIV because they are dual citizens or traveled to one of the seven listed countries, are admissible.
- 3) Crewmembers with C1/D visas who are nationals of the seven listed countries may not be denied landing rights, and must be processed for withdrawal or granted a waiver for admission.

Further guidance will be forthcoming. Please remember that this situation is unique and dynamic, and should you have any questions, or are unsure about the current guidelines, don't hesitate to ask.

Respectfully,

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

.....

**Message from Secretary Kelly on the Executive Order on Protecting the Homeland**

**Implementing President Trump's Executive Order on Protecting the Homeland**

To all Department of Homeland Security personnel:

As you have likely seen in the news, it's been a busy weekend for DHS personnel. On Friday, President Trump signed an Executive Order to provide further guidance to DHS on enforcing our immigration laws and to suspend entry into the United States certain classes of foreign nationals in order to ensure our immigration system is working in a way that best protects the safety and security of the American public.

As we worked to implement this Executive Order, a number of court orders were issued based on lawsuits filed in the wake of the order. Upon issuance of the court orders, U.S. Customs and Border Protection (CBP) immediately began taking steps to comply with the orders and did so with professionalism.

Concurrently, the Department of Homeland Security continues to work with our partners in the Departments of Justice and State to implement President Trump's Executive Order to protect the Nation from foreign terrorist entry into the United States.

We are committed to ensuring that all individuals affected by the Executive Orders, including those affected by the court orders, are being provided all rights afforded under the law. We are also working closely with airline partners to prevent travelers who would not be granted entry under the Executive Orders from boarding international flights to the United States.

As I said over the weekend, in applying the provisions of the President's Executive Order, the entry of lawful permanent residents is in the national interest. Accordingly, absent significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in our case-by-case determinations.

We are and will continue enforcing President Trump's Executive Order humanely and with professionalism. We are and will remain in compliance with judicial orders. DHS will continue to protect the homeland.

Thank you to all the men and women on the front lines who worked to implement the President's guidance. You are a credit to your agencies and this Department.

Sincerely,

John F. Kelly  
Secretary of Homeland Security

*With honor and integrity, we will safeguard the American people, our homeland, and our values.*

.....  
**Note from the Acting APD, Passenger Operations**

Passenger Operations:

We are tasked with the responsibility of detecting and preventing terrorists and instruments of terror from entering the U.S., conducting interviews and examinations to determine travelers' admissibility, and preventing the flow of narcotics, currency, weapons and other contraband across our borders. Equally as important is our mission to curtail the spread of harmful pests and plant and animal diseases that may harm our agriculture industry and to prevent bio- and agro-terrorism.

Every day, we address these threats by following established procedures and protocols (including Total Inspection Awareness principles), properly using inspection tools and technology, and accurately reporting inspection results. By adhering to the above, we can expect to be successful in our interdiction efforts.

To ensure we have the tools and knowledge to successfully accomplish our mission, management will be reissuing and remustering both HQ and port-specific guidance, policies and musters. Managers are available to address any questions or provide clarification on any of these policies. In addition, the LAX Training Team will be providing refresher training focusing on key procedures for all CBP Officers and Agriculture Specialists.

Remember that what we do, and how we do it, matters. We are the front line and we carry a great deal of responsibility on our shoulders – let's make every day count.

Thank you,

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

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

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

Thank you,

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

**President Trump signs Executive Orders**

President Donald J. Trump signed two Executive Orders (E.O.) today that will have a direct and immediate impact on the Department's operations and mission execution.

The first E.O., Enhancing Public Safety in the Interior of the United States, sets forth the enforcement priorities DHS will use moving forward, reinstates Secure Communities and details other significant changes to federal immigration policy. Notably, President Trump has directed that all appropriate action be taken for ICE to hire 10,000 additional immigration officers.

The second E.O., Border Security and Immigration Enforcement Improvements, focuses on the Southern Border infrastructure, and addresses detention and asylum procedures, in addition to directing all appropriate action be taken for CBP to hire 5,000 border patrol agents, as well as a number of other very important issues.

You can view the [Executive Orders here](#), and I urge that all employees read them thoroughly.

More specific information on the implementation of the Executive Orders will be forthcoming shortly.

Kevin McAleenan  
Acting Commissioner

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

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

**FY 2017 Joint Awards Committee (JAC) Superior Achievement Award Information**

To NTEU Represented Bargaining Unit Employees and their Supervisors,

The time has arrived for the **FY 2017 JAC** superior achievement award nomination process. These nominations are due on a quarterly basis to your supervisor as specified in the attached memorandum. **(NOTE: DUE TO LATE ISSUANCE OF THIS MEMORANDUM THE, QUARTER 1 SUBMISSIONS WILL STILL BE ACCEPTED THROUGHOUT THE SECOND QUARTER)**

**PROCEDURES**

The Superior Achievement Award process is **automated** and can be accessed through Share Point under LAX Operations Branch (see attachment JAC Award input and approval instructions) and link below. All nominations to be input on the Awards and Recognition Form (CBP Form 80) electronically. Once the form is complete the nominator will be able to automatically forward the nomination to their first line supervisor for validation\*. Supervisors will receive an email which will notify them that an award nomination is awaiting their approval. The supervisors will be able to review the form for eligibility, electronically validate the form, and forward to the JAC committee. **If supervisors do not validate the award form and ensure that the award submitted is for superior achievement, the JAC award committee will not be able to view the nomination.** Employees must submit the award nomination to their supervisor no later than the date specified in the attached memorandum for each respective quarter.

\*Employees represented by NTEU, at their option, will be able to print a copy of their award submission for presentation to their local designated NTEU representative. **If you need a copy for this purpose, you must**

**print before you submit the award to your supervisor for validation. In addition, when employees enter their nominations please use names over hash id's.**

Award nominations that contain assertions of high achievement or the demonstration of excelled performance will receive little weight unless the nomination contains detailed factual specifics that support the assertions made in the nomination. An example of this situation would be Employee X has performed many enforcement actions and received many letters of appreciation this would receive little weight. Officer X has made 32 enforcement actions including 2 kgs. of opium and has received a letter of appreciation from Agency ABC on 10/12/15 and Agency DEF on 11/11/16 for excellent work. These are the specifics that are needed to support the assertions. Additionally, it would be beneficial if the nominations reference CBP priorities and how the superior performance has supported these CBP priorities in order for the JAC to evaluate the nomination.

The JAC will be evaluating Superior Achievement Award nominations based on the superior performance of the employee or group over the entire fiscal year. The justification for the award should indicate how the performance is ongoing and not confined only to a specific instance or of a limited duration. A single specific instance of superior performance while worthy of an award is normally considered a Special Act Award which is not under the jurisdiction of the JAC and therefore a submission of this type would not be found to be meritorious for a Superior Achievement Award unless this single act was used to support the detailed excelled performance over the entire rating period. As an example if an employee is responsible for a significant enforcement action then this would be a Special Act Award candidate but if the employee is responsible for a significant enforcement action every week or has made many referrals or many examinations every week then this could then be a Superior Achievement Award candidate.

**Supervisors** in reviewing the award nominations should ensure that **only** Superior Achievement nominations are submitted for the JAC. The form is multi use and On the Spot and Special Act award nominations do not go to the JAC but are sent through the normal chain of command. The **Supervisor is to ensure the last 4 digits of the nominated employee's SSN#** to the Superior Achievement award before routing **DIRECTLY** to the JAC committee by their due date. These nominations do **not** go through the normal chain of command. If a supervisor nominates an employee then their supervisor validates the form and then sends it to the JAC committee. The supervisor in validating the nomination does three things, ensures that the employee has a pass on their annual performance appraisal; the activities articulated are not for union activities; that the information supporting the nomination is correct, if not the supervisor needs to articulate the discrepancy in an **email to Section Chief** (b)(6), (b)(7)(C) but still submit the nomination to the JAC committee.

***\*The JAC committee will no longer accept group/team nominations. All individuals on a team will have to have their nominations submitted individually explaining the accomplishments of the nominee and demonstration of superior achievement.***

The JAC will process all Superior Achievement Award nominations for all ports under the jurisdiction of the Area Port Director of Los Angeles International Airport, including the Port of Las Vegas.

Section Chief (b)(6), (b)(7)(C) JAC Administrator

Thank You,

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

Section Chief

(b)(7)(E)

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

**National Mentor Month**

Ladies and Gentlemen:

Since January is “National Mentor Month” and January 19th is “National Thank A Mentor Day” I wanted to take a moment and share with you a simple but powerful resource to help make 2017 your best year! Perhaps getting a mentor was one of your New Year Resolutions? If it wasn’t – it should be! I can personally attest to the fact that having Mentors in my life have greatly benefitted me throughout my career.

For those of you who have already enrolled as a Mentee – thank you for taking the time to invest in your career. For those of you who have volunteered to serve as a Mentor – thank you for contributing to the future of CBP by sharing your knowledge with others. The Los Angeles Field Office has robust participation in the program; however there are several mentees and mentors that remain unmatched. This month is a great time to take the next step and commit to selecting a Mentor and a good time to volunteer to become a Mentor. The new Portal makes it easier to search the Mentors registered in the system. Many employees, just like you, have





begun reaching their individual goals and others have been able to share experiences while developing their leadership skills. If this sounds like something you've been looking for, I highly recommend getting started today by clicking on the link below to access CBP's Mentoring Program Portal. (b)(7)(E)

I have dedicated a team of CBP staff to ensure that this program is successful in our Field Office. Please do not hesitate to contact (b)(6), (b)(7)(C) our Field Office Coordinator or your Port/Center level team members with any questions you may have. Complete information about the Mentor Program and who your Port/Center contacts are can be found at the Field Office SharePoint page: (b)(7)(E)

Thank you,

Carlos C. Martel  
Director, Field Operations  
Los Angeles Field Office

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(b)(6), (b)(7)(C) | Supervisory Customs & Border Protection Officer | Admissibility Review Unit | Los Angeles Int'l Airport |  
: (b)(6), (b)(7)(C) : (b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 12:57 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** RE: Situational Awareness: Los Angeles, CA: Admission of Yemeni Child

Thx (b)(6), (b)(7)(C) if not already working it, CAIR poc from letter may be of help in locating mom...thx

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 10:41:01 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** RE: Situational Awareness: Los Angeles, CA: Admission of Yemeni Child

Mr. (b)(6), (b)(7)(C):

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

Will update when flight has blocked.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 8:07 AM  
**To:** (b)(6), (b)(7)(C)

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

Subject: RE: Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

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

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

Sent: Saturday, February 04, 2017 9:06:53 AM

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

Cc: (b)(6), (b)(7)(C)  
Subject: RE: Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

Mr. (b)(6), (b)(7)(C)

On site.

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

Will call when complete.

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

Sent: Saturday, February 04, 2017 3:01:00 PM

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

Cc: (b)(6), (b)(7)(C)  
Subject: FW: Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

Good Morning (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) will be the onsite LAX PAL today and (b)(6), (b)(7)(C) will also be on duty for protests.

As always, thanks...please call me with any questions.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 12:04:46 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

10-4

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 12:43:17 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

SA bullets to be used for the Yemeni child pax arriving tomorrow

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 10:25:35 PM  
**To:** MARTEL, CARLOS C  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2

**Situational Awareness: Los Angeles, CA: Admission of Passenger (b)(6), (b)(7)(C) at Terminal 2**

**Summary:**

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

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

**Biographical Information:**

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

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

Section Chief  
Passenger Operations  
Los Angeles International Airport

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 6:21 PM  
**To:** (b)(6), (b)(7)(C) LAX-WATCH-CMDR; (b)(6), (b)(7)(C)  
**Subject:** RE: Update #29: Situational Awareness: 2/04/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations (LAX)

Please include (b)(6), (b)(7)(C) on EO related updates, thx

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 3:59:01 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)** LAX-WATCH COMMANDER; (b)(6), (b)(7)(C)  
**Subject:** FW: Update #29: Situational Awareness: 2/04/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations (LAX)

**Situational Awareness: 2/04/17 Presidential Executive Order Protest Actions, Inquiries & Demonstrations**

**Update #29:** Saturday, February 4, 2017, as of 1430 hours, LAWA PD Command Port is still reporting approximately 250 protesters have mobilized outside TBIT lower level and approximately 25- 30 pro-Trump protesters have staged between P3 and P4 parking structures.

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

There has been some confrontation between anti-trump and pro-trump protestors.

Small groups of protesters continue to splinter from the main group to march to T 4 on the lower level or to the TBIT ticketing/departure level. These small groups eventually make their way back to the main group protesting outside TBIT lower level.

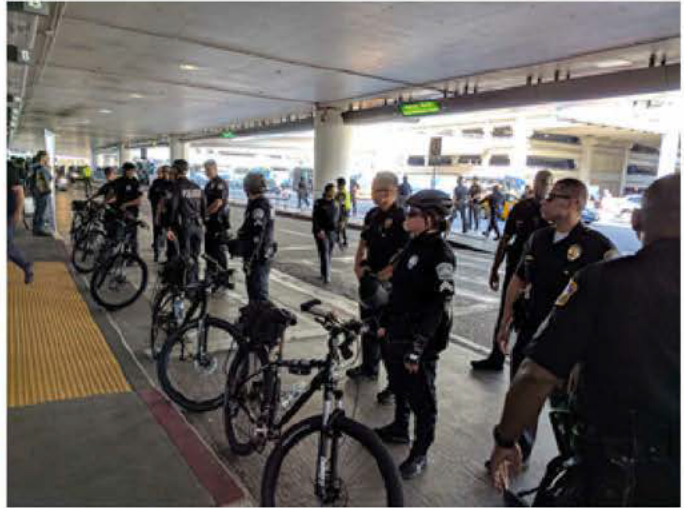
LAWA Traffic reports traffic flow is better than normal operations.

LAX airlines report flight operations are normal.

Downtown L.A. protest is over. No intel that those protestors are joining the LAX group.

Intel says LAX protest will continue until 2400.

PAO (b)(6), (b)(7)(C) handed out the latest guidance from CBP to those reporters who stated they had not received it yet.



**Update #28:** Saturday, February 4, 2017, as of 1330 hours, LAWA PD Command Post is reporting approximately 250 protesters have mobilized outside TBIT lower level and approximately 25- 30 pro-Trump protesters have staged between P3 and P4 parking structures.

There are no protesters at Terminal 3 as previously report by LAWA at 1300 hours.

Groups of protesters have begun marching between the TBIT arrival level and the ticketing/departure level from time to time.

LAWA PD Command Post is also monitoring other Demonstrations locally and throughout the country. LAWA PD Command Post is reporting the downtown LA protests group is estimated between 400-500 protesters.

Reports from New York shows protests on the streets. So far non-violent.

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



**Update #27:** Saturday, February 4, 2017, as of 1230 hours approximately 180 protesters have mobilized outside TBIT lower level and approximately 25 pro-Trump protesters have staged across at P3 and P4 parking structures.

LAWA PD Mobile Felid Force units (MFF) have been deployed to TBIT lower level bike rack and 301 parking structure (P3)



(b)(7)(E)

So far demonstration is peaceful.

Next update will be at 1330 hours

Photos are imbedded and attached





**Update #25:** Saturday, February 4, 2017, as of 1130 hours DOT, CalTrans, ARCC, CBP, LAWA PD, LAPD are present at command post.

Only 20 Protestors are present at TBIT Lower Level

LAWA PD K9 conducted a sweep of lower level main entrance, North, South of TBIT & 301 Parking

Next update will be at 1230.

**Update #24:** Saturday, February 4, 2017, as of 1000, there are no current demonstrations.

LAWA has set up a Command Post at Fire Station 5 on Westchester Parkway/Emerson, contact number is (b)(6), (b)(7)(C) Incident Commander is Captain (b)(6), (b)(7)(C) and Unified Commander is Captain (b)(6), (b)(7)(C)

LAX Airport Response Coordination Center (ARCC) is projecting crowd sizes between 500 to 3000 individuals between 1000 to 2200 hours.

(b)(7)(E)

(b)(7)(E)

CBP Global Entry Enrollment and CBP Public Information Offices located in the TBIT departures area were closed and relocated to another area as a security precaution.

(b)(7)(E)

Currently no impact to operations.

**Update #23:** Wednesday, February 01, 2017, as of 1900 hours, there are approximately 15 peaceful protestors out in front in TBIT Arrivals Level. LAWA PD continues to maintain a small footprint within the LAWA CTA. Indications are that a larger protest group may arise at 1930 hours, however the numbers are unknown at this time. Update to follow:



**Update # 22:** Monday, February 1, 2017, 1518 hours, there are reports of two protestors in front of TBIT. LAWA has set up a Command Post at Fire Station 5 on Westchester Parkway/Emerson, contact number is (b)(6), (b)(7)(C). Incident Commanders are Captain (b)(6), (b)(7)(C) and Captain (b)(6), (b)(7)(C).

**UPDATE # 21:** As of Tuesday, January 31, 2017, 2030 hours, approximately 170-190 protestors are now gathered lower level outside the main entrance doors of Tom Bradley International Terminal. There is no impact to CBP operations at this time. TBIT baggage staff is exercising heightened situational awareness, and

(b)(7)(E)



**UPDATE # 20:** As of Tuesday, January 31, 2017, 1332 hours, approximately 50 peaceful protesters have gathered lower level, in front of the main entrance doors to Tom Bradley International Terminal. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

LAWA Police are onsite monitoring the event.

**Update # 19:** As of Tuesday, January 31, 2017, 0145 hours, LAWA PD announced that all protestors have left the airport.

**Update # 18:** As of Monday, January 30, 2017, 2210 hours, the crowd had dropped to 45-50 demonstrators who are walking from terminal to terminal in a peaceful manner. (b)(7)(E)

**Update # 17:** As of Monday, January 30, 2017, 2045 hours, the Airport Police report that the size of the crowd has grown to approximately 120. The demonstration is vocal but peaceful. Most demonstrators are in front of TBIT or in the building in the public area of the arrivals hall. Airport Police estimate that the demonstration may continue until approximately midnight. CBPOs getting off duty. (b)(7)(E)

(b)(7)(E)

**Update # 16:** As of Monday, January 30, 2017, 1920 hours, the group of approximately 30 demonstrators entered the interior arrivals area of TBIT (public side) and are continuing their protest. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

**Update # 15:** As of Monday, January 30, 2017, 1835 hours. The first group of approximately 100 demonstrators began dispersing at approximately 1700 hours. A second group of less than 30 demonstrators

began marching from the USO toward TBIT at approximately 1730 hours. This group appears to be less organized than the earlier group. They are currently demonstrating on the departure level in front of the Tom Bradley International Terminal in front of the center entrance main door. LAWA PD is uncertain if the number will increase as the night progresses. LAWA PD Public Affairs Officer is stationed outside and remains in contact with the CBP Public Affairs Liaison.

(b)(7)(E)



**Update # 14:** As of Monday, January 30, 2017, 1600 hours, demonstrations have resumed again at LAX. Initially in small numbers mid-day, the crowd has grown to approximately 100 protesters on site transitioning from LAX Terminal 1 to the Tom Bradley International Terminal (TBIT). The majority of the current demonstrators are members of the Service Employees International Union (SEIU). LAWA PD continues to manage/monitor the demonstrations, and (b)(7)(E)

(b)(7)(E)



**Update # 13:** Monday, January 30, 2017, 0834 hours, LAWA PD reported there is no discussion (b)(7)(E) (b)(7)(E) of protestors congregating at LAX today. (b)(7)(E) (b)(7)(E) The Los Angeles Fire Department is on standby to deploy on the AOA, if needed. CBP Regional PIO representative, (b)(6), (b)(7)(C) was confirmed as the PIO POC for CBP. (b)(7)(E)

Next meeting at the LAWA PD office is at 1130 hours..

**Update #12:** As of Monday, January 30, 2017, at 0100 hours, protestors have disbursed from LAX. LAWA Public Relations indicated that some airlines reported delayed departures (six international flights) due to flight crews and passengers being caught in traffic due to the protests. The CBP-Liaison to the LAWA Command Post has reported that they have de-mobilized. If re-activation is necessary all appropriate notifications will be made. (b)(7)(E) All CBP-LAX Passenger Operations have concluded with no issues to report.

**Update #11:** As of 2200 Hours: Per the CBP-Liaison to the LAWA Command Post: Two protestors were arrested for refusing to disburse from the roadway blocking traffic. Estimated 300 protestors remain within the CTA. Majority of protestors remain outside at the TBIT Arrival Level, curbside. LAWA PD continues to maintain a presence within the TBIT Arrivals Area outside of the CBP FIS. (b)(7)(E)

(b)(7)(E)

**Update #10:** At approximately 2015 hours, per the CBP Liaison to the LAWA Command Post located at Station #5, LAWA PD began to call out their Mobile Units in an attempt to disburse protestors that have begun to sit in the street on both the arrival (50 protestors) and departure (100 protestors) levels, in front of TBIT. Buses will be brought in to remove the protestors who will be arrested off-site. There are approximately 700 passengers remaining within the LAWA CTA.

**Update #9:** On Sunday, January 29, 2017, at approximately 1700 hours, approximately 600 protestors departed from the front of TBIT and made their way to Terminal Two, outside the CBP FIS Doors. LAWA PD shifted a large force of their resources to Terminal Two. (b)(7)(E)

(b)(7)(E) At 1750 hours, the protestors made their way back to TBIT. No impact to CBP-LAX Passenger Processing Operations. Below are photographs from late this afternoon depicting large groups conducting “sit-ins” in front of the CBP-LAX Public Information Office, TBIT Departure Level.

**LAS Vegas:** At 1800 hours, approximately 80 protestors were in the International Arrivals area at Terminal Three, at the McCarran International Airport. No impact to CBP Operations.



### Update 8:

On Sunday, January 29, 2017, as of 16:30 hours (PDT), the number of protestors at LAX is approx. 1000 protestors, reduced in size from a peak of approximately 3,300 at 1500 hours (PDT). The crowd continues to protest on both levels of the LAX Tom Bradley International Terminal (TBIT), and has also marched in the Central Terminal Area (CTA) automobile lanes.

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

An extensive media presence has been on hand during the protest with remote broadcast vehicles assembled between Terminal 3 and TBIT.

Congresswoman Maxine Waters (43 district) and Congressman Ted Lieu (33 district) were on site requesting CBP engagement and they were provided OCA's contact info.



The Director, Field Operations Los Angeles, Carlos Martel and Area Port Director (b)(6), (b)(7)(C) are on site.

LAX Port Director (b)(6), (b)(7)(C) and the Mayor of Los Angeles, Eric Garcetti met off-site to discuss CBP's response to the EO. Mayor Garcetti later conducted media events at the LAWA Admin building and also met privately with on-site immigration attorneys.

Updates will be provided and photos are attached.

**Update 7:**

On Saturday, January 29, 2017, planned protests at LAX are scheduled for 1100, 1200, and 1300 hours respectively, as per LAWA PD. LAWA PD has coordinated with protest leaders and have designated the Lower Level near Parking Lot #4 on Center Way South to organize. Approximately 5,000 individuals are expected.

(b)(7)(E)

(b)(7)(E)

(b)(7)(E) Updates will be provided when applicable.

**Update 6:**

As of 0015 hours on January 29, 2017, there are 986 individuals confirmed to attend a protest at TBIT at 1200 hours and 5,500 confirmed to attend at 1300 hours on January 29, 2017. (b)(7)(E) While the protest groups state that the protest will be peaceful and organized,

(b)(7)(E)

(b)(7)(E)

The LAX Port Director continues to work in close coordination with LAWA PD. (b)(7)(E)

(b)(7)(E)

(b)(7)(E) There continue to be approximately 100 protesters outside the FIS.

**Update 5:**

On January 28, 2017, at 2305 hours, the LAX Port Director met with Los Angeles City Attorney (b)(6), (b)(7)(C) and escorted him into the outer egress area of the FIS. Prior to the meeting, the City Attorney was engaging with and encouraging a large group of protesters outside the FIS, and the LAWA PD Chief was growing increasingly concerned about the security situation as a result of the City Attorney's presence and inflammatory rhetoric. Mr. (b)(6), (b)(7)(C) was demanding information regarding the number of passengers being detained, and under what authority they were being detained, how many had been deported, and was LAX implementing the ruling out of New York. The LAX Port Director advised him that at this time he could not provide any specific data, was aware of the ruling earlier in the evening, was awaiting further guidance and would pass his contact info and request for information along to OCA. It was reported that Congresswomen Barragan and Chu had recently departed the area.

**Update 4:**

On January 28, 2017, at 2225 hours, (b)(6), (b)(7)(C) the Chief of the Criminal Division of the U.S. Attorney's Office, arrived at the airport and was requesting information regarding passengers being detained. He was advised by the Watch Commander to contact PAO (b)(6), (b)(7)(C) LAWA PD Chief (b)(6), (b)(7)(C) also advised the Watch Commander (b)(7)(E)

**Update 3:**

On January 28, 2017, at 2210 hours, LAWA PD reported that the protesters are becoming aggressive. (b)(7)(E)

(b)(7)(E)

### **Update 2:**

On January 28, 2017, at 2115 hours, LAX management was advised that Congresswomen Nanette Barragan and Judy Chu were on site at the TBIT departures level and seen talking to the media. Approximately 100 protesters remained in the area. CBP also received a call from the Channel 2 media inquiring why PIO was closed and were advised that PIO was still operating, however at an alternate location due to the noise and distraction resulting from the protest activity.

At approximately 2130 hours, it was reported that the protesters, including the Congresswomen and media, have moved downstairs to the arrivals level outside the FIS egress. The protest has become less organized, with people milling about. (b)(7)(E)

(b)(7)(E) The LAX Port Director continues to coordinate with LAWA PD.

[https://en.wikipedia.org/wiki/Judy\\_Chu](https://en.wikipedia.org/wiki/Judy_Chu)

### **Update 1:**

On January 28, 2017, at 1853 hours PST, LAS was notified by the McCarran International Airport Control Center that they received information of protesters at the Terminal 3 parking garage. The McCarran Airport Director also contacted the LAS Port Director to advise that she received information that protesters were at Terminal 3 and that media may be present as well. The LAS Port Director arrived at the FIS to address protesters. There were approximately twelve protesters outside of the FIS exit point. They did not have signs and were not verbally aggressive. One protester, who identified herself as (b)(6), (b)(7)(C) Legal Director of the ACLU of Nevada, stated that her main concern was whether CBP had any passengers that were currently being detained in our custody. The LAS Port Director provided CBP PIO information to Ms. (b)(6), (b)(7)(C) but no other information. No media was present in the area. Six Las Vegas Metropolitan Police were present at the scene and stated that media presence was at the domestic baggage claim area. There was no impact to CBP operations.

### **Details:**

On Friday, January 27, 2017, the President signed an Executive Order entitled "*Protecting the Nation from Foreign Terrorist Entry into the United States*". The Executive Order suspends the entry of citizens from Iran, Libya, Syria, Iraq, Yemen, Somalia, and Sudan into the U.S.

On January 28, 2017, attorneys, private citizens and members of the media began to arrive at the Public Information Office (PIO) at the Tom Bradley International Terminal (TBIT). The CBP Officer assigned to PIO advised the inquiring parties to contact the Office Public Affairs. Due to the size of the crowd, a Supervisory CBPO and additional CBPOs were deployed to PIO to assist. The SCBPO and additional CBPOs handed OPA contact information to the inquiring parties. The PIO, which normally is staffed from 0700-2300 hours, was closed at 1700 due to security concerns related to the protest.

Between 1600 and 1700 hours, approximately 150 protestors arrived and began holding an organized vigil outside the TBIT departure level. There are six media vans and reporters are interviewing both passengers and protestors. There is no CBP presence in the area.

The Los Angeles World Airport (LAWA) Police Department has deployed an enhanced visible presence in the area.

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

Attorneys advertising their services and holding signs are lingering in the PIO area.

The LAX Port Director, LAWA PD Chief and the LAWA Executive Director are in close communication.

Currently, two (2) additional protests are scheduled for January 29, 2017. Attendance estimates **(b)(7)(E)** **(b)(7)(E)** indicate that at 1100 hours, 185 protestors will be at TBIT (no specific location) and at 1300 hours, 1,500 protestors will be at TBIT in the arrivals level.

CBP management at the Las Vegas International Airport (LAS) contacted the LAX Port Director and relayed information suggesting that there will be potential protests in Las Vegas in the days ahead. No further details at this time.

Updates to follow.



**(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:** Wednesday, February 01, 2017 2:25 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry  
**Attachments:** Guidance Memo (2.1.2017) (003).docx  
**Importance:** High

COS: For inclusion in all musters today/tonight/tomorrow...

Chief (b)(6), (b)(7)(C) please confirm receipt and dissemination ...

Thx

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 9:24 AM  
**To:** LAX-WATCH-CMDR <(b)(7)(E)> (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
**Cc:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**

**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

**Importance:** High

Team, please see below/attached White House guidance...*effective immediately, LPRs are no longer subject to the EO...* accordingly, please CEASE processing/referring LPRs under the EO guidance effective IMMEDIATELY.

All other EO provisions remain, to include refugee guidance, and waiver requirements.

(b)(6), (b)(7)(C) please confirm for LAS, SNA, GA ports.

(b)(6), (b)(7)(C) please do not message outward to stakeholders/public/media yet until DHS/CBP provides green light.

(b)(6), (b)(7)(C) please review CAT and make recommendations for structure/staffing going forward. Thx..

Regards,

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

Area Port Director

Los Angeles International Airport

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

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

**From:** MARTEL, CARLOS C

**Sent:** Wednesday, February 01, 2017 9:02 AM

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

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

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

**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

**Importance:** High

Port Directors: Be advised that LRP's are no longer subject to the Executive Order. Please advise your staff to CEASE processing LRP's under the EO effective IMMEDIATELY.

Carlos C. Martel

Director, Field Operations

Los Angeles Field Office

U. S. Customs and Border Protection

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

**From:** HOFFMAN, TODD A

**Sent:** Wednesday, February 01, 2017 8:58 AM

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

(b)(7)(E)

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

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

**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Directors,

Per the below, LRP's are no longer subject to the Executive Order. To ensure compliance, please IMMEDIATELY distribute throughout your area of responsibility.

Todd A. Hoffman

Executive Director, Admissibility and Passenger Programs

Office of Field Operations

U.S. Customs and Border Protection

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

**Sent:** Wednesday, February 01, 2017 11:53 AM

**To:** MCALEENAN, KEVIN K (b)(6), (b)(7)(C); Owen, Todd C (AC OFO)

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

; WAGNER, JOHN P

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

; HOFFMAN, TODD A

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

; HUTTON, JAMES R

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

Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
FLANAGAN, PATRICK S (b)(6), (b)(7)(C); ALLES, RANDOLPH D (b)(6), (b)(7)(C)  
Subject: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

ATTORNEY CLIENT PRIVILEGED  
ATTORNEY WORK PRODUCT

All,

(b)(5)

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

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**THE WHITE HOUSE**

WASHINGTON

February 1, 2017

MEMORANDUM TO THE ACTING SECRETARY OF STATE, THE ACTING ATTORNEY GENERAL, AND THE SECRETARY OF HOMELAND SECURITY

FROM: Donald F. McGahn II – Counsel to the President

SUBJECT: Authoritative Guidance on Executive Order Entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017)

Section 3(c) of the Executive Order entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017) suspends for 90 days the entry into the United States of certain aliens from countries referred to in section 217(a)(12) of the Immigration and Nationality Act (INA), 8 U.S.C. 1187(a)(12). Section 3(e) of the order directs the Secretary of Homeland Security, in consultation with the Secretary of State, to submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of certain foreign nationals from countries that do not provide information needed to adjudicate visas, admissions, or other benefits under the INA.

I understand that there has been reasonable uncertainty about whether those provisions apply to lawful permanent residents of the United States. Accordingly, to remove any confusion, I now clarify that Sections 3(c) and 3(e) do not apply to such individuals. Please immediately convey this interpretive guidance to all individuals responsible for the administration and implementation of the Executive Order.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 12:24 PM  
**To:** LAX-WATCH-CMDR; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry  
**Attachments:** Guidance Memo (2.1.2017) (003).docx  
**Importance:** High

Team, please see below/attached White House guidance...*effective immediately, LPRs are no longer subject to the EO...* accordingly, please CEASE processing/referring LPRs under the EO guidance effective IMMEDIATELY.

All other EO provisions remain, to include refugee guidance, and waiver requirements.

(b)(6), (b)(7)(C) please confirm for LAS, SNA, GA ports.

(b)(6), (b)(7)(C) please do not message outward to stakeholders/public/media yet until DHS/CBP provides green light.

(b)(6), (b)(7)(C) please review CAT and make recommendations for structure/staffing going forward. Thx..

Regards,

(b)(6), (b)(7)(C)  
 Area Port Director  
 Los Angeles International Airport  
 Office (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**From:** MARTEL, CARLOS C  
**Sent:** Wednesday, February 01, 2017 9:02 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry  
**Importance:** High

Port Directors: Be advised that LPRs are no longer subject to the Executive Order. Please advise your staff to CEASE processing LPRs under the EO effective IMMEDIATELY.



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

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

**From:** HOFFMAN, TODD A  
**Sent:** Wednesday, February 01, 2017 8:58 AM  
**To:** DIRECTORS FIELD OPS <(b)(7)(E)> EXECUTIVE DIRECTORS HQ  
<(b)(7)(E)>  
**Cc:** Owen, Todd C (AC OFO) <(b)(6), (b)(7)(C)>; WAGNER, JOHN P <(b)(6), (b)(7)(C)>  
<(b)(6), (b)(7)(C)>  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Directors,

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 11:53 AM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>; Owen, Todd C (AC OFO)  
<(b)(6), (b)(7)(C)>; WAGNER, JOHN P <(b)(6), (b)(7)(C)>; HOFFMAN, TODD A  
<(b)(6), (b)(7)(C)> HUTTON, JAMES R <(b)(6), (b)(7)(C)>  
**Cc:** <(b)(6), (b)(7)(C)>  
<(b)(6), (b)(7)(C)>  
FLANAGAN, PATRICK S <(b)(6), (b)(7)(C)>; ALLES, RANDOLPH D <(b)(6), (b)(7)(C)>  
**Subject:** URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

**ATTORNEY CLIENT PRIVILEGED**  
**ATTORNEY WORK PRODUCT**

All,

(b)(5)

**(b)(5)**

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

Deputy Associate Chief Counsel  
Enforcement and Operations  
Office of the Chief Counsel  
U.S. Customs and Border Protection

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

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**THE WHITE HOUSE**

WASHINGTON

February 1, 2017

**MEMORANDUM TO THE ACTING SECRETARY OF STATE, THE ACTING ATTORNEY GENERAL, AND THE SECRETARY OF HOMELAND SECURITY****FROM:** Donald F. McGahn II – Counsel to the President**SUBJECT:** Authoritative Guidance on Executive Order Entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017)

Section 3(c) of the Executive Order entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017) suspends for 90 days the entry into the United States of certain aliens from countries referred to in section 217(a)(12) of the Immigration and Nationality Act (INA), 8 U.S.C. 1187(a)(12). Section 3(e) of the order directs the Secretary of Homeland Security, in consultation with the Secretary of State, to submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of certain foreign nationals from countries that do not provide information needed to adjudicate visas, admissions, or other benefits under the INA.

I understand that there has been reasonable uncertainty about whether those provisions apply to lawful permanent residents of the United States. Accordingly, to remove any confusion, I now clarify that Sections 3(c) and 3(e) do not apply to such individuals. Please immediately convey this interpretive guidance to all individuals responsible for the administration and implementation of the Executive Order.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 5:38 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** RE: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 2:32 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
**Subject:** RE: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

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

I am in receipt of your message and I will include John Wayne/Ontario International Airports in all Musters today.

Regards,

(b)(6), (b)(7)(C)  
Supervisory CBP Officer  
John Wayne/Ontario International Airports  
Passenger Operations Unit

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 1:42 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
**Subject:** RE: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

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

I am in receipt of your message and Las Vegas will include in all musters.

Thank you,

**(b)(6), (b)(7)(C)**  
Chief CBP Officer  
Port of Las Vegas

McCarran International Airport

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

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

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

Sent: Wednesday, February 01, 2017 11:25 AM

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

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

Subject: FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Importance: High

COS: For inclusion in all musters today/tonight/tomorrow...

Chief: (b)(6), (b)(7)(C) please confirm receipt and dissemination ...

Thx

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

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

Sent: Wednesday, February 01, 2017 9:24 AM

To: LAX-WATCH-CMDR (b)(7)(E) (b)(6), (b)(7)(C)

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

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

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

Subject: FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Importance: High

Team, please see below/attached White House guidance...*effective immediately, LPRs are no longer subject to the EO...* accordingly, please CEASE processing/referring LPRs under the EO guidance effective IMMEDIATELY.

All other EO provisions remain, to include refugee guidance, and waiver requirements.

(b)(6), (b)(7)(C) please confirm for LAS, SNA, GA ports.

(b)(6), (b)(7)(C) please do not message outward to stakeholders/public/media yet until DHS/CBP provides green light.

(b)(6), (b)(7)(C) please review CAT and make recommendations for structure/staffing going forward. Thx..

Regards,

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

Area Port Director  
Los Angeles International Airport  
Office (b)(6), (b)(7)(C)

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

**From:** MARTEL, CARLOS C

**Sent:** Wednesday, February 01, 2017 9:02 AM

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

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

**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

**Importance:** High

Port Directors: Be advised that LRP's are no longer subject to the Executive Order. Please advise your staff to CEASE processing LRP's under the EO effective IMMEDIATELY.

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

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

**From:** HOFFMAN, TODD A

**Sent:** Wednesday, February 01, 2017 8:58 AM

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

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

**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Directors,

Per the below, LRP's are no longer subject to the Executive Order. To ensure compliance, please IMMEDIATELY distribute throughout your area of responsibility.

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

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

**Sent:** Wednesday, February 01, 2017 11:53 AM

**To:** MCALEENAN, KEVIN K (b)(6), (b)(7)(C); Owen, Todd C (AC OFO)  
(b)(6), (b)(7)(C); WAGNER, JOHN P (b)(6), (b)(7)(C); HOFFMAN, TODD A  
(b)(6), (b)(7)(C); HUTTON, JAMES R (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
FLANAGAN, PATRICK S (b)(6), (b)(7)(C) ALLES, RANDOLPH D (b)(6), (b)(7)(C)  
Subject: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

ATTORNEY CLIENT PRIVILEGED  
ATTORNEY WORK PRODUCT

All,

(b)(5)

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

This document, and any attachment(s), may contain information which is law enforcement sensitive, attorney-client privileged, attorney work product, or U.S. Government information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please consult with the CBP Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 11:32 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Redlegation of 3(g) Authority  
**Attachments:** Executive Order Redlegation From Commissioner to OFO SES Draft 2-1-17.docx

For distro to teams/CAT ...

**From:** HOFFMAN, TODD A  
**Sent:** Wednesday, February 01, 2017 7:29 PM  
**To:** DIRECTORS FIELD OPS (b)(7)(E) EXECUTIVE DIRECTORS HQ  
 (b)(7)(E)  
**Cc:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C) WAGNER, JOHN P  
 (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION  
 (b)(7)(E)  
**Subject:** FW: Redlegation of 3(g) Authority

Directors,

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

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

J. Ryan Hutton  
 Deputy Executive Director  
 Admissibility and Passenger Programs

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

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





**Warning:** This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. *This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.*

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

**DELEGATED BY**

Commissioner

**DELEGATED TO**

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

**SOURCE OF AUTHORITY BEING DELEGATED**

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

**DELEGATION**

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

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

examination by an immigration officer, to include CBP conduct of: (b)(7)(E)

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

This authority may not be further delegated.

Commissioner

**From:** MCALEENAN, KEVIN K

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

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

(b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C) HOFFMAN, TODD A

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

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

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

**Subject:** RE: Redelegation

Thank you. Yes

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

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

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

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

**Subject:** RE: Redelegation

(b)(5)

**U.S. CUSTOMS AND BORDER PROTECTION  
DELEGATION ORDER**

**ORIGINATING OFFICE:** OC

**DISTRIBUTION:**

**ORDER NUMBER:**

**ISSUE DATE:** February 1, 2017

**EFFECTIVE DATE:** February 1, 2017

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

**DELEGATED BY**

**DELEGATED TO**

Commissioner

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

**SOURCE OF AUTHORITY BEING DELEGATED**

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

**DELEGATION**

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-by-case basis, and when in the national interest of the United States. Prior to taking any such action, the individual who is the subject of the action must be

subjected to a thorough examination by an immigration officer. Pursuant to clarifying and authoritative guidance received from Counsel to the President on February 1, 2017, Sections 3(c) and 3(e) of the Executive Order do not apply to lawful permanent residents of the United States.

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

(b)(7)(E)

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

This authority may not be further delegated.

Commissioner

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 9:40 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Important: Update to Executive Order 13769 entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017)

LAX Stakeholders:

Effective immediately, U.S. Customs and Border Protection will suspend any and all actions implementing the below sections of the Executive Order 13769 entitled, "*Protecting the Nation from Foreign Terrorist Entry into the United States*" (January 27, 2017):

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
- Section 5(e)

CBP will immediately resume inspection of travelers in accordance with standard policy and procedures.

Additional information will be provided as available.

Inquiries should be directed to Mr. (b)(6), (b)(7)(C), CBP Public Affairs Branch Chief at (b)(6), (b)(7)(C)

Regards,

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

Area Port Director  
Los Angeles International Airport

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 9:16 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Good copy, thx (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
Area Port Director  
Los Angeles International Airport

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 5:56 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

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

I am in receipt of your cc:mail and I will disseminate the information to my staff.

Regards,

(b)(6), (b)(7)(C)  
Supervisory CBP Officer  
John Wayne/Ontario International Airports  
Passenger Operations Unit

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 5:52 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Gentlemen, please see below, [confirm receipt](#) and immediately notify staff and respective stakeholders: all enforcement of the below mentioned sections of the EO must HALT immediately. Further guidance will be provided.

Las Vegas / SNA / ONT ...please provide verbal/phone notifications to stakeholder carriers.

APD (b)(6), (b)(7)(C) please push to all General Aviation locations and confirm when they receive/acknowledge.

Additional guidance will be provided as available.

Thank You,

(b)(6), (b)(7)(C)  
Area Port Director  
Los Angeles International Airport

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

**From:** MARTEL, CARLOS C

**Sent:** Friday, February 03, 2017 5:29 PM

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

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

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

**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Port Directors: Please note and IMMEDIATELY advise your respective staff that all enforcement of the below mentioned sections of the EO must HALT immediately. Further guidance will be provided.

Please confirm receipt.

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

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

**From:** MCALEENAN, KEVIN K

**Sent:** Friday, February 03, 2017 5:23 PM

**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C); WAGNER, JOHN P (b)(6), (b)(7)(C)  
HOFFMAN, TODD A (b)(6), (b)(7)(C) DIRECTORS FIELD OPS (b)(7)(E)

**Cc:** ALLES, RANDOLPH D (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C) FLANAGAN, PATRICK S  
(b)(6), (b)(7)(C)

**Subject:** IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

All,

Per the Department of Justice:

**(b)(5)**

**Accordingly, effective immediately, U.S. Customs and Border Protection will suspend any and all actions implementing the affected sections of the Executive Order 13769 entitled, “Protecting the Nation from Foreign Terrorist Entry into the United States” (January 27, 2017). Field Offices are instructed to immediately resume inspection of travelers in accordance with standard policy and procedure.**

This will include actions to suspend targeting system rules that flag travelers for operational action subject to the Executive Order including the State Department’s letter revoking visas based on that Executive Order (attached).

Please communicate this suspension as appropriate with key stakeholders such as airlines.

We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,



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:** Friday, February 03, 2017 10:23 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Th (b)(6), (b)(7)(C) much appreciated...

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:20 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Fyi

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:02:56 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

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

Today February 3, 2017 as of 1902, all user fee airports port directors have been notified.

Thank you

(b)(6), (b)(7)(C)  
*Chief CBP Officer*  
*Trade Operations*  
*U. S. Customs and Border Protection*  
*Los Angeles International Airport*

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:23 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Please have the cargo supervisor reach out to each of them and let me know when complete.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:20:40 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

User Fee PDs,

Please review and acknowledge receipt.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 5:52:28 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Gentlemen, please see below, confirm receipt and immediate notify staff and respective stakeholders: all enforcement of the below mentioned sections of the EO must HALT immediately. Further guidance will be provided.

Las Vegas / SNA / ONT ...please provide verbal/phone notifications to stakeholder carriers.

APD (b)(6), (b)(7)(C) please push to all General Aviation locations and confirm when they receive/acknowledge.

Additional guidance will be provided as available.

Thank You,

(b)(6), (b)(7)(C)  
Area Port Director  
Los Angeles International Airport  
(b)(6), (b)(7)(C)

---

**From:** MARTEL, CARLOS C  
**Sent:** Friday, February 03, 2017 5:29 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Port Directors: Please note and IMMEDIATELY advise your respective staff that all enforcement of the below mentioned sections of the EO must HALT immediately. Further guidance will be provided.

Please confirm receipt.

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

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

From: MCALEENAN, KEVIN K

Sent: Friday, February 03, 2017 5:23 PM

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

HOFFMAN, TODD A (b)(6), (b)(7)(C) DIRECTORS FIELD OPS (b)(7)(E)

Cc: ALLES, RANDOLPH D (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C) FLANAGAN, PATRICK S

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

Subject: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

All,

Per the Department of Justice:

(b)(5)

Accordingly, effective immediately, U.S. Customs and Border Protection will suspend any and all actions implementing the affected sections of the Executive Order 13769 entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017). Field Offices are instructed to immediately resume inspection of travelers in accordance with standard policy and procedure.

This will include actions to suspend targeting system rules that flag travelers for operational action subject to the Executive Order including the State Department's letter revoking visas based on that Executive Order (attached).

Please communicate this suspension as appropriate with key stakeholders such as airlines.

We are informed that the Administration is considering options to expeditiously appeal this ruling. We will update you with further guidance as soon as it is received.

Thank you,



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

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

**(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, February 04, 2017 12:18 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order  
**Attachments:** reversal global.pdf

Fysa....DOS letter reversing provisional visa revocations...I've asked for clarification on use of the letter in days ahead ....no further distro for now...thx

---

**From:** MARTEL, CARLOS C  
**Sent:** Friday, February 03, 2017 8:12:46 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order

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

---

**From:** HOFFMAN, TODD A  
**Sent:** Saturday, February 04, 2017 2:20:44 AM  
**To:** MCALEENAN, KEVIN K; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ  
**Cc:** FLANAGAN, PATRICK S; (b)(6), (b)(7)(C); HUTTON, JAMES R; (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order

Department of State letter attached.

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

---

**From:** (b)(6)  
**Sent:** Friday, February 03, 2017 9:15 PM  
**To:** HOFFMAN, TODD A; (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order

Letter attached. State lawyers will forward copy to CBP counsel.

Regards,

(b)(6)

(b)(6)

Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**Official**

**UNCLASSIFIED**

**From:** (b)(6)

**Sent:** Friday, February 03, 2017 9:10 PM

**To:** (b)(6)

**Subject:** FW: reversal global

Your letter reversing.

(b)(6)

Director of Legal Affairs, Visa Office  
Bureau of Consular Affairs  
US Department of State

(b)(6)

**Official**

**UNCLASSIFIED**



**United States Department of State**

*Deputy Assistant Secretary  
for Visa Services*

*Washington, D.C. 20520*

February 3, 2017

Pursuant to the authority delegated to me under section 221(i) of the Immigration and Nationality Act, and taking into account the nationwide injunction issued by a federal district court in Washington State on enforcing section 3(c) of the January 27, 2017, Executive Order on Protecting the Nation from Foreign Terrorist Entry into the United States, I hereby reverse the provisional revocation of all visas provisionally revoked by my letter of January 27, 2017, which implemented section 3(c) of the Executive Order on Protecting the Nation from Terrorist Attacks by Foreign Nationals.

This document 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.

**(b)(6)**

Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 2:33 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry  
**Attachments:** Guidance Memo (2.1.2017) (003).docx  
**Importance:** High

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

As always, thanks

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

**From:** HOFFMAN, TODD A  
**Sent:** Wednesday, February 01, 2017 8:58 AM  
**To:** DIRECTORS FIELD OPS <(b)(7)(E)> EXECUTIVE DIRECTORS HQ  
 (b)(7)(E)  
**Cc:** Owen, Todd C (AC OFO) <(b)(6), (b)(7)(C)> WAGNER, JOHN P (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** FW: URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

Directors,

Per the below, LPRs are no longer subject to the Executive Order. To ensure compliance, please IMMEDIATELY distribute throughout your area of responsibility.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 11:53 AM  
**To:** MCALEENAN, KEVIN K (b)(6), (b)(7)(C) Owen, Todd C (AC OFO)  
 (b)(6), (b)(7)(C) WAGNER, JOHN P (b)(6), (b)(7)(C) HOFFMAN, TODD A  
 (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 FLANAGAN, PATRICK S (b)(6), (b)(7)(C) ALLES, RANDOLPH D (b)(6), (b)(7)(C)



**Subject:** URGENT - FOR IMMEDIATE ACTION - White House Guidance Clarifying Executive Order on Foreign Terrorist Entry

**ATTORNEY CLIENT PRIVILEGED  
ATTORNEY WORK PRODUCT**

All,

**(b)(5)**

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

Deputy Associate Chief Counsel  
Enforcement and Operations  
Office of the Chief Counsel  
U.S. Customs and Border Protection

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

This document, and any attachment(s), may contain information which is law enforcement sensitive, attorney-client privileged, attorney work product, or U.S. Government information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please consult with the CBP Office of Chief Counsel before disclosing any information contained in this message or any attachment(s).

**THE WHITE HOUSE**

WASHINGTON

February 1, 2017

MEMORANDUM TO THE ACTING SECRETARY OF STATE, THE ACTING ATTORNEY GENERAL, AND THE SECRETARY OF HOMELAND SECURITY

FROM: Donald F. McGahn II – Counsel to the President

SUBJECT: Authoritative Guidance on Executive Order Entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017)

Section 3(c) of the Executive Order entitled “Protecting the Nation from Foreign Terrorist Entry into the United States” (Jan. 27, 2017) suspends for 90 days the entry into the United States of certain aliens from countries referred to in section 217(a)(12) of the Immigration and Nationality Act (INA), 8 U.S.C. 1187(a)(12). Section 3(e) of the order directs the Secretary of Homeland Security, in consultation with the Secretary of State, to submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of certain foreign nationals from countries that do not provide information needed to adjudicate visas, admissions, or other benefits under the INA.

I understand that there has been reasonable uncertainty about whether those provisions apply to lawful permanent residents of the United States. Accordingly, to remove any confusion, I now clarify that Sections 3(c) and 3(e) do not apply to such individuals. Please immediately convey this interpretive guidance to all individuals responsible for the administration and implementation of the Executive Order.

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BADR DHAIFALLAH AHMED  
MOHAMMED;  
YOUSEF BADR DHAIFALLAH  
AHMED MOHAMED;  
MAHA ABDULHAMEED  
MOHAMMED ALMAWRI;  
MURAD KHALED ALI;  
WALEED MUSAED QASEM  
MOHAMMED;  
MAGED WALEED MUSAED  
QASEM;  
ANWAR SALEH NAGI;  
RIFAQ ANWAR SALEH NAGI  
ALEAZZALI;  
KHALED ANWAR NAGI  
ALEAZZALI;  
ASHAWQ MOHAMMED AYEDH  
AHMED;  
SABA ALI ALI SAAED;  
YOUSEF AHMED MOHAMED  
SAAD;  
NAWAR AHMED MOHAMED  
SAAD;  
IBRAHIM AHMED MOHAMED  
SAAD;  
MOHAMED AHMED MOHAMED  
SAAD;  
ABDULATEF ABDO MUTHANNA  
HAILAN;  
DIYAZAN ALI SAEED;  
SAHAR SALEM AHMED;  
NASLAH H A SAEED;  
ALI MOHSEN SAEED;  
SAIF DIYAZAN ALI MOHSEN;  
SARAH FADEL MUTHANA SAIF;

Case No. CV 17-00786 AB (PLAx)

**ORDER GRANTING EMERGENCY  
MOTION FOR TEMPORARY  
RESTRAINING ORDER AND/OR  
PRELIMINARY INJUNCTION**

1 OMAR ALI MOHSEN MURSHED;  
2 BASSAM ALI MOHSEN MURSHED;  
3 NADHRA SALEH ALZEER;  
4 MUHRAH MOHSEN SALEH  
5 MOQBEL SALEH;  
6 QASEM ABDULRAHMAN SALEM  
7 AL-HASANI;  
8 MUNA O AL SAKKAF,

9  
10 Plaintiffs,

11 v.

12 UNITED STATES OF AMERICA;  
13 UNITED STATES DEPARTMENT  
14 OF HOMELAND SECURITY;  
15 UNITED STATES CITIZENSHIP  
16 AND IMMIGRATION SERVICES;  
17 UNITED STATES DEPARTMENT  
18 OF STATE;  
19 UNITED STATES CUSTOMS AND  
20 BORDER PATROL;  
21 DONALD J. TRUMP, in his official  
22 capacity as President of the United  
23 States of America;  
24 DANA J. BOENTE, in his official  
25 capacity as the Acting Attorney  
26 General of the United States;  
27 JOHN KELLY, Secretary of the  
28 Department of Homeland Security;  
LORI SCIALABBA, Acting Director  
of U.S. Citizenship and Immigration  
Services; KEVIN K. McALEENAN, in  
his official capacity as Acting  
Commissioner of U.S. Customs and  
Border Patrol,

Defendants.

24 Before the Court is Plaintiffs' Motion for Temporary Restraining Order And/Or  
25 Preliminary Injunctive Relief. (Dkt. No. 3.) Upon consideration of the Complaint (Dkt.  
26 No. 1), the Motion, and the supporting declarations (Dkt. Nos. 4, 5), for Good Cause  
27 Shown, the Court hereby **GRANTS** the Motion.

## DISCUSSION

1  
2 A temporary restraining order (“TRO”) is “an extraordinary remedy that may only  
3 be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v.*  
4 *Nat. Res. Def. Council*, 555 U.S. 7, 22 (2008). The purpose of a TRO is to preserve the  
5 status quo before a preliminary injunction hearing may be held. *Granny Goose Foods,*  
6 *Inc. v. Bhd. of Teamsters & Auto Truck Drivers Local No. 70 of Alameda City.*, 415 U.S.  
7 423, 439 (1974). Federal Rule of Civil Procedure 65 governs the issuance of TROs and  
8 preliminary injunctions, and courts apply the same standard to both. *Frontline Med.*  
9 *Assocs., Inc. v. Coventry Healthcare Workers Comp., Inc.*, 620 F. Supp. 2d 1109, 1110  
10 (C.D. Cal. 2009).

11 A party seeking preliminary injunctive relief must satisfy one of two tests. Under  
12 one test, the party must establish that he is (1) likely to succeed on the merits of his  
13 claims, (2) that he is likely to suffer irreparable harm in the absence of preliminary relief,  
14 (3) that the balance of equities tips in his favor, and (4) that an injunction is in the public  
15 interest. *Am. Trucking Ass’n, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir.  
16 2009).

17 Under the alternative test, a party must show “‘serious questions going to the  
18 merits’ [,] a balance of hardships that tips sharply toward the plaintiff,” a likelihood of  
19 irreparable harm, and that the injunction is in the public interest. *Alliance for the Wild*  
20 *Rockies v. Cottrell*, 632 F.3d 1127, 1132 (9th Cir. 2011). A “serious question” is one on  
21 which the movant “has a fair chance of success on the merits.” *Sierra On-Line, Inc. v.*  
22 *Phoenix Software, Inc.*, 739 F.2d 1415, 1421 (9th Cir. 1984).

23 The Court finds that Plaintiffs have satisfied these standards and that a TRO  
24 should issue. Plaintiffs have satisfied the first test because they have shown that they are  
25 likely to succeed on the merits of claims that would entitle them to relief; Plaintiffs are  
26 likely to suffer irreparable harm in the absence of preliminary relief; the balance of  
27 equities favors Plaintiffs; and an injunction is in the public interest. Plaintiffs have also  
28 satisfied the “alternative” test: they have established at least a serious question going to

1 the merits of their claims; that the balance of hardships tips decisively in their favor; and,  
2 as noted as to the first test, a likelihood of irreparable harm and that an injunction is in  
3 the public interest.

4  
5 **IT IS HEREBY ORDERED THAT:**

- 6 1. Defendants and their officers, agents, employees, attorneys, and all persons acting in  
7 concert or participating with them, are **ENJOINED AND RESTRAINED** from  
8 enforcing Defendant President Donald J. Trump's January 27, 2017 Executive Order  
9 by removing, detaining, or blocking the entry of Plaintiffs, or any other person from  
10 Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen with a valid immigrant visa;  
11 2. Defendants, and Defendant United States Department of State in particular, are  
12 hereby **ENJOINED AND RESTRAINED** from cancelling validly obtained and  
13 issued immigrant visas of Plaintiffs;  
14 3. Defendants, and Defendant United States Department of State in particular, are  
15 hereby **ORDERED** to return to Plaintiffs their passports containing validly issued  
16 immigrant visas so that Plaintiffs may travel to the United States on said visas; and  
17 4. Defendants are hereby **ORDERED** to **IMMEDIATELY** inform all relevant airport,  
18 airline, and other authorities at Los Angeles International Airport and International  
19 Airport in Djibouti that Plaintiffs are permitted to travel to the United States on their  
20 valid immigrant visas.

21  
22 Unless otherwise agreed upon by the parties:

- 23 • Plaintiffs shall file any **supplemental brief** in support of their motion for  
24 preliminary injunction **by February 2, 2017**.  
25 • Defendants shall file their **opposition by February 5, 2017**.  
26 • Plaintiffs shall file their **reply by February 8, 2017**.  
27 • Defendants shall appear on **February 10, 2017 at 10:00 a.m.** to show cause why  
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the preliminary injunctive relief sought in the Ex Parte Application for Temporary Restraining Order And/Or Preliminary Injunction should not be granted.

**IT IS SO ORDERED.**

Dated: January 31, 2017



\_\_\_\_\_  
HONORABLE ANDRÉ BIROTTE JR.  
UNITED STATES DISTRICT COURT JUDGE

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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MOHAMMED;  
YOUSEF BADR DHAIFALLAH  
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WALEED MUSAED QASEM  
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Case No. CV 17-00786 AB (PLAx)

**ORDER GRANTING EMERGENCY  
MOTION FOR TEMPORARY  
RESTRAINING ORDER AND/OR  
PRELIMINARY INJUNCTION**



1 OMAR ALI MOHSEN MURSHED;  
2 BASSAM ALI MOHSEN MURSHED;  
3 NADHRA SALEH ALZEER;  
4 MUHRAH MOHSEN SALEH  
5 MOQBEL SALEH;  
6 QASEM ABDULRAHMAN SALEM  
7 AL-HASANI;  
8 MUNA O AL SAKKAF,

9 Plaintiffs,

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11 UNITED STATES OF AMERICA;  
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13 OF HOMELAND SECURITY;  
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15 AND IMMIGRATION SERVICES;  
16 UNITED STATES DEPARTMENT  
17 OF STATE;  
18 UNITED STATES CUSTOMS AND  
19 BORDER PATROL;  
20 DONALD J. TRUMP, in his official  
21 capacity as President of the United  
22 States of America;  
23 DANA J. BOENTE, in his official  
24 capacity as the Acting Attorney  
25 General of the United States;  
26 JOHN KELLY, Secretary of the  
27 Department of Homeland Security;  
28 LORI SCIALABBA, Acting Director  
of U.S. Citizenship and Immigration  
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his official capacity as Acting  
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Defendants.

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25 Preliminary Injunctive Relief. (Dkt. No. 3.) Upon consideration of the Complaint (Dkt.  
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27 Shown, the Court hereby **GRANTS** the Motion.

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4 *Nat. Res. Def. Council*, 555 U.S. 7, 22 (2008). The purpose of a TRO is to preserve the  
5 status quo before a preliminary injunction hearing may be held. *Granny Goose Foods,*  
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7 423, 439 (1974). Federal Rule of Civil Procedure 65 governs the issuance of TROs and  
8 preliminary injunctions, and courts apply the same standard to both. *Frontline Med.*  
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12 one test, the party must establish that he is (1) likely to succeed on the merits of his  
13 claims, (2) that he is likely to suffer irreparable harm in the absence of preliminary relief,  
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15 interest. *Am. Trucking Ass’n, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir.  
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20 *Rockies v. Cottrell*, 632 F.3d 1127, 1132 (9th Cir. 2011). A “serious question” is one on  
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26 likely to suffer irreparable harm in the absence of preliminary relief; the balance of  
27 equities favors Plaintiffs; and an injunction is in the public interest. Plaintiffs have also  
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1 the merits of their claims; that the balance of hardships tips decisively in their favor; and,  
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3 the public interest.

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5 **IT IS HEREBY ORDERED THAT:**

- 6 1. Defendants and their officers, agents, employees, attorneys, and all persons acting in  
7 concert or participating with them, are **ENJOINED AND RESTRAINED** from  
8 enforcing Defendant President Donald J. Trump's January 27, 2017 Executive Order  
9 by removing, detaining, or blocking the entry of Plaintiffs, or any other person from  
10 Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen with a valid immigrant visa;  
11 2. Defendants, and Defendant United States Department of State in particular, are  
12 hereby **ENJOINED AND RESTRAINED** from cancelling validly obtained and  
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14 3. Defendants, and Defendant United States Department of State in particular, are  
15 hereby **ORDERED** to return to Plaintiffs their passports containing validly issued  
16 immigrant visas so that Plaintiffs may travel to the United States on said visas; and  
17 4. Defendants are hereby **ORDERED** to **IMMEDIATELY** inform all relevant airport,  
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19 Airport in Djibouti that Plaintiffs are permitted to travel to the United States on their  
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- 23 • Plaintiffs shall file any **supplemental brief** in support of their motion for  
24 preliminary injunction **by February 2, 2017**.  
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the preliminary injunctive relief sought in the Ex Parte Application for Temporary Restraining Order And/Or Preliminary Injunction should not be granted.

**IT IS SO ORDERED.**

Dated: January 31, 2017



\_\_\_\_\_  
HONORABLE ANDRÉ BIROTTE JR.  
UNITED STATES DISTRICT COURT JUDGE

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 8:46 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Scanned Copy of the Executive Order Binder-As Requested

(b)(6), (b)(7)(C) very helpful...

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 3:55 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Scanned Copy of the Executive Order Binder-As Requested  
**Importance:** High

(b)(6), (b)(7)(C) You can use this for the OIG interview.

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

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

**From:** HUTTON, JAMES R  
**Sent:** Thursday, February 02, 2017 9:41:01 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Scanned Copy of the Executive Order Binder-As Requested

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

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



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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 1:13 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Scanned Copy of the Executive Order Binder-As Requested  
**Importance:** High

Good afternoon (b)(6), (b)(7)(C)

As requested, see the attached scanned copy of the Executive Order Binder.

Have a great day.

Thank you!

(b)(6), (b)(7)(C)  
Customs and Border Protection, OFO  
(b)(6), (b)(7)(C)  
Management & Program Analyst (Program Advisor)  
Washington, DC 20029  
**(b)(6), (b)(7)(C)**

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, February 02, 2017 7:55 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Scanned Copy of the Executive Order Binder-As Requested  
**Attachments:** Scanned Copy of the Executive Order Binder January 2017.pdf  
**Importance:** High

Good Morning (b)(6), (b)(7)(C) first thing Friday AM, please print this attachment and place docs in binder with tabs ....once done, please bring to me at (b)(7)(E) if any questions, please let me know...thx...

TAB suggestions (in this order, with all tabs in chrono order from Friday to today)

- Time Lines
- Exec Order
- CBP Memos (by date)
- CBP HQ Emails (Hutton etc) (by date)
- FOLA / DFO Emails (by date)
- Refugee guidance
- Refugee Lists
- Reporting Guidance and templates
- Public Affairs Guidance
- Stakeholder Guidance (b)(7)(E) +
- Court Orders / Court Documents
- Other

**OFO timeline of events as of signing of Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”:**

**01/27/2017**

- 1700 hours: APP received draft of proposed Executive Order from DHS.
- 1730 hours: EPD began to draft guidance to field offices.
- 2030 hours: President Trump signed Executive Order.
- 2100 hours: XD conference call with DFOs to explain operational impact

**01/28/2017**

- 0130 hours: Guidance – Memo/Muster released to the field to address operational impact
- 1200 hours: Executive Order Crisis Team established to monitor the agency’s, support Congressional/Media inquiries, and to serve as a conduit to the Department on the agency’s implementation efforts.
- 1700 hours: 24/7 coverage established at EO CAT
- Evening **New York** court ordered stay of removal for USCIS approved refugees, IV/NIV visa holders and other individuals from 7 countries.
- Evening **Virginia** court granted permitting lawyer access to all legal permanent residents being detained at Dulles International Airport – also, granted stay of removal for lawful permanent residents being held at Dulles international Airport.
- Evening **California** court moves for an immediate injunction of enforcement of President’s Executive Order until its validity and constitutionality is adjudicated.
- Evening **Seattle** granted stay of removal to John Doe I and John Doe II.

**01/29/2017**

- 0720 hours **Texas** court ordered stay of removal due to submission of Emergency Motion for a Temporary Restraining Order and Preliminary Injunction.



**Massachusetts court ordered stay of removal to USCIS approved refugees, IV/NIV visa holders and other individuals from 7 countries due to filing of Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief.**

**01/30/2017**

**01/31/2017**

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release

January 27, 2017

EXECUTIVE ORDER

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PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

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

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

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance

process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

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

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

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

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

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent

infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

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

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

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

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

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

third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

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

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

**Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017.** (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have

jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

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

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

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

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

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

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

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

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

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

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

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language

training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

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

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

- (i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security reasons since the date of this order or the last reporting period, whichever is later;
- (ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and
- (iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United



States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

Washington, DC

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



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1300 Pennsylvania Avenue NW  
Washington, DC 20229



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

JAN 28 2017

Memorandum For: Directors, Field Operations

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

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

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

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

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

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

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

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

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

***Returning Residents,***

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

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

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

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

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

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

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

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

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

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

**HAMEED KHALID DARWEESH and  
HAIDER SAMEER ABDULKHALEQ  
ALSHAWI, on behalf of themselves and others  
similarly situated,**

Petitioners,

- against -

**DONALD TRUMP, *President of the United  
States*; U.S. DEPARTMENT OF  
HOMELAND SECURITY (“DHS”); U.S.  
CUSTOMS AND BORDER PROTECTION  
 (“CBP”); JOHN KELLY, *Secretary of DHS*;  
KEVIN K. MCALEENAN, *Acting  
Commissioner of CBP*; JAMES T.  
MADDEN, *New York Field Director, CBP*,**

**Respondents.**

----- X

ANN DONNELLY, District Judge.

On January 28, 2017, the petitioners filed an Emergency Motion for Stay of Removal on behalf of themselves and others similarly situated.

**IT APPEARING** to the Court from the Emergency Motion for Stay of Removal, the other submissions, the arguments of counsel, and the hearing held on the 28th of January, 2017,

1. The petitioners have a strong likelihood of success in establishing that the removal of the petitioner and others similarly situated violates their rights to Due Process and Equal Protection guaranteed by the United States Constitution;

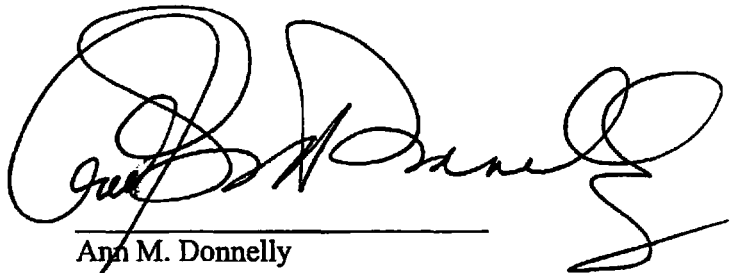
2. There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order;
3. The issuance of the stay of removal will not injure the other parties interested in the proceeding;
4. It is appropriate and just that, pending completion of a hearing before the Court on the merits of the Petition, that the Respondents be enjoined and restrained from the commission of further acts and misconduct in violation of the Constitution as described in the Emergency Motion for Stay of Removal.

**WHEREFORE, IT IS HEREBY ORDERED** that the respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them, from the date of this Order, are

**ENJOINED AND RESTRAINED** from, in any manner or by any means, removing individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia, and Yemen legally authorized to enter the United States.

**IT IS FURTHER ORDERED** that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Eastern District of New York, and further directs the United States Marshals Service to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

**SO ORDERED.**



Ann M. Donnelly  
United States District Judge

Dated: Brooklyn, New York  
January 28, 2017

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

Case No. 1:17-cv-116

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

Date: January 28, 2017

*Petitioners,*

v.

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


*Respondents.*

**TEMPORARY RESTRAINING ORDER**

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

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

Dates: January 28, 2017

  
\_\_\_\_\_  
Leonie M. Brinkema  
United States District Judge



1 East Bay Law  
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5  
6 Attorneys for Plaintiffs  
The People of the State of California, and  
7 The People of the United States of America

8  
9  
10 IN THE UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO

13  
14 People of the United States of  
15 America and the State of California,  
16 Plaintiffs,

17 vs.

18 Donald Trump; United States of  
19 America,  
20 Defendants.

Case Number: 3:17-cv-451

(Fee Exempt: 28 U.S.C. § 1914(b), by  
Judicial Conference effective 12/2016)

COMPLAINT FOR INJUNCTION  
AND REPEAL OF PRESIDENTIAL  
EXECUTIVE ORDER DATED  
JANUARY 27, 2017 SUSPENDING  
VISAS AND IMMIGRATION  
BENEFITS WITHOUT  
CONGRESSIONAL APPROVAL

U.S. Const. art. I, § 1;  
U.S. Const. art. II, § 1, cl. 1

21  
22  
23 **I. FEE EXEMPTION**

24 This action is brought on behalf of the People of the State of California and  
25 United States, and exempted from filing fees under 28 U.S.C. § 1914(b):

26 Effective on: December 1, 2016  
27

1 The United States should not be charged fees under this schedule, with  
2 the exception of those specifically prescribed in Items 2, 4 and 5, when  
3 the information requested is available through remote electronic access.

4 Reference:

5 <http://www.uscourts.gov/services-forms/fees/district-court-miscellaneous-fee-schedule>

6 **I. JURISDICTION**

7 This action arises under the Constitution, laws, or treaties of the United States,  
8 conferring Federal Question jurisdiction under 28 U.S.C. § 1331.

9  
10 **VENUE**

11 Defendant is the United States. Venue is proper in any judicial district pursuant  
12 to 28 U.S.C. § 1391(e).

13  
14 **PARTIES**

15 1. Plaintiffs are the People of the United States of America and the State of  
16 California, by way of the Private Attorney General statutes of the State of California  
17 and United States, for this civil action. The action is for the protection of all persons  
18 in the United States in their civil rights and for their vindication pursuant to brought  
19 pursuant to 42 U.S.C. § 1988.

20 2. Defendant, Donald Trump, aka Donald John Trump (“Mr. Trump”), is  
21 the forty fifth president of the united states, inaugurated eight days ago, on January  
22 20, 2017. He is named as an indispensable party with regard to this action to enjoin  
23 enforcement of his executive order issued one day before the filing of this action, on  
24 January 27, 2017, purporting to suspend visas and immigration benefits of a  
25 seemingly undefined class of persons, apparently based on ethnicity and/or religious  
26 beliefs.

27 3. Defendant, the United States of America, is the United States  
28

1 Government, generally, and is named as a defendant for the purpose of enjoining  
2 enforcement of the Executive Order of Mr. Trump.

3 **FIRST CAUSE OF ACTION FOR INUNCTION OF**  
4 **EXECUTIVE ORDER DATED JANUARY 27, 2017**

5 4. On January 27, 2017, one day before the filing of this Complaint, Mr.  
6 Trump signed an executive order purporting to suspend visas and immigration  
7 benefits of a seemingly undefined class of persons, apparently based on ethnicity  
8 and/or religious beliefs. The order is captioned:

9 **“EXECUTIVE ORDER**  
10 **PROTECTING THE NATION FROM FOREIGN TERRORIST**  
11 **ENTRY INTO THE UNITED STATES”**

12 A copy of the Executive Order is attached as Exhibit A hereto.

13 5. The Executive Order purports to suspend the issuance of visas and  
14 benefits, with it’s stated goal being the prevention of entry of citizens and/or residents  
15 of largely unspecified countries, and appears to erroneously reference a statute which  
16 does not appear to exist: “section 217(a)(12) of the INA.” While there is a “section  
17 217,” there does not appear to be a section “217(a)(12)” identifying the countries from  
18 which “immigrant and nonimmigrant” persons are to be denied entry to the United  
19 States:

20 I hereby proclaim that the immigrant and nonimmigrant entry into the  
21 United States of aliens from countries referred to in section 217(a)(12)  
22 of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests  
23 of the United States, and I hereby suspend entry into the United States,  
24 as immigrants and nonimmigrants, of such persons for 90 days from the  
25 date of this order...”

26 The People are not able to readily identify which countries the President intended  
27 because there does not appear to be a “section 217(a)(12),” and therefore does not  
28 appear to be any publication defining the “countries referred” in “section 217(a)(12).”

6. The Executive Order violates the separation of powers doctrine without  
statutory exception, because U.S. Const. art. I, § 1 vests Congress with all legislative  
powers:

1 U.S. Const. art. I, § 1

2 All legislative Powers herein granted shall be vested in a Congress of the  
3 United States, which shall consist of a Senate and House of  
Representatives.

4 The President is vested with the executive power pursuant to U.S. Const. art. II, § 1,  
5 cl. 1:

6 Section 1. The executive Power shall be vested in a President of the United  
7 States of America.

8 The Judiciary, this Court, is vested with the judicial powers to interpret the laws  
9 pursuant to is vested with U.S. Const. art. III, § 1:

10 Section 1. The judicial Power of the United States, shall be vested in one  
11 supreme Court, and in such inferior Courts as the Congress may from  
12 time to time ordain and establish. The Judges, both of the supreme and  
inferior Courts, shall hold their Offices during good Behaviour, and  
shall, at stated Times, receive for their Services, a Compensation, which  
shall not be diminished during their Continuance in Office.

13 No Statutory Exception Exists

14 There has been no change of any kind so as to warrant departure from the  
15 Separation of Powers doctrine and permit Mr. Trump to legislate the Executive Order  
16 at issue. There has been on increase of threat of terrorist attacks at all since the event  
17 referenced in the second paragraph of Mr. Trump's Executive Order, the "terrorist  
18 attacks of September 11, 2001." To the contrary, the threat of terrorist attacks has  
19 declined steadily since September 2001, therefore Congress and the previous two  
20 presidential administrations never considered enacting such a prohibition of entry of  
21 persons to the United States based on their countries of origin and/or religious beliefs.  
22 There is no exigent circumstance exception to warrant an executive order, while the  
23 legislature and previous two presidents served through the several years following  
24 September 11, 2001 and had years to enact legislation barring entry into the United  
25 States by the classes of persons identified on Mr. Trump's Executive Order, but  
26 clearly determined such legislation would be detrimental to the interests of the People  
27 of the United States of America.  
28

1  
2 **THE EXECUTIVE ORDER WOULD DAMAGE U.S. REPUTATION**

3 Mr. Trump's intent is commendable and appreciated insofar as he identifies  
4 persons who inflict "gender-based violence against women, including honor killings,"  
5 as well as persons "who have been radicalized after entry into the United States and  
6 engaged in terrorism-related acts, or who have provided material support to terrorism-  
7 related organizations in countries that pose a threat to the United States." However,  
8 Mr. Trump's Executive Order is overly broad and misses its mark. If not stricken,  
9 the Executive Order would facially damage the reputation of the United States  
10 worldwide, because it discriminates against a very large class of persons based on  
11 either their foreign citizenship or residency, or religious beliefs, based on an erroneous  
12 beliefs of one individual (Mr. Trump). While the several countries Mr. Trump  
13 attempted to identify on his Executive Order are not actually specified, and apparently  
14 cannot even be ascertained from the document or its references, nevertheless a ban  
15 on entry to the United States based solely on foreign citizenship or residency, or  
16 religion, facially evidences inhumane discrimination.  
17

18 **CONGRESS MAY ENACT THE LEGISLATION IF NECESSARY**

19 The Legislative branch is charged with enactment of the laws. Mr. Trump can  
20 therefore tender his Executive Order as a bill to Congress, so that the legislature can  
21 decide whether such a law should be enacted for the benefit of the People of the  
22 United States of America. However, no statute or authority exists to support the  
23 issuance of this particular Executive Order.  
24

25  
26 **SECOND CAUSE OF ACTION TO STRIKE EXECUTIVE  
ORDER AS UNCONSTITUTIONAL INFRINGEMENT ON  
27 ESTABLISHMENT CLAUSE**

28 7. The First Amendment to the United States Constitution is the cornerstone

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of democracy. The first sentence of the First Amendment provides:

“Congress shall make no law respecting an establishment of religion...”

Mr. Trump’s Executive Order presents a proposed “law” facially prohibiting entry of persons to the United States based on their adherence to religious beliefs shared in certain countries. The Executive Order therefore is facially unconstitutional and must be stricken as an infringement on the Establishment Clause of the First Amendment.

**INJUNCTIVE RELIEF PENDING ADJUDICATION**

Plaintiffs respectfully move for an immediate injunction of enforcement of Mr. Trump’s Executive Order until it’s validity and constitutionality is adjudicated.

Dated: January 28, 2017

s/Andrew W. Shalaby  
Andrew W. Shalaby, Attorney for  
Plaintiffs

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**PROOF OF SERVICE**

I, Andrew W. Shalaby, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the within entitled action. I am employed at 7525 Leviston Ave, El Cerrito, CA. On January 28, 2017 I served the attached:

**COMPLAINT FOR INJUNCTION AND REPEAL OF  
PRESIDENTIAL EXECUTIVE ORDER DATED  
JANUARY 27, 2017 SUSPENDING VISAS AND  
IMMIGRATION BENEFITS WITHOUT  
CONGRESSIONAL APPROVAL**

on the interested parties in said action, by placing a true copy thereof in sealed envelope(s) addressed as follows:

Office of the Attorney General  
455 Golden Gate, Suite 11000  
San Francisco, CA 94102-7004

and served the named document in the manner indicated below:

**BY MAIL:** I am familiar with the practices of the U.S. Postal Service, and I caused true and correct copies of the above documents, by following ordinary business practices, to be placed and sealed in envelopes(s) addressed to the addressees, at an office of the U.S. Postal Service in El Cerrito, California, for collection and mailing by first class mail with the United States Postal Service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed January 28, 2017, at El Cerrito, California.

s/Andrew W. Shalaby  
Andrew W. Shalaby

1 Matt Adams  
2 Glenda Aldana Madrid  
3 NORTHWEST IMMIGRANT RIGHTS PROJECT  
4 615 Second Ave., Ste. 400  
5 Seattle, WA 98104  
6 (206) 957-8611

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 John DOE 1, John DOE 2 )

11 Petitioners, )

12 v. )

Case No.: C17-126

13 Donald TRUMP; President of the United States )

14 of America; John F. Kelly, Secretary of the )

Agency No. A

15 Department of Homeland Security; )

16 DEPARTMENT OF HOMELAND SECURITY; )

**ORDER GRANTING EMERGENCY  
MOTION FOR STAY OF REMOVAL**

17 KEVIN K. MCALEENAN, Acting )

18 Commissioner of Customs and Border )

19 Protection; CUSTOMS AND BORDER )

20 PROTECTION; and the UNITED STATES OF )

21 AMERICA, )

22 Respondents. )

23 - 1 -  
24 Petition for Writ of Habeas Corpus

Northwest Immigrant Rights Project  
615 Second Ave., Ste. 400  
Seattle, WA 98104  
Tel: 206 957-8611

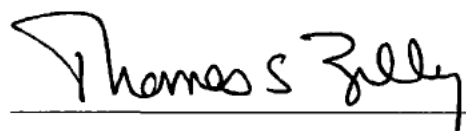


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THIS MATTER HAVING COME TO THE COURT UPON PETITIONERS' EMERGENCY ORDER FOR STAY OF REMOVAL, AND THE COURT HAVING CONSIDERED THE EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS, DOCKET NO. 1, AND THE MOTION FOR EMERGENCY STAY, DOCKET NO. 2, HEREBY GRANTS THE FOLLOWING ORDER:

- 1. THE COURTS GRANTS A STAY OF REMOVAL.
- 2. DEFENDANTS ARE ENJOINED FROM REMOVING JOHN DOE I AND JOHN DOE II FROM THE UNITED STATES PENDING FURTHER ORDER OF THE COURT.
- 3. The Court SETS a hearing for 10:00 a.m. on Friday, February 3, 2017, to determine whether to lift the stay.

DATED this 28th day of January, 2017.



Thomas S. Zilly  
United States District Judge

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SHAHIN HASSANPOUR,</b>	§	
	§	
Petitioner,	§	
	§	
v.	§	No. 3:17-cv-270
	§	
<b>DONALD TRUMP, President of the</b>	§	
<b>United States; U.S. DEPARTMENT OF</b>	§	
<b>HOMELAND SECURITY (“DHS”);</b>	§	
<b>U.S. CUSTOMS AND BORDER</b>	§	
<b>PROTECTION (“CBP”); JOHN KELLY,</b>	§	
<b>Secretary of DHS; KEVIN K.</b>	§	
<b>MCALEENAN, Acting Commissioner of</b>	§	
<b>CBP; and CLEATUS P. HUNT, JR.,</b>	§	
<b>Dallas/Ft. Worth International Airport</b>	§	
<b>Port Director, CBP,</b>	§	
	§	
Respondents.	§	

**ORDER**

Pending before the Court is Petitioner's Motion for Temporary Restraining Order and Preliminary Injunction to stay the removal of Petitioner and persons similarly situated who are detained at DFW International Airport pursuant to the President's January 27, 2017.

On January 28, 2017, the United States District Court for the Eastern District of New York issued a nationwide stay in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, that appears to apply to Petitioner and class members detained in the DFW Airport. That Court has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members subject to the January 27, 2017, and that issuance of the stay will not injure the parties.

Out of an abundance of caution, the Court will stay Petitioner's and class members'

removal in this case pending completion of the proceedings in the Eastern District of New York.

**WHEREFORE, IT IS HEREBY ORDERED** that the Respondents, their officers, agents, servants, employees, attorneys and all persons acting in concert or participation with them will comply with the nationwide stay issued in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480.

**IT IS FURTHER ORDERED** that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Northern District of Texas, and further directs the United States Marshals Services to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

So ordered this \_\_\_ day of January, 2017.

---

**UNITED STATES DISTRICT JUDGE**



members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. Upon information and belief, Petitioner is scheduled to be deported on a flight at 11AM this morning. **She seeks an emergency stay of removal.**

In support of their motion, Petitioner and others similarly situated would show the following:

1. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport ("DFW") on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States with her United States citizen son, who petitioned for her visa. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

2. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.

3. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.

4. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.

5. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas or her United States citizen son was at the DFW Airport.

6. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

7. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently

banned from the United States and sent to jail if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

8. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

9. Upon information and belief, Respondents intend to remove her and others and other similarly situated immigrant and nonimmigrant visa holders from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya landed in the United States at the DFW Airport and presented themselves for inspection and admission, notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

10. Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. *See* Petitioner's Habeas Petition, ¶¶ 40 – 57. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving

noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court for a stay of removal.

11. As indicated by the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, Petitioner has a strong likelihood of success in establishing that the removal of Petitioner and others similarly situated violates their rights to Due Process and Equal Protection guaranteed by the U.S. Constitution.

12. As indicated by the nationwide stay, there is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to Petitioner and others similarly situated.

13. As indicated by the nationwide stay, the issuance of the stay of removal will not injure the other parties interested in the proceeding.

14. A preliminary injunction is appropriate if the potential harm to the plaintiff outweighs the cost of the injunction, and the injunction “does not disserve the public interest.” *Jackson Women’s Health Org. Ctr.*, 760 F.3d 448, 452 (5th Cir. 2014). In this case, the potential harm to the Petitioner is clearly outweighed by any harm to the defendants.

#### **Conclusion**

15. Petitioner and others similarly situated face imminent removal in a few hours. The United States District Court in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members

Therefore, , the Court should grant her Motion for a Temporary Preliminary Injunction.

**Emergency Hearing**

16. Petitioner considers that the facts and law in this matter permit resolution of the Petition without an evidentiary hearing. In the alternative, Petitioner asks for an emergency hearing this morning to have her arguments heard.

**Prayer**

WHEREFORE, premises considered, Petitioner respectfully ask this court to GRANT her **Motion for a Temporary Preliminary Injunction** and to issue a preliminary injunction ordering Defendants to:

1. Stay her removal which would be contrary to law;
2. Grant any other and further relief that this Court may deem fit and proper.

Petitioner further requests that they be awarded reasonable attorney's fees and costs associated with the litigation of this motion.

Respectfully submitted,

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Javier N. Maldonado  
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By: /s/ Seja R. Zota  
Sejal R. Zota  
North Carolina State Bar No. 36535

By: /s/ Vinesh Patel  
Vinesh Patel  
Texas State Bar No. 24068668

By: /s/ Donald E. Uloth  
Donald E. Uloth  
Texas State Bar No. 20374200

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SHAHIN HASSANPOUR,</b>	§	
	§	
<b>Petitioner,</b>	§	
	§	
<b>v.</b>	§	<b>No. 3:17-cv-270</b>
	§	
<b>DONALD TRUMP, President of the</b>	§	
<b>United States; U.S. DEPARTMENT OF</b>	§	
<b>HOMELAND SECURITY (“DHS”);</b>	§	
<b>U.S. CUSTOMS AND BORDER</b>	§	
<b>PROTECTION (“CBP”); JOHN KELLY,</b>	§	
<b>Secretary of DHS; KEVIN K.</b>	§	
<b>MCALEENAN, Acting Commissioner of</b>	§	
<b>CBP; and CLEATUS P. HUNT, JR.,</b>	§	
<b>Dallas/Ft. Worth International Airport</b>	§	
<b>Port Director, CBP,</b>	§	
	§	
<b>Respondents.</b>	§	

**PETITIONER’S EMERGENCY MOTION FOR TEMPORARY  
RESTRAINING ORDER AND PRELIMINARY INJUNCTION;  
DEPORTATION FLIGHT SCHEDULED FOR 11:00AM TODAY**

Petitioner, by and through counsel, submits this **Emergency Motion for a Temporary Restraining Order and Preliminary Injunction**, pursuant to Federal Rule of Civil Procedure 65(a) and (b). Petitioner tried to file a habeas petition last night, but the ECF site was down. She was able to file a habeas petition at 7:20 this morning. She and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class

members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. Upon information and belief, Petitioner is scheduled to be deported on a flight at 11AM this morning. **She seeks an emergency stay of removal.**

In support of their motion, Petitioner and others similarly situated would show the following:

1. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport ("DFW") on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States with her United States citizen son, who petitioned for her visa. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

2. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.

3. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.

4. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.

5. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas or her United States citizen son was at the DFW Airport.

6. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

7. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently

banned from the United States and sent to jail if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

8. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

9. Upon information and belief, Respondents intend to remove her and others and other similarly situated immigrant and nonimmigrant visa holders from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya landed in the United States at the DFW Airport and presented themselves for inspection and admission, notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

10. Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. See Petitioner's Habeas Petition, ¶¶ 40–57. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving

noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court for a stay of removal.

11. As indicated by the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, Petitioner has a strong likelihood of success in establishing that the removal of Petitioner and others similarly situated violates their rights to Due Process and Equal Protection guaranteed by the U.S. Constitution.

12. As indicated by the nationwide stay, there is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to Petitioner and others similarly situated.

13. As indicated by the nationwide stay, the issuance of the stay of removal will not injure the other parties interested in the proceeding.

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#### Conclusion

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Therefore, , the Court should grant her Motion for a Temporary Preliminary Injunction.

**Emergency Hearing**

16. Petitioner considers that the facts and law in this matter permit resolution of the Petition without an evidentiary hearing. In the alternative, Petitioner asks for an emergency hearing this morning to have her arguments heard.

**Prayer**

WHEREFORE, premises considered, Petitioner respectfully ask this court to GRANT her **Motion for a Temporary Preliminary Injunction** and to issue a preliminary injunction ordering Defendants to:

1. Stay her removal which would be contrary to law;
2. Grant any other and further relief that this Court may deem fit and proper.

Petitioner further requests that they be awarded reasonable attorney's fees and costs associated with the litigation of this motion.

Respectfully submitted,

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Javier N. Maldonado  
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By: /s/ Seja R. Zota  
Sejal R. Zota  
North Carolina State Bar No. 36535

By: /s/ Vinesh Patel  
Vinesh Patel  
Texas State Bar No. 24068668

By: /s/ Donald E. Uloth  
Donald E. Uloth  
Texas State Bar No. 20374200

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SHAHIN HASSANPOUR,</b>	§	
	§	
<b>Petitioner,</b>	§	
	§	
<b>v.</b>	§	<b>No. 3:17-cv-270</b>
	§	
<b>DONALD TRUMP, President of the</b>	§	
<b>United States; U.S. DEPARTMENT OF</b>	§	
<b>HOMELAND SECURITY (“DHS”);</b>	§	
<b>U.S. CUSTOMS AND BORDER</b>	§	
<b>PROTECTION (“CBP”); JOHN KELLY,</b>	§	
<b>Secretary of DHS; KEVIN K.</b>	§	
<b>MCALEENAN, Acting Commissioner of</b>	§	
<b>CBP; and CLEATUS P. HUNT, JR.,</b>	§	
<b>Dallas/Ft. Worth International Airport</b>	§	
<b>Port Director, CBP,</b>	§	
	§	
<b>Respondents.</b>	§	

**ORDER**

Pending before the Court is Petitioner's Motion for Temporary Restraining Order and Preliminary Injunction to stay the removal of Petitioner and persons similarly situated who are detained at DFW International Airport pursuant to the President's January 27, 2017.

On January 28, 2017, the United States District Court for the Eastern District of New York issued a nationwide stay in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, that appears to apply to Petitioner and class members detained in the DFW Airport. That Court has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members subject to the January 27, 2017, and that issuance of the stay will not injure the parties.

Out of an abundance of caution, the Court will stay Petitioner's and class members'



removal in this case pending completion of the proceedings in the Eastern District of New York.

**WHEREFORE, IT IS HEREBY ORDERED** that the Respondents, their officers, agents, servants, employees, attorneys and all persons acting in concert or participation with them will comply with the nationwide stay issued in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480.

**IT IS FURTHER ORDERED** that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Northern District of Texas, and further directs the United States Marshals Services to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

So ordered this \_\_\_ day of January, 2017.

**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SHAHIN HASSANPOUR and</b>	§	
<b>A Class of Similarly Situated Persons,</b>	§	
	§	
<b>Petitioners,</b>	§	
	§	
<b>v.</b>	§	<b>No. 3:17-cv-270</b>
	§	
<b>DONALD TRUMP, President of the</b>	§	
<b>United States; U.S. DEPARTMENT OF</b>	§	
<b>HOMELAND SECURITY (“DHS”);</b>	§	
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<b>CBP; and CLEATUS P. HUNT, JR.,</b>	§	
<b>Dallas/Ft. Worth International Airport</b>	§	
<b>Port Director, CBP,</b>	§	
	§	
<b>Respondents.</b>	§	

**CLASS PETITION FOR WRIT OF HABEAS CORPUS AND  
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

This class habeas petition is filed by Petitioner Shahin Hassanpour and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order and who were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. This class petition is filed to safeguard Petitioner’s and class members’ constitutional and statutory rights.

Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport (“DFW”) on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States. Her United States citizen son had petitioned for her to immigrate to the United States as a permanent resident. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

On or about January 28, 2017, Ms. Hassanpour and other similarly situated immigrant and nonimmigrant visa holders landed in the United States at the DFW Airport and presented themselves for inspection and admission. U.S. Customs and Border Protection (CBP) blocked Ms. Hassanpour and class members from exiting DFW Airport even though they presented valid entry documents. CBP continues to detain Ms. Hassanpour and class members and deny them admission. CBP is holding Ms. Hassanpour and class members at DFW Airport solely pursuant to an executive order issued by President Donald Trump on January 27, 2017.

Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court

for a writ of habeas corpus to remedy their unlawful detention, and for declaratory and injunctive relief to prevent such harms from recurring.

#### **CUSTODY**

1. Ms. Hassanpour is in the physical custody of Respondent Cleatus P. Hunt, Jr., DFW International Airport Port Director, U.S. Customs and Border Protection, the Department of Homeland Security (DHS). At the time of the filing of this petition, Petitioner is detained at the DFW Airport. Ms. Hassanpour is under the direct control of Respondents and their agents.

2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya, who are detained at DFW Airport pursuant to the January 27, 2017 executive order, and who were coerced into withdrawing their applications for admission.

#### **JURISDICTION**

3. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331, 1361, 2241, 2243, and the Habeas Corpus Suspension Clause of the U.S. Constitution. This court has further remedial authority pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*

#### **VENUE**

4. Venue lies in the United States District Court for the Northern District of Texas, the judicial district in which Respondent Cleatus P. Hunt, Jr. resides and where Petitioner is detained. 28 U.S.C. § 1391(e).

5. No petition for habeas corpus has previously been filed in any court to review Petitioner's case.

#### **PARTIES**

6. Petitioner Shahin Hassanpour is a national and citizen of Iran who was granted an immigrant visa so that she can come to the United States as a lawful permanent resident. She is

detained by Respondents pursuant to President Trump's January 27, 2017 executive order.

7. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport pursuant to the January 27, 2017 executive order and who were coerced into withdrawing their applications for admission.

8. Donald Trump is the President of the United States and is charged with enforcing the immigration laws. He is sued in his official capacity.

9. The U.S. Department of Homeland Security ("DHS") is a cabinet department of the United States federal government with the primary mission of securing the United States.

10. U.S. Customs and Border Protection ("CBP") is an agency within DHS with the primary mission of detecting and preventing the unlawful entry of persons and goods into the United States.

11. Respondent John Kelly is the Secretary of DHS. Secretary Kelly has immediate custody of Petitioner. He is sued in his official capacity.

12. Respondent Kevin K. McAleenan is the Acting Commissioner of CBP. Acting Commissioner McAleenan has immediate custody of Petitioner. He is sued in his official capacity.

13. Respondent Cleatus P. Hunt, Jr. is the Port Director of the Dallas/Ft. Worth International Airport. He has immediate custody of Ms. Hassanpour. He is sued in his official capacity.

#### **STATEMENT OF FACTS**

#### **President Trump's January 27, 2017 Executive Order**

14. On January 20, 2017, Donald Trump was inaugurated as the forty-fifth President of the United States. During his campaign, he stated that he would ban Muslims from entering the United States.

15. On January 27, one week after his inauguration, President Trump signed an executive order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States," which is attached hereto as Exhibit A and is hereinafter referred to as the "EO."

16. In statements to the press in connection with his issuance of the EO, President Trump stated that his order would help Christian refugees to enter the United States.

17. Citing the threat of terrorism committed by foreign nationals, the EO directs a variety of changes to the manner and extent to which noncitizens may seek and obtain entry to the United States. Among other things, the EO imposes a 120-day moratorium on the refugee resettlement program as a whole; proclaims that "that the entry of nationals of Syria as refugees is detrimental to the interests of the United States"; and therefore singles out Syrian refugees for an indefinite "suspension" on their admission to the country.

18. Most relevant to the instant action is Section 3(c) of the EO, in which President Trump proclaims "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 that he is therefore "suspend[ing] entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order," with narrow exceptions not relevant here.

19. There are seven countries that fit the criteria in 8 U.S.C. § 1187(a)(12): Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen. According to the terms of the EO, therefore, the "entry into

the United States” of noncitizens from those countries is “suspended” from 90 days from the date of the EO.

**Petitioner Hassanpour**

20. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who is Muslim.
21. Ms. Hassanpour has a United States citizen son who petitioned for Ms. Hassanpour to immigrate to the United States as a lawful permanent resident.
22. In September 2016, the State Department interviewed Ms. Hassanpour in connection with her application for an immigrant visa. After reviewing her application and investigating her criminal background, the State Department determined that Ms. Hassanpour qualified for an immigrant visa. In issuing Ms. Hassanpour an immigrant visa, the State Department determined that Ms. Hassanpour was not a threat to this country's national security but rather that she was worthy of residing here permanently.
23. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.
24. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.
25. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.
26. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas. Her United States citizen son was at the DFW Airport ready to meet her.
27. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

28. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently banned from the United States if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

29. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

30. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

31. Respondents' decisions to detain Ms. Hassanpour are not unlawful and are capricious and arbitrary. There is no better time for the Court to consider the merits of Ms. Hassanpour's request for release.

**Class**

32. Class members are immigrant and nonimmigrant visa holders currently detained by Respondents at the DFW Airport.

33. Class members are in the possession of entry documents that were lawfully issued by the State Department and/or the Department of Homeland Security.



34. Prior to issuing entry documents to class members, the State Department and/or the Department of Homeland Security interviewed and investigated class members. The State Department and/or the Department of Homeland Security determined that class members were admissible and were not a threat to the national security.

35. Upon landing at DFW Airport, Respondents detained class members pursuant to the President's January 27, 2017 executive order. Upon information and belief, Respondents denied class members an opportunity to speak with their lawyers.

36. Upon information and belief, Respondents then proceeded to coerce class members to withdraw their applications for admission.

37. Class members do not speak English fluently, are not lawyers, and are not familiar with United States laws.

38. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

39. Respondents' decisions to detain class members are not legally justifiable and are capricious and arbitrary. There is no better time for the Court to consider the merits of the class members' request for release.

## **CLAIMS FOR RELIEF**

### **COUNT ONE**

#### **CONSTITUTIONAL CLAIM--DUE PROCESS**

40. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

41. Petitioner's and the class members' detention violates her right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

**COUNT TWO**  
**FIRST AMENDMENT—ESTABLISHMENT CLAUSE**

42. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.
43. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity. The EO therefore violates the Establishment Clause of the First Amendment by not pursuing a course of neutrality with regard to different religious faiths.

**COUNT THREE**  
**FIFTH AMENDMENT—EQUAL PROTECTION**

44. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.
45. The EO discriminates against Petitioner and the class on the basis of their country of origin and religion, without sufficient justification, and therefore violates the equal protection component of the Due Process Clause of the Fifth Amendment.
46. Additionally, the EO was substantially motivated by animus toward—and has a disparate effect on—Muslims, which also violates the equal protection component of the Due Process Clause of the Fifth Amendment.
47. Respondents have demonstrated an intent to discriminate against Petitioner and the class members on the basis of religion through repeated public statements that make clear the EO was designed to prohibit the entry of Muslims to the United States. *See* Michael D. Shear & Helene Cooper, *Trump Bars Refugees and Citizens of 7 Muslim Countries*, N.Y. Times (Jan. 27, 2017), (“[President Trump] ordered that Christians and others from minority religions be granted priority over Muslims.”); Carol Morello, *Trump Signs Order Temporarily Halting Admission of Refugees, Promises Priority for Christians*, Wash. Post (Jan. 27, 2017).

48. Applying a general law in a fashion that discriminates on the basis of religion in this way violates Petitioner's and class members' right to equal protection under the Fifth Amendment Due Process Clause. Petitioner and the class satisfy the Supreme Court's test to determine whether a facially neutral law – in the case, the EO and federal immigration law – has been applied in a discriminatory fashion. *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266-7 (1977).

49. Here, President Donald Trump and senior staff have made clear that EO will be applied to primarily exclude individuals on the basis of their national origin and being Muslim. *See, e.g.*, Donald J. Trump, *Donald J. Trump Statement On Preventing Muslim Immigration*, (Dec. 7, 2015), <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration> (“Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on.”); Abby Phillip and Abigail Hauslohner, *Trump on the Future of Proposed Muslim Ban, Registry: 'You know my plans'*, Wash. Post (Dec. 22, 2016). Further, the President has promised that preferential treatment will be given to Christians, unequivocally demonstrating the special preferences and discriminatory impact that the EO has upon Petitioner. *See supra*.

50. Thus, Respondents have applied the EO with forbidden animus and discriminatory intent in violation of the equal protection of the Fifth Amendment and violated Petitioner's and the class members' equal protection rights.

#### COUNT FOUR ADMINISTRATIVE PROCEDURE ACT

51. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

52. Respondents detained and mistreated Petitioner and class members solely pursuant to an executive order issued on January 27, 2017, which expressly discriminates against Petitioner and

the class on the basis of her country of origin and was substantially motivated by animus toward Muslims.

53. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity.

54. The INA forbids discrimination in issuance of visas based on a person's race, nationality, place of birth, or place of residence. 8 U.S.C. § 1152(a)(1)(A).

55. Respondents' actions in detaining and mistreating Petitioner and class members were arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, in violation of APA § 706(2)(A); contrary to constitutional right, power, privilege, or immunity, in violation of APA § 706(2)(B); in excess of statutory jurisdiction, authority, or limitations, or short of statutory right, in violation of APA § 706(2)(C); and without observance of procedure required by law, in violation of § 706(2)(D).

#### **COUNT FIVE RELIGIOUS FREEDOM RESTORATION ACT**

56. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

57. The EO will have the effect of imposing a special disability on the basis of religious views or religious status, by withdrawing an important immigration benefit principally from Muslims on account of their religion. In doing so, the EO places a substantial burden on Petitioner's and class members' exercise of religion in a way that is not the least restrictive means of furthering a compelling governmental interest.

#### **PRAYER FOR RELIEF**

WHEREFORE, Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Issue an order directing Respondents to show cause why the writ should not be

granted;

3. Issue an order certifying a class of immigrant and nonimmigrant visa holders detained at DFW Airport pursuant to the President's January 27, 2017 executive order and who were coerced into withdrawing their applications for admission and other rights;
4. Issue an injunction ordering Respondents not to detain Petitioner on the basis of the EO;
5. Issue a writ of habeas corpus ordering Respondents to release Ms. Hassanpour;
6. Award Petitioner reasonable costs and attorney's fees; and,
7. Grant any other relief which this Court deems just and proper.

Respectfully submitted,

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**ATTORNEYS FOR PETITIONERS**

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Javier N. Maldonado  
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By: /s/ Donald E. Uloth  
Donald E. Uloth  
Texas State Bar No. 20374200

JS 44 (Rev. 08/16)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p><b>I. (a) PLAINTIFFS</b>                  SHAHIN HASSANPOUR AND OTHER SIMILARLY SITUATED</p> <p><b>(b)</b> County of Residence of First Listed Plaintiff _____                  (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p><b>(c)</b> Attorneys (Firm Name, Address, and Telephone Number)                  Donald E. Uloth, 18208 Preston Rd. Suite D-9 # 261, Dallas, TX 75252,                  (214) 725-0260; Javier N. Maldonado, 8918 Tesoro Dr., Ste. 575, San                  Antonio, TX 78217, (210) 277-1603</p>	<p><b>DEFENDANTS</b>                  President Donald Trump, et. al.</p> <p>County of Residence of First Listed Defendant _____                  (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF                  THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known) _____</p>
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<p><b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. NATURE OF SUIT** (Place an "X" in One Box Only) Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p><b>PERSONAL INJURY - Product Liability</b></p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p><b>PERSONAL INJURY - Product Liability</b></p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<p><b>LABOR</b></p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<p><b>PROPERTY RIGHTS</b></p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
	<p><b>CIVIL RIGHTS</b></p> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<p><b>PRISONER PETITIONS</b></p> <p><b>Habeas Corpus:</b></p> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <p><b>Other:</b></p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<p><b>SOCIAL SECURITY</b></p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
		<p><b>IMMIGRATION</b></p> <input type="checkbox"/> 462 Naturalization Application <input checked="" type="checkbox"/> 465 Other Immigration Actions	<p><b>FEDERAL TAX SUITS</b></p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

**V. ORIGIN** (Place an "X" in One Box Only)

1 Original Proceeding     2 Removed from State Court     3 Remanded from Appellate Court     4 Reinstated or Reopened     5 Transferred from Another District (specify) \_\_\_\_\_     6 Multidistrict Litigation - Transfer     8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 28 U.S.C. Sec. 1331, 1361, 2241, and 2243.

Brief description of cause:  
 Visa holders detained at DFW are detained pursuant to Jan. 27, 2017 executive order.

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    DEMAND \$ \_\_\_\_\_    CHECK YES only if demanded in complaint:  
 JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY** (See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: 1/29/2017    SIGNATURE OF ATTORNEY OF RECORD: /s/ Javier N. Maldonado

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SHAHIN HASSANPOUR and</b>	§	
<b>A Class of Similarly Situated Persons,</b>	§	
	§	
<b>Petitioners,</b>	§	
	§	
v.	§	No. 3:17-cv-270
	§	
<b>DONALD TRUMP, President of the</b>	§	
<b>United States; U.S. DEPARTMENT OF</b>	§	
<b>HOMELAND SECURITY (“DHS”);</b>	§	
<b>U.S. CUSTOMS AND BORDER</b>	§	
<b>PROTECTION (“CBP”); JOHN KELLY,</b>	§	
<b>Secretary of DHS; KEVIN K.</b>	§	
<b>MCALEENAN, Acting Commissioner of</b>	§	
<b>CBP; and CLEATUS P. HUNT, JR.,</b>	§	
<b>Dallas/Ft. Worth Port Director, CBP,</b>	§	
	§	
<b>Respondents.</b>	§	

**PETITIONER’S CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2, Petitioner Shahin Hassanpour provides the following information:

Petitioner is a natural person.

There are no nongovernmental corporate parties in this case.

The persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case are:

- 1. Shahin Hassanpour, Petitioner
- 2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport



pursuant to the January 27, 2017 and who were coerced into withdrawing their applications for admission.

3. Donald J. Trump, President of the United States.
4. The U.S. Department of Homeland Security.
5. U.S. Customs and Border Protection.
6. John Kelly, the Secretary of the he U.S. Department of Homeland Security.
7. Kevin K. McAleenan, the Acting Commissioner of U.S. Customs and Border Protection.
8. Cleatus P. Hunt, Jr., the Port Director of the Dallas/Ft. Worth International Airport.

Date: January 29, 2016

Respectfully submitted,

/s/ Javier N. Maldonado  
Javier N. Maldonado  
State Bar No. 00794216  
Law Office of Javier N. Maldonado, PC  
8918 Tesoro Dr., Ste. 575  
San Antonio, TX 78217  
Tel. (210) 277-1603  
Fax (210) 587-4001  
Email: [jmaldonado.law@gmail.com](mailto:jmaldonado.law@gmail.com)

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MAZDAK POURABDOLLAH  
TOOTKABONI and  
ARGHAVAN LOUHGHALAM,

Petitioners,

CIVIL ACTION NO. 17-cv-10154

v.

DONALD TRUMP, President of  
The United States, et al.,

Respondents

**TEMPORARY RESTRAINING ORDER**  
January 29, 2017

BURROUGHS, U.S.D.J.

On January 28, 2017 the Petitioners filed a Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief.

After consideration of the written submissions, arguments of counsel, and the hearing held on January 28-29, 2017, the Court hereby finds as follows:

1. The petitioners have met their burden of establishing a strong likelihood of success in establishing that the detention and/or removal of the petitioners and others similarly situated would violate their rights to Due Process and Equal Protection as guaranteed by the United States Constitution;
2. Absent a stay of removal, petitioners and others similarly situated, including lawful permanent residents, citizens, visa-holders, approved refugees, and other individuals from nations who are subject to the January 27, 2017 Executive Order, are likely to suffer irreparable harm.

**3. The balance of harms favors the issuance of this temporary restraining order and its issuance is in the public interest.**

**NOW, THEREFORE, IT IS HEREBY ORDERED**

**I. that respondents, their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them:**

**a) shall limit secondary screening to comply with the regulations and statutes in effect prior to the Executive Order, including 8 U.S.C. § 1101(a)(13)(C);**

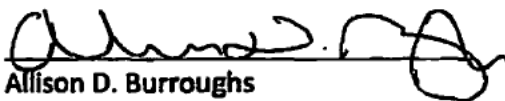
**b) shall not, by any manner or means, detain or remove individuals with refugee applications approved by U.S. Citizenship and Immigration Services as part of the U.S. Refugee Admissions Program, holders of valid immigrant and non-immigrant visas, lawful permanent residents, and other individuals from Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen who, absent the Executive Order, would be legally authorized to enter the United States;**

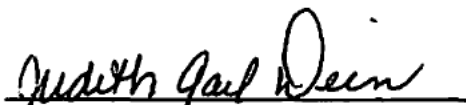
**c) to assure compliance with this Order, the United States Marshal for the District of Massachusetts shall be served with this Order and is further directed to take those actions deemed necessary to enforce this Order; and**

**d) Customs and Border Protection shall notify airlines that have flights arriving at Logan Airport of this Order and the fact that individuals on these flights will not be detained or returned based solely on the basis of the Executive Order.**

**II. This Order shall remain in effect for a period of seven (7) days from the date of this Order. The Court shall schedule a hearing prior to the expiration of this Order.**

III. Petitioners shall file an Amended Complaint by January 30, 2017.

  
Allison D. Burroughs  
United States District Judge

  
Judith Gail Dein  
United States Magistrate Judge

January 29, 2017

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

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

DFO's

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

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

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

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

- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman

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

- DXD Hutton
- OFO Field Liaison

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

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

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

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

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

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



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

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

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

Directors,

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

Memorandum For: Directors, Field Operations  
  
From: Todd A. Hoffman  
Executive Director  
Admissibility and Passenger Programs

## Office of Field Operations

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

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

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

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

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

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

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

*Returning Residents,*

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

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

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



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

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

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

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

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

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

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

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

Approved per C1, 1722 hours.

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

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 5:03 PM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
**Cc:** DURST, CASEY OWEN; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C); HOFFMAN, TODD A; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

**Subject:** EO 212(f) Exemption Request for ALGAHEIM, (f/n) Younis  
**Importance:** High

**Exemption to Executive Order Request**

**January 28, 2017**

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

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

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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

Washington, DC

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



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

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

OCC

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

J. Ryan Hutton  
 Deputy Executive Director  
 Admissibility and Passenger Programs

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

Washington, DC

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



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

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

Waiver granted by C1, 1312 hours.

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

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

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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

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

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

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

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

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

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

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

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

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



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

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

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

**Importance:** High

OFO's

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

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

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

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

- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman

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

- DXD Hutton
- OFO Field Liaison

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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

Washington, DC

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



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

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

Directors,

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

Memorandum For: Directors, Field Operations

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

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

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

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

- (1) All case processing will be recorded in (b)(7)(E) system, according to current policy/procedure.
- (2) Subjects will be allowed to withdraw their application for admission on Form I-275, **without a sworn statement**. All other procedures pertaining to the processing of Form I-275 withdrawal cases apply.
- (3) Should the alien decline to withdraw their application for admission, the alien will be placed in Expedited Removal in accordance with standard operating procedures.
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*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.

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

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

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

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



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

**m:** HUTTON, JAMES R  
**sent:** Monday, January 30, 2017 9:05 AM  
**To:** SABATINO, DIANE J; (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) MARTEL, CARLOS C; MURDOCK, JUDSON W; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) HOFFMAN, TODD A  
**Subject:** Arrival of Central American Minors (CAM) Parolees - Jan 31st  
**Attachments:** PAROLEE 30JAN-2FEB EL SALVADOR\_HONDURAS.XLS; Form I-512L CAM Parole Authorization Letter.pdf  
**Importance:** High  
**Follow Up Flag:** Follow Up  
**Flag Status:** Flagged

DFO/PDs

Starting on January 31<sup>st</sup>, the Ports of (b)(7)(E) will encounter Central American Minors that have been authorized parole into the United States for a period of two (2) years. I have attached a list of the individuals scheduled to arrive to include a exemplar of the document they will present on primary. Just to alleviate any potential confusion, while these are adjudicated by (b)(7)(E) these are not refugees, nor subject to the EO.

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

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

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



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ARRIVAL 30 JANUARY

PF #	DOA PoE	Arr Time	Carrier	Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationality	Size	Po E
SVH3012	30-Jan-2017	17:45	AA		<b>(b)(6), (b)(7)(C)</b>							
				ES-100318					PA	SV	1	
				ES-100371					PA	SV	1	
				ES-100380					PA	SV	1	
				ES-100381					PA	SV	1	
				ES-100413					PA	SV	1	
				ES-100549					PA	SV	1	
				ES-100550					PA	SV	1	
				ES-106328					PA	SV	1	
				ES-106590					PA	SV	1	(b)(7)(E)
				ES-106709					PA	SV	1	
				ES-106813					PA	SV	1	
				ES-106852					PA	SV	1	
				ES-107002					PA	SV	1	
				ES-107068					PA	SV	1	
				ES-107132					PA	SV	1	
				ES-107496					PA	SV	1	
				ES-107669					PA	SV	1	
				ES-200039	PA	SV	1					

TOTAL

18



ARRIVAL 31 JANUARY												
PF #	DOA PoE	Arr Time	Carrier	Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationality	Size	Po E
SVH3013	31-Jan-2017	17:45	AA	ES-100295					PA	SV	1	
				ES-100296					PA	SV	1	
				ES-100297					PA	SV	1	
				ES-100913					PA	SV	1	
				ES-100914					PA	SV	1	
				ES-100915					PA	SV	1	
				ES-106491					PA	SV	1	
				ES-106554					PA	SV	1	
				ES-106913					PA	SV	1	
				ES-107088					PA	SV	1	
				ES-107257					PA	SV	1	
				ES-107267					PA	SV	1	
				ES-107384					PA	SV	1	
				ES-107623					PA	SV	1	
				ES-107745					PA	SV	1	
				ES-107784					PA	SV	1	
				ES-107903					PA	SV	1	
				ES-107992					PA	SV	1	
				ES-108397					PA	SV	1	
				ES-200474					PA	SV	1	
											20	
SVH3029	31-Jan-2017	11:25	AV	ES-106952					PA	SV	1	
				ES-107785					PA	SV	1	
											2	
SVH3025	31-Jan-17	11:07	AV	ES-107831					PA	SV	1	
				ES-108023					PA	SV	1	
											2	
SVH3024	31-Jan-17	11:50	AV	ES-107206					PA	SV	1	
				ES-108237					PA	SV	1	
				ES-108346					PA	SV	1	
											3	
HNH3002	31-Jan-17	18:24	AA	ES-201417					PA	HN	1	
				HO-100153					PA	HN	1	
				HO-100244					PA	HN	1	
				HO-101234					PA	HN	1	
				HO-101237					PA	HN	1	
				HO-101312					PA	HN	1	
				HO-101317					PA	HN	1	
				HO-101335					PA	HN	1	
				HO-101345					PA	HN	1	
				HO-101383					PA	HN	1	
				HO-101467					PA	HN	1	
				HO-101470					PA	HN	1	
				HO-101494					PA	HN	1	
				HO-101520					PA	HN	1	
				HO-101527					PA	HN	1	
				HO-101529					PA	HN	1	
				HO-101532					PA	HN	1	
											17	

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

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

ARRIVAL 1 FEBRUARY

PF #	DOA PoE	Arr Time	Carrier	Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationalit	Size	Pn.F.
SVH3014	1-Feb-2017	17:45	AA									
				ES-100610					PA	SV	1	
				ES-100654					PA	SV	1	
				ES-100938					PA	SV	1	
				ES-106319					PA	SV	1	
				ES-107071					PA	SV	1	
				ES-107138					PA	SV	1	
				ES-107549					PA	SV	1	
				ES-107665					PA	SV	1	
				ES-107676					PA	SV	1	
				ES-107995					PA	SV	1	
				ES-108011					PA	SV	1	(b)(6), (b)(7)(C)
				ES-108114					PA	SV	1	
				ES-200033					PA	SV	1	
				ES-200034					PA	SV	1	
				ES-200220					PA	SV	1	
				ES-200221					PA	SV	1	
				ES-200222					PA	SV	1	
				ES-200798					PA	SV	1	
				ES-200799					PA	SV	1	
				ES-200800					PA	SV	1	
											20	

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

ARRIVAL 2 FEBRUARY												
PF #	DOA PoE	Arr Time	Carrier	Case	Family Name	First Name	Middle Name	Birthdate	Relation	Nationalit	Size	Po E
SVH3015	2-Feb-2017	17:45	AA									
				ES-100765					PA	SV	1	
				ES-100766					PA	SV	1	
				ES-106718					PA	SV	1	
				ES-106834					PA	SV	1	
				ES-107162					PA	SV	1	
				ES-107237					PA	SV	1	
				ES-107342					PA	SV	1	
				ES-107380					PA	SV	1	
				ES-107383					PA	SV	1	
				ES-107483					PA	SV	1	
				ES-107518					PA	SV	1	
				ES-107673					PA	SV	1	
				ES-107723					PA	SV	1	
				ES-107946					PA	SV	1	
				ES-108124					PA	SV	1	
				ES-108654					PA	SV	1	
				ES-200263					PA	SV	1	
				ES-200264					PA	SV	1	
				ES-200265					PA	SV	1	
				ES-200266					PA	SV	1	
											20	

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

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

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

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

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

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

**SAMPLE**

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

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

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

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

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

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

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

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

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

DFOs

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

(b)(7)(E)

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

(b)(7)(E)

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

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



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**From:** MCALEENAN, KEVIN K

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

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

**Cc:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); FLANAGAN, PATRICK; (b)(6), (b)(7)(C)

**Subject:** Redlegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

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

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



United States Department of State

Washington, D.C. 20520

January 28, 2017

UNCLASSIFIED

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

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

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

**Recommendation**

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

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

**Background**

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

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

UNCLASSIFIED

UNCLASSIFIED- 2 -

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

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

UNCLASSIFIED



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

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

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

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

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.

consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

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

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

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

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

(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

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.

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

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.

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #



**SUMMARY OF NATIONALITY CODES**

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

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

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

DFO's

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

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

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

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



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

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

Subject: Guidance on Withdrawal

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

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

Deputy Associate Chief Counsel  
Office of Chief Counsel  
U.S. Customs and Border Protection

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

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

From:

HUTTON, JAMES R

Sent:

Monday, January 30, 2017 9:57 AM

To:

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

Cc:

Subject:

Refugee Arrivals

Attachments:

Results of 30Jan-2 Feb Booking Spreadsheet Details\_Master-2.xlsx

This is what I have.

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

Deputy Executive Director  
Admissibility and Passenger Programs

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

Washington, DC

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



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**ARRIVALS - 30 JANUARY 2017**

PF #	DOA PoE	Arr Time	Carrier	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	FBI Response
EGH0034	01/30/17	13:10	LH		<b>(b)(6), (b)(7)(C)</b>						
				EG-109121		PA	ET	1			
				EG-111519		PA	ER	1			
GHH0012	01/30/17	16:34	DL								
				GH-126688		PA	CI	3			
						DA	CI				
						DA	CI				
IDH0014	01/30/17	19:25	CI								
				IN-100812		PA	AF	3			
						WI	AF				
						SO	AF				
IDH0023	01/30/17	20:25	CI								
				IN-500018		PA	AF	1			
KEH7067	01/30/17	13:30	UA								
				BY-120502		PA	CD	1			
				BY-120836		PA	CD	5			
					DA	CD					
					SO	CD					
					SO	CD					
					SO	CD					
				BY-120838	PA	CD	1				
				BY-121068	PA	CD	1				
				BY-121069	PA	CD	1				
				BY-121126	PA	CD	1				
				BY-121128	PA	CD	1				

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

**ARRIVALS - 30 JANUARY 2017**

				BY-121389
				BY-121785
KEH7328	01/30/17	12:45	EK	
				KE-700212
LBH0006	01/30/17	12:55	LH	
				LE-109719
				LE-109739
LBH0030	01/30/17	14:05	LH	
				LE-109838
NPH5016	01/30/17	06:40	CX	
				NP-118860
				NP-133839
				NP-134797
				NP-141787
				NP-147980

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

PA	CD	4
DA	CD	
DA	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	ER	1
PA	ET	1
PA	ER	1
PA	BT	1
PA	BT	5
DA	BT	
SO	BT	
DA	BT	
GD	BT	
PA	BT	3
WI	BT	
SO	BT	
PA	BT	1
PA	BT	4
WI	BT	
DA	BT	

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

**ARRIVALS - 30 JANUARY 2017**

				NP-148089
				NP-149233
				NP-149240
				NP-149241
NPH5017	01/30/17	15:45	QR	
				NP-114261
				NP-144466
				NP-149137
				NP-149184
				NP-149326
				NP-149453
				NP-149481
				NP-149490
				NP-149682
NPH5032	01/30/17	12:10	CX	

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

SO	BT	
PA	BT	1
PA	BT	4
SO	BT	
DA	BT	
SO	BT	
PA	BT	2
WI	BT	
PA	BT	2
WI	BT	
PA	BT	1
PA	BT	1
PA	BT	3
DA	BT	
DA	BT	
PA	BT	2
WI	NP	
PA	BT	2
WI	NP	
PA	BT	4
DA	BT	
DA	BT	
DA	BT	
PA	BT	1
PA	BT	1
PA	BT	1

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

**ARRIVALS - 30 JANUARY 2017**

				NP-147341
				NP-148878
				NP-149188
				NP-149206
				NP-149263
RWH0038	01/30/17	13:30	UA	
				RW-940650
RWH0039	01/30/17	13:30	UA	
				RW-123873
SVH0012	01/30/17	11:50	AV	
				ES-106157
				ES-108442
				ES-108539
				ES-109043
SVH0014	01/30/17	17:45	AA	
				ES-100862
				ES-107817
				ES-109245

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

PA	BT	2
WI	NP	
PA	BT	4
SO	BT	
SO	BT	
DA	BT	
PA	BT	3
WI	NP	
SO	BT	
PA	BT	1
PA	BT	2
SO	BT	
PA	CD	1
PA	CD	2
SO	CD	
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1

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



ARRIVALS - 30 JANUARY 2017

			ES-109439
			ES-109522
			ES-109859
			ES-200120
			ES-201141

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

PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	3
SO	SV	
SO	SV	
PA	SV	1

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

97 pax

**ARRIVALS - 31 JANUARY 2017**

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	FBI Res	
ATH0545	01/31/17	16:50	UA	085	5		<b>(b)(6), (b)(7)(C)</b>							
						IS-100266		PA	ER		1			
						IS-100272		PA	ER		1			
						IS-100294		PA	ER		1			
						IS-100295		PA	ER		1			
						IS-100305		PA	ER		1			
						SubTotal								
ETH0074	01/31/17	13:25	QR	725	3									
						ET-138205		PA	ER		2			
								SO	ER					
						SubTotal								
ETH0075	01/31/17	19:15	ET	508	6									
						ET-127748		PA	ER		6			
								WI	ET					
								DA	ER				(b)(7)(E)	
								SD	ET					
								SN	ET					
								SO	ER					
						SubTotal								
GHH0002	01/31/17	15:05	UA	951	19									
						CM-120508		PA	CF		1			
						CM-120518		PA	CF		2			
								DA	CF					
						CM-120526		PA	CF		1			
						CM-120538		PA	CF		1			
						CM-120544	PA	CF		1				
						CM-120545	PA	CF		1				
						CM-120546	PA	CF		1				
						CM-120547	PA	CF		2				



**ARRIVALS - 31 JANUARY 2017**

IDH0017	01/31/17	14:15	QR	701	1	
						IN-100335
						SubTota
IDH0019	01/31/17	14:15	QR	701	3	
						IN-100734
						SubTota
JOH5105	01/31/17	18:10	AF	010	1	
						MO-100147
						SubTota
KEH7013	01/31/17	16:00	LX	008	20	
						KE-565045
						SubTota
KEH7330	01/31/17	11:50	AA	087	1	
						KE-900263
						SubTota
MYH0014	01/31/17	13:15	QR	739	11	
						MY-204832
						MY-216612
NPH4011	01/31/17	08:10	EK	231	4	
						AF-964091
						SubTota

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

PA	PK	1
PA	MM	3
WI	MM	
DA	MM	
PA	CD	1
PA	SS	1
PA	ET	1
PA	MM	3
WI	MM	
SO	MM	
PA	MM	3
WI	MM	
SO	MM	
PA	AF	4
SO	AF	
DA	AF	
SO	AF	

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

**ARRIVALS - 31 JANUARY 2017**

NPH4015	01/31/17	07:55	QR	703	5	
						CE-100445
						CE-100490
						(b)(6), (b)(7)(C), (b)(7)(E)
						SubTotal
NPH4026	01/31/17	13:35	QR	725	2	
						CE-940126
						SubTotal
NPH5014	01/31/17	13:35	QR	725	3	
						NP-940143
						NP-940146
						NP-940147
						SubTotal
NPH5018	01/31/17	16:35	QR	777	27	
						NP-126109
						NP-137935
						NP-138604
						NP-143154
						NP-144883
						NP-144996
						NP-147948

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

PA	AF	1
PA	PK	4
HU	PK	
SO	PK	
SO	PK	
PA	LK	2
BR	LK	
PA	NP	1
PA	NP	1
PA	NP	1
PA	BT	2
DA	BT	
PA	BT	2
WI	BT	
PA	BT	1
PA	BT	3
WI	BT	
SO	BT	
PA	BT	2
WI	BT	
PA	BT	2
WI	BT	
PA	BT	4

(b)(7)(E)

**ARRIVALS - 31 JANUARY 2017**

						NP-148077
						NP-148871
						NP-149064
						NP-149202
						NP-149380
						NP-149468
						SubTotal
NPH5019	01/31/17	14:55	EK	235	24	
						NP-125172
						NP-147577
						NP-148981
						NP-149323

WI	NP	
DA	BT	
SO	BT	
PA	BT	4
WI	BT	
SO	BT	
SO	BT	
PA	BT	1
PA	BT	1
PA	BT	2
DA	BT	
PA	BT	2
SO	BT	
PA	BT	1
PA	BT	3
WI	NP	
SO	BT	
PA	BT	3
DA	BT	
SO	BT	
PA	BT	5
WI	BT	
DA	BT	
DA	BT	
DA	BT	
PA	BT	4
WI	NP	
SO	BT	

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

(b)(7)(E)

**ARRIVALS - 31 JANUARY 2017**

						NP-149338
						NP-149429
						NP-149467
						NP-149551
						SubTotal
RUH0051	01/31/17	13:29	DL	049	1	
						RS-116950
						SubTotal
RWH0037	01/31/17	13:35	QR	725	2	
						RW-940651
						RW-940657
						SubTotal
SVH0016	01/31/17	11:50	AV	310	3	
						ES-106710
						ES-108094
						ES-109942
						SubTotal
SVH0017	01/31/17	11:25	AV	368	5	
						ES-108853
						ES-109071
						ES-200315
						ES-200760
						ES-201185
						SubTotal

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

DA	BT	
PA	BT	2
SO	BT	
PA	BT	2
DA	BT	
PA	BT	2
SO	BT	
PA	BT	3
WI	NP	
SO	BT	
PA	GN	1
PA	CD	1
PA	CD	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1

(b)(7)(E)

ARRIVALS - JANUARY 2017

SVH0021	01/31/17	11:07	AV	522	1	
						ES-109837
						SubTota
UAH0010	01/31/17	13:45	PS	231	34	
						UP-113488
						UP-114894
						UP-115170
						UP-115549
						UP-115692
						UP-116058
						UP-116335
						UP-116803
						UP-116888

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

PA	SV	1
PA	UA	2
SO	UA	
PA	UA	5
HU	UA	
DA	UA	
SO	UA	
SO	UA	
PA	UA	5
WI	UA	
SO	UA	
DA	UA	
DA	UA	
PA	ER	3
WI	ER	
SO	ER	
PA	UA	5
HU	UA	
DA	UA	
SO	UA	
SO	UA	
PA	UA	2
WI	UA	
PA	UA	1
PA	UA	2
WI	UA	
PA	UA	2

(b)(7)(E)





**ARRIVALS - 31 JANUARY 2017**

					SubTota	
UGH5045	01/31/17	13:35	QR	725	4	
						UG-940493
						UG-940498
					SubTota	
UGH5047	01/31/17	13:35	QR	725	1	
						UG-940457
						SubTota
ZAH3014	01/31/17	06:15	SA	209	22	
						MI-100085
						MI-100089
						MI-100110
						MI-100122
						MI-100123
						MI-120330
						MI-120438
						MI-120464
						MI-120735
						MI-120740

SO	CD	
DA	CD	
DA	CD	
PA	ER	1
PA	CD	1
PA	ET	2
PA	BI	1
PA	CD	4
SO	CD	
SO	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	3
HU	CD	
SO	CD	
PA	CD	3
DA	CD	
DA	CD	
PA	RW	1
PA	RW	5
WI	BI	

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

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

ARRIVALS - 31 JANUARY 2017

						MI-120755
					SubTotal	
ZAH3024	01/31/17	06:40	SA	203	6	
						MI-120429
						MI-120430
						MI-120461
					SubTotal	
ZMH0004	01/31/17	14:55	EK	235	30	
						ZA-100007
						ZA-100019
						ZA-100040
						ZA-100041
						ZA-100065
						ZA-100111
						ZA-100170

	SD	BI	
	SO	RW	
	SO	RW	
	PA	CD	1
	PA	CD	4
	HU	CD	
	DA	CD	
	SO	CD	
	PA	CD	1
	PA	CD	1
	PA	CD	3
	WI	CD	
	DA	CD	
	PA	CD	1
	PA	CD	1
	PA	CD	1
	PA	BI	1
	PA	CD	1
	PA	CD	9
	DA	CD	
	DA	CD	
	DA	CD	
	SO	CD	
	SO	CD	
	DA	CD	
	DA	CD	

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

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



**ARRIVALS - 31 JANUARY 2017**

(b)(7)(E)					
					ZA-100097
					ZA-100118
					ZA-100119
					ZA-100122
					ZA-100123
					ZA-121294
					ZA-121311
					ZA-121312
					ZA-121324
					ZA-121325
				ZA-121349	
				ZA-121381	

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

SO	CD	
DA	CD	
SO	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	3
DA	CD	
DA	CD	
PA	CD	1

(b)(7)(E)

288 pax

**ARRIVALS - 31 JANUARY 2017**

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	FBI Res	
ATH0545	01/31/17	16:50	UA	085	5		<b>(b)(6), (b)(7)(C)</b>							
						IS-100266			PA	ER	1			
						IS-100272			PA	ER	1			
						IS-100294			PA	ER	1			
						IS-100295			PA	ER	1			
						IS-100305			PA	ER	1			
						SubTotal								
ETH0074	01/31/17	13:25	QR	725	3									
						ET-138205			PA	ER	2			
									SO	ER				
						SubTotal								
ETH0075	01/31/17	19:15	ET	508	6									
						ET-127748			PA	ER	6			
									WI	ET				
									DA	ER				(b)(7)(E)
									SD	ET				
									SN	ET				
									SO	ER				
						SubTotal								
GHH0002	01/31/17	15:05	UA	951	19									
						CM-120508		PA	CF	1				
						CM-120518		PA	CF	2				
								DA	CF					
						CM-120526		PA	CF	1				
						CM-120538		PA	CF	1				
						CM-120544		PA	CF	1				
						CM-120545		PA	CF	1				
						CM-120546		PA	CF	1				
						CM-120547		PA	CF	2				



**ARRIVALS - 31 JANUARY 2017**

IDH0017	01/31/17	14:15	QR	701	1	
						IN-100335
						SubTota
IDH0019	01/31/17	14:15	QR	701	3	
						IN-100734
						SubTota
JOH5105	01/31/17	18:10	AF	010	1	
						MO-100147
						SubTota
KEH7013	01/31/17	16:00	LX	008	20	
						KE-565045
						SubTota
KEH7330	01/31/17	11:50	AA	087	1	
						KE-900263
						SubTota
MYH0014	01/31/17	13:15	QR	739	11	
						MY-204832
						MY-216612
NPH4011	01/31/17	08:10	EK	231	4	
						AF-964091
						SubTota

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

PA	PK	1
PA	MM	3
WI	MM	
DA	MM	
PA	CD	1
PA	SS	1
PA	ET	1
PA	MM	3
WI	MM	
SO	MM	
PA	MM	3
WI	MM	
SO	MM	
PA	AF	4
SO	AF	
DA	AF	
SO	AF	

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



**ARRIVALS - 31 JANUARY 2017**

NPH4015	01/31/17	07:55	QR	703	5	
						CE-100445
						CE-100490
						SubTotal
NPH4026	01/31/17	13:35	QR	725	2	
						CE-940126
						SubTotal
NPH5014	01/31/17	13:35	QR	725	3	
						NP-940143
						NP-940146
						NP-940147
						SubTotal
NPH5018	01/31/17	16:35	QR	777	27	
						NP-126109
						NP-137935
						NP-138604
						NP-143154
						NP-144883
						NP-144996
						NP-147948

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

PA	AF	1
PA	PK	4
HU	PK	
SO	PK	
SO	PK	
PA	LK	2
BR	LK	
PA	NP	1
PA	NP	1
PA	NP	1
PA	BT	2
DA	BT	
PA	BT	2
WI	BT	
PA	BT	1
PA	BT	3
WI	BT	
SO	BT	
PA	BT	2
WI	BT	
PA	BT	2
WI	BT	
PA	BT	4

(b)(7)(E)

**ARRIVALS - 31 JANUARY 2017**

					NP-148077
					NP-148871
					NP-149064
					NP-149202
					NP-149380
					NP-149468
					SubTotal
NPH5019	01/31/17	14:55	EK	235	24
					NP-125172
					NP-147577
					NP-148981
					NP-149323

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

WI	NP	
DA	BT	
SO	BT	
PA	BT	4
WI	BT	
SO	BT	
SO	BT	
PA	BT	1
PA	BT	1
PA	BT	2
DA	BT	
PA	BT	2
SO	BT	
PA	BT	1
PA	BT	3
WI	NP	
SO	BT	
PA	BT	3
DA	BT	
SO	BT	
PA	BT	5
WI	BT	
DA	BT	
DA	BT	
DA	BT	
PA	BT	4
WI	NP	
SO	BT	

(b)(7)(E)

**ARRIVALS - 31 JANUARY 2017**

						NP-149338
						NP-149429
						NP-149467
						NP-149551
						SubTota
RUH0051	01/31/17	13:29	DL	049	1	
						RS-116950
						SubTota
RWH0037	01/31/17	13:35	QR	725	2	
						RW-940651
						RW-940657
						SubTota
SVH0016	01/31/17	11:50	AV	310	3	
						ES-106710
						ES-108094
						ES-109942
						SubTota
SVH0017	01/31/17	11:25	AV	368	5	
						ES-108853
						ES-109071
						ES-200315
						ES-200760
						ES-201185
						SubTota

DA	BT	
PA	BT	2
SO	BT	
PA	BT	2
DA	BT	
PA	BT	2
SO	BT	
PA	BT	3
WI	NP	
SO	BT	
PA	GN	1
PA	CD	1
PA	CD	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1

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

(b)(7)(E)

**ARRIVALS - 31 JANUARY 2017**

SVH0021	01/31/17	11:07	AV	522	1	
						ES-109837
						SubTotal
UAH0010	01/31/17	13:45	PS	231	34	
						UP-113488
						UP-114894
						UP-115170
						UP-115549
						UP-115692
						UP-116058
						UP-116335
						UP-116803
						UP-116888

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

PA	SV	1
PA	UA	2
SO	UA	
PA	UA	5
HU	UA	
DA	UA	
SO	UA	
SO	UA	
PA	UA	5
WI	UA	
SO	UA	
DA	UA	
DA	UA	
PA	ER	3
WI	ER	
SO	ER	
PA	UA	5
HU	UA	
DA	UA	
SO	UA	
SO	UA	
PA	UA	2
WI	UA	
PA	UA	1
PA	UA	2
WI	UA	
PA	UA	2

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

**ARRIVALS - 31 JANUARY 2017**

					UP-116969
					UP-116970
					WP-909726
					SubTotal
UGH5004	01/31/17	13:24	DL	049	23
					UG-756748
					UG-757477
					UG-758129

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

WI	UA	
PA	UA	1
PA	UA	1
PA	UA	5
HU	UA	
DA	UA	
DA	UA	
DA	UA	
PA	CD	6
HU	CD	
SO	CD	
SO	CD	
DA	CD	
DA	CD	
PA	CD	5
WI	CD	
SO	CD	
SO	CD	
DA	CD	
PA	CD	12
HU	CD	
SO	CD	
SO	CD	
DA	CD	
SO	CD	
SO	CD	
SO	CD	
SO	CD	

(b)(7)(E)

ARRIVALS - JANUARY 2017

					SubTota
UGH5045	01/31/17	13:35	QR	725	4
					UG-940493
					UG-940498
					SubTota
UGH5047	01/31/17	13:35	QR	725	1
					UG-940457
					SubTota
ZAH3014	01/31/17	06:15	SA	209	22
					MI-100085
					MI-100089
					MI-100110
					MI-100122
					MI-100123
					MI-120330
					MI-120438
					MI-120464
					MI-120735
					MI-120740

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

SO	CD	
DA	CD	
DA	CD	
PA	ER	1
PA	CD	1
PA	ET	2
PA	BI	1
PA	CD	4
SO	CD	
SO	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	3
HU	CD	
SO	CD	
PA	CD	3
DA	CD	
DA	CD	
PA	RW	1
PA	RW	5
WI	BI	

(b)(7)(E)

ARRIVALS - 31 JANUARY 2017

						MI-120755
						SubTotal
ZAH3024	01/31/17	06:40	SA	203	6	
						MI-120429
						MI-120430
						MI-120461
						SubTotal
ZMH0004	01/31/17	14:55	EK	235	30	
						ZA-100007
						ZA-100019
						ZA-100040
						ZA-100041
						ZA-100065
						ZA-100111
						ZA-100170

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

SD	BI	
SO	RW	
SO	RW	
PA	CD	1
PA	CD	4
HU	CD	
DA	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	3
WI	CD	
DA	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	BI	1
PA	CD	1
PA	CD	9
DA	CD	
DA	CD	
DA	CD	
SO	CD	
SO	CD	
DA	CD	
DA	CD	

(b)(7)(E)

ARRIVALS - 31 JANUARY 2017

					ZA-121327
					ZA-121330
					ZA-121360
					SubTotal
ZMH0006	01/31/17	06:40	SA	203	35
					ZA-100009
					ZA-100031
					ZA-100032
					ZA-100042
					ZA-100050
					ZA-100051
					ZA-100056

SO	CD	
PA	CD	5
SO	CD	
SO	CD	
SO	CD	
SO	CD	
PA	CD	1
PA	CD	4
HU	CD	
SO	CD	
DA	CD	
PA	CD	3
WI	CD	
SO	CD	
PA	CD	1
PA	CD	6
SO	CD	
DA	CD	
DA	CD	
DA	CD	
DA	CD	
PA	CD	2
DA	CD	
PA	CD	1
PA	CD	3
SO	CD	
SO	CD	
PA	CD	5

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

(b)(7)(E)



**ARRIVALS - 31 JANUARY 2017**

					ZA-100097
					ZA-100118
					ZA-100119
					ZA-100122
					ZA-100123
					ZA-121294
					ZA-121311
					ZA-121312
					ZA-121324
					ZA-121325
					ZA-121349
					ZA-121381

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

SO	CD	
DA	CD	
SO	CD	
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	3
DA	CD	
DA	CD	
PA	CD	1

(b)(7)(E)

288 pax

**ARRIVALS - 1 FEBRUARY 2017**

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	FBI Res
EGH0039	02/01/17	13:10	LH	430	33		<b>(b)(6), (b)(7)(C)</b>						
						EG-108981		PA	ET		1		
						EG-110467		PA	ER		1		
						EG-112227		PA	ER		1		
EGH4022	02/01/17	13:10	LH	430	2								
						AG-100071		PA	CI		2		
								WI	CM				
						SubTotal							
ETH0009	02/01/17	09:00	ET	504	26								
						ET-136215		PA	ER		4		
								WI	ER				
								SO	ER				
								SO	ER				
						ET-138705		PA	ER		6		
								WI	ER				
								SO	ER				
								SO	ER				
								SO	ER				
						ET-138706		PA	ER		3		
								DA	ER				
								DA	ER				
						ET-138848		PA	ER		1		
						ET-139430		PA	ER		2		
								SO	ER				
						ET-139500		PA	ER		1		
						ET-943586		PA	ER		1		
						SubTotal							

(b)(7)(E)

**ARRIVALS - 1 FEBRUARY 2017**

GHH0013	02/01/17	16:34	DL	220	10	
						GH-126646
						GH-126647
						GH-126650
						GH-126711
						GH-126713
						SubTotal
GHH0020	02/01/17	18:50	TK	005	7	
						CD-120646
						CD-121101
						SubTotal
JOH5033	02/01/17	16:15	RJ	263	40	
						JO-136132
						SubTotal
NPH5020	02/01/17	12:25	CX	806	25	
						NP-107788

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

PA	SL	1
PA	SL	1
PA	SL	1
PA	CI	5
DA	CI	
GD	CI	
DA	CI	
DA	CI	
PA	CF	1
PA	CF	6
DA	CF	
DA	CF	
DA	CF	
SO	CF	
SO	CF	
PA	CF	1
PA	PS	6
WI	PS	
DA	PS	
DA	PS	
SD	PS	
DA	PS	
PA	BT	3

(b)(7)(E)

**ARRIVALS - 1 FEBRUARY 2017**

						NP-146046
						NP-149111
						NP-149196
						NP-149329
						NP-149412
						NP-149434
						NP-149470
						NP-149480
						NP-149680
						SubTotal
PKH1515	02/01/17	18:50	TK	005	8	
						PK-103518

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

DA	BT	
SO	BT	
PA	BT	1
PA	BT	2
SO	BT	
PA	BT	3
DA	BT	
SO	BT	
PA	BT	5
WI	NP	
DA	BT	
SO	BT	
SO	BT	
PA	BT	3
WI	BT	
DA	BT	
PA	BT	2
SO	BT	
PA	BT	2
DA	BT	
PA	BT	1
PA	BT	3
DA	BT	
DA	BT	
PA	AF	7
WI	AF	
SO	AF	
DA	AF	

(b)(7)(E)

**ARRIVALS - 1 FEBRUARY 2017**

						PK-103531
					SubTotal	
SVH0018	02/01/17	17:45	AA	1520	11	
						ES-108493
						ES-200372
						ES-200513
						ES-200576
						ES-200663
					SubTotal	
TRH0019	02/01/17	11:50	TK	003	38	
						TU-404655
TZH0393	02/01/17	07:55	QR	703	34	
						TZ-125755
						TZ-125915

DA	AF	
DA	AF	
SO	AF	
PA	AF	1
PA	SV	1
PA	SV	2
DA	SV	
PA	SV	1
PA	SV	2
DA	SV	
PA	SV	5
SO	SV	
DA	SV	
SO	SV	
SO	SV	
PA	AF	5
WI	AF	
SO	AF	
SO	AF	
DA	AF	
PA	CD	1
PA	CD	5
DA	CD	
DA	CD	

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

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

ARRIVALS - 1 FEBRUARY 2017

					TZ-126197
					TZ-126204
					TZ-126769
					TZ-126788
					TZ-940425

SO	CD	
SO	CD	
PA	CD	8
WI	CD	
DA	CD	
SO	CD	
SO	CD	
DA	CD	
DA	CD	
SO	CD	
PA	CD	8
WI	CD	
SO	CD	
DA	CD	
SO	CD	
DA	CD	
DA	CD	
SO	CD	
PA	CD	1
PA	CD	6
DA	CD	
SO	CD	
SO	CD	
SO	CD	
SO	CD	
PA	CD	5
WI	CD	
SO	CD	
DA	CD	
DA	CD	

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

(b)(7)(E)

ARRIVALS - 1 FEBRUARY 2017

					SubTota	
UAH0032	02/01/17	14:45	PS	231	17	
						UP-116123
						UP-116124
						UP-116225
						UP-116315
						UP-116423
						UP-117153
						UP-117214
					SubTota	
UAH0036	02/01/17	12:55	LH	456	6	
						UP-900952
					SubTota	
UGH5026	02/01/17	19:05	TK	007	21	
						UG-756072

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

PA	UA		2
WI	UA		
PA	UA		3
WI	UA		
DA	UA		
PA	UA		1
PA	UA		5
HU	UA		
DA	UA		
SO	UA		
DA	UA		
PA	UA		1
PA	UA		4
HU	UA		(b)(7)(E)
DA	UA		
SO	UA		
PA	UA		1
PA	UA		6
HU	UA		
DA	UA		
DA	UA		
DA	UA		
DA	UA		
PA	CD		5

**ARRIVALS - 1 FEBRUARY 2017**

					UG-757292
					UG-940556
					UG-940620
					UG-940698
					UG-940912
					SubTotal
UGH5048	02/01/17	12:45	EK	215	4
					UG-758091
					SubTotal

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

DA	CD	
SO	CD	
SO	CD	
SD	CD	
PA	CD	1
PA	CD	9
WI	CD	
SO	CD	
SO	CD	
SO	CD	
SO	CD	
SO	CD	
DA	CD	
SO	CD	
PA	CD	5
HU	CD	
SO	CD	
DA	CD	
PA	CD	1
PA	CD	1
PA	CD	5
WI	CD	
SO	CD	
DA	CD	

(b)(7)(E)

178 pax



2-Feb-17

PF #	DOA PoE	Arr Time	Carrier	Flt	Total Pax	Case	Individual Name	Birthdate	Relation	Nationality	Size	Po E	FBI Res	
ECH0004	02/02/17	12:11	AA	932	9		<b>(b)(6), (b)(7)(C)</b>							
						EC-102491		PA	CO	1				
						EC-102492		PA	CO	1				
						EC-102515		PA	CO	3				
								DA	CO					
								DA	CO					
						EC-102524		PA	CO	2				
								DA	CO					
						EC-102563		PA	CO	2				
								DA	CO					
						SubTotal								
ETH0010	02/02/17	16:20	LH	402	40									
						ET-136987		PA	ER	1				
						ET-136988		PA	ER	1				
						ET-137018		PA	ER	2				(b)(7)(E)
								DA	ER					
						ET-137989		PA	ER	2				
								DA	ER					
						ET-138038		PA	ER	5				
								WI	ER					
							DA	ER						
							SO	ER						
							SO	ER						
						ET-138316	PA	ER	1					
						ET-138491	PA	ER	1					
						ET-138497	PA	ER	1					
						ET-138646	PA	ER	1					
						ET-138651	PA	ER	1					
						ET-138739	PA	ER	1					

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						ET-138878
						ET-138883
						ET-138919
						ET-139373
						ET-139858
						ET-140183
						SubTotal
ETH0011	02/02/17	14:00	QR	725	30	
						ET-133478
						ET-134046
						ET-137602
						ET-139206
						SubTotal
ETH0012	02/02/17	15:45	QR	713	26	
						ET-943913
						ET-943976
						ET-944014

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

PA	ER	1
PA	ER	1
PA	ER	1
PA	ER	1
PA	ER	4
DA	ER	
SO	ER	
SO	ER	
PA	ER	1
PA	ER	8
WI	ER	
DA	ER	
GS	ER	
GD	ER	
SO	ER	
DA	ER	
SO	ER	
PA	ER	2
DA	ER	
PA	ER	1
PA	ER	1
PA	ET	2
DA	ET	
PA	ET	1
PA	ER	4
DA	ER	

(b)(7)(E)

2-Feb-17

							ET-944015
							ET-944046
							ET-944109
							ET-944129
							SubTotal
JOH5112	02/02/17	16:30	RJ	261		1	
							JO-136434
							SubTotal
KEH7014	02/02/17	12:16	DL	0047		31	
							KE-562841
							KE-564929
							KE-566344
							KE-567377
							KE-567635
							KE-568152
							KE-568171
							KE-568677
							SubTotal
MYH0004	02/02/17	14:15	QR	701		3	
							MY-219846

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

DA	ER	
PA	ER	4
DA	ER	
DA	ER	
DA	ER	
PA	ET	3
DA	ET	
PA	ET	4
DA	ET	
DA	ET	
PA	ER	3
SO	ER	
DA	ER	
PA	JO	1
PA	ET	1
PA	CD	2
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	CD	1
PA	UG	1
PA	MM	3

(b)(7)(E)

2-Feb-17

					SubTotal	
NPH5021	02/02/17	12:25	CX	806	27	
						NP-148145
						NP-149147
						NP-149148
						NP-149183
						NP-149192
						NP-149213
						NP-149247
						NP-149255
						NP-149299
						NP-149300
						NP-149424
						NP-149554

HU	MM	
SO	MM	
PA	BT	2
WI	IN	
PA	BT	1
PA	BT	1
PA	BT	4
WI	NP	
DA	BT	
DA	BT	
PA	BT	1
PA	BT	2
WI	BT	
PA	BT	2
WI	BT	
PA	BT	1
PA	BT	1
PA	BT	3
WI	BT	
SO	BT	
PA	BT	3
SO	BT	
DA	BT	
PA	BT	6
WI	NP	
DA	BT	
SO	BT	
DA	BT	

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

(b)(7)(E)

2-Feb-17

					SubTotal	
PKH1513	02/02/17	16:35	QR	777	5	
						PK-103455
					SubTotal	
PKH1514	02/02/17	18:25	TK	001	16	
						PK-103414
						PK-103464
						PK-103473
					SubTotal	
PKH1516	02/02/17	13:15	QR	739	14	
						PK-102909

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

DA	BT	
PA	AF	5
WI	AF	
SO	AF	
DA	AF	
DA	AF	
PA	AF	6
WI	AF	
SO	AF	
DA	AF	
SO	AF	
SO	AF	
PA	AF	5
WI	AF	
SO	AF	
SO	AF	
SO	AF	
PA	AF	5
SO	AF	
SO	AF	
SO	AF	
PA	AF	6
WI	AF	

(b)(7)(E)

2-Feb-17

						PK-103195
						PK-103519
						PK-103520
						PK-103521
						PK-103522
					SubTotal	
PKH1517	02/02/17	15:45	QR	713	8	
						PK-103463
						PK-103526
					SubTotal	
SVH0020	02/02/17	17:45	AA	1520	13	
						ES-100148
						ES-100496
						ES-100497
						ES-106886

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

SO	AF	
SO	AF	
SO	AF	
DA	AF	
PA	AF	3
WI	AF	
DA	AF	
PA	AF	1
PA	AF	1
PA	AF	2
SO	AF	
PA	AF	1
PA	AF	3
WI	AF	
DA	AF	
PA	AF	5
WI	AF	
SO	AF	
SO	AF	
SO	AF	
PA	SV	3
SO	SV	
SO	SV	
PA	SV	1
PA	SV	1
PA	SV	1

(b)(7)(E)

2-Feb-17

					ES-108795
					ES-109256
					ES-109980
					ES-200726
					ES-201501
					ES-201502
					SubTotal
THH0012	02/02/17	21:00	CX	890	20
					TH-144887
					TH-148945
					TH-149292
					TH-151054
					TH-152626
					TH-157064
					TH-157318
					TH-157708
					TH-158551
					SubTotal

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

PA	SV	2
DA	SV	
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	SV	1
PA	MM	1
PA	MM	1
PA	MM	1
PA	MM	3
WI	MM	
DA	MM	
PA	MM	1
PA	MM	1
PA	MM	4
SO	MM	
DA	MM	
SO	MM	
PA	MM	6
WI	MM	
DA	MM	
SO	MM	
SO	MM	
DA	MM	
PA	MM	2
DA	MM	

(b)(7)(E)

2-Feb-17

THH0017	02/02/17	12:40	CI	006	7	
						TH-157747
						SubTota
THH0129	02/02/17	12:40	CI	006	4	
						TH-157906
						SubTota
THH0170	02/02/17	08:30	KE	037	1	
						BM-940992
						SubTota
TRH0151	02/02/17	12:55	LH	456	5	
						TU-402044
						TU-402045
						TU-409280
						SubTota
UAH0011	02/02/17	13:45	PS	231	40	
						UP-114875
						UP-116112
						UP-116458

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

PA	MM	7
WI	MM	
SO	MM	
DA	MM	
SO	MM	
SO	MM	
SO	MM	
PA	MM	4
WI	MM	
DA	MM	
DA	MM	
PA	MM	1
PA	AF	3
BR	AF	
BR	AF	
PA	AF	1
PA	AF	1
PA	UA	1
PA	UA	1
PA	UA	2
HU	UA	

(b)(7)(E)



2-Feb-17

					UP-116524
					UP-116629
					UP-116639
					UP-116710
					UP-116859
					UP-116960
					UP-116961
					UP-117478
					UP-900639
					UP-900668

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

PA	UA	2
HU	UA	
PA	UA	14
WI	UA	
SO	UA	
DA	UA	
SO	UA	
SO	UA	
SO	UA	
DA	UA	
DA	UA	
DA	UA	
SO	UA	
SO	UA	
DA	UA	
SO	UA	
PA	UA	1
PA	UA	2
HU	UA	
PA	UA	1
PA	UA	1
PA	UA	1
PA	UA	3
WI	UA	
SO	UA	
PA	UA	3
HU	UA	
DA	UA	
PA	UA	5
WI	UA	

(b)(7)(E)



2-Feb-17

						UG-940731
						UG-940736
						UG-940765
						UG-940899
						UG-940913
						SubTotal
UGH5039	02/02/17	11:45	KL	601	10	
						UG-756622
						UG-757853
						UG-758092
						SubTotal
UGH5043	02/02/17	08:15	EK	203	22	
						UG-753641

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

DA	CD	
DA	CD	
PA	CD	6
WI	CD	
SO	CD	
SO	CD	
SO	CD	
PA	CD	2
SO	CD	
PA	CD	1
PA	CD	1
PA	CD	2
DA	CD	
PA	CD	1
PA	CD	8
SO	CD	
SO	CD	
SO	CD	
SO	CD	
DA	CD	
DA	CD	
DA	CD	
PA	CD	1
PA	CD	4
HU	RW	
DA	RW	

(b)(7)(E)

2-Feb-17

						UG-755831
						UG-756715
						UG-758332
						UG-940563
						UG-940797
						SubTotal

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

SO	RW	
PA	CD	7
WI	CD	
DA	CD	
DA	CD	
DA	CD	
DA	CD	
DA	CD	
SO	CD	
PA	CD	2
HU	CD	
PA	CD	7
WI	CD	
SO	CD	
DA	CD	
SO	CD	
SO	CD	
DA	CD	
PA	CD	1
PA	CD	1

(b)(7)(E)

309 pax

## Executive Order Tracking - Cumulative Totals

Field Office: ALL

Date: 1/27/2017 -1/31/2017

Report Time: 5:00 AM

Cumulative										
Country	Number of Non-Immigrant Visa Encounters	Number of Immigrant Visa Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number Immigrants not granted waivers
Iran	69	10	688	1	54	0	(b)(6), (b)(7)(C)	3	19	0
Iraq	65	9	353	0	64	0		0	3	0
Libya	1	3	7	0	0	0		0	1	0
Somalia	0	5	24	0	2	0		0	0	0
Sudan	14	8	69	0	18	0		0	4	0
Syria	32	16	100	0	35	0		0	4	1
Yemen	12	15	33	0	13	0		0	8	0
<b>Total</b>	<b>193</b>	<b>66</b>	<b>1274</b>	<b>1</b>	<b>186</b>	<b>0</b>		<b>3</b>	<b>39</b>	<b>1</b>

## Executive Order Tracking - Reporting Period Totals

2100-0500 January 31, 2017

Country	Number of Non-Immigrant Encounters	Number of Immigrant Encounters	Number of LPR Encounters	Number of Refugees Encounters	Number of Withdrawals Granted	Number of Expedited Removals	Number of Expedited Removals with Fear Claim	Number of Non-Immigrants not granted waivers	Number of Non-Immigrants granted waivers	Number Immigrants not granted waivers
Iran	6	0	30	0	4	0	(b)(6), (b)(7)(C)	0	2	0
Iraq	0	0	42	0	0	0		0	0	0
Libya	0	0	1	0	0	0		0	0	0
Somalia	0	0	2	0	0	0		0	0	0
Sudan	0	0	5	0	0	0		0	0	0
Syria	2	1	7	0	2	0		0	0	0
Yemen	0	0	1	0	0	0		0	0	0
<b>Total</b>	<b>8</b>	<b>1</b>	<b>88</b>	<b>0</b>	<b>6</b>	<b>0</b>		<b>0</b>	<b>2</b>	<b>0</b>

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 11:55 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: CBP News Clips 03 February 2017  
**Attachments:** CBP News Clips 03 February 2017  
**Importance:** High

(b)(6), (b)(7)(C) discussed...please have team provide brief recap/bullets/timeline of this inspection (see below link)...if anything out of the ordinary occurred or was said with the passengers, please let me know...thanks...

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

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

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

**From:** CBP Public Affairs (b)(7)(E)  
**Sent:** Friday, February 03, 2017 7:02 AM  
**To:** OFO-FIELD LIAISON <(b)(7)(E)>  
**Subject:** CBP News Clips 03 February 2017

(b)(7)(E)

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**From:** CBP Public Affairs (b)(7)(E)  
**Sent:** Friday, February 03, 2017 7:02 AM  
**To:** OFO-FIELD LIAISON  
**Subject:** CBP News Clips 03 February 2017

(b)(7)(E)