

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:46 PM
To: (b)(6), (b)(7)(C) ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: RE: FINAL SIGNED EO FOR ACTION

I have read the guidance and will have the overnight shift start reviewing the flights for the mornings.

SUPERVISOR (Acting)

(b)(6), (b)(7)(C)
U.S. Customs And Border Protection
Atlanta Hartsfield-Jackson Int'l Airport

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

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From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:43 PM
To: (b)(6), (b)(7)(C); ATL CHIEFS-HFA002A (b)(7)(E); ATL MANAGERS-HFA002A <(b)(7)(E)>; ATL SUPERVISORS-HFA002A <(b)(7)(E)>; ATL SUPERVISORS-HFA002A <(b)(7)(E)>
Subject: RE: FINAL SIGNED EO FOR ACTION

Seduced.. I love spell check.

Also - everybody, regardless of status, from these countries, gets (b)(7)(E)

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:34:02 PM
To: ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: FW: FINAL SIGNED EO FOR ACTION

All,

See below. Read the executive order. Starting at 0500 tomorrow, all nonimmigrants and immigrants from the countries listed therein are inadmissible. LPRs may be eligible for relief from the DFO. However, we are awaiting guidance from HQ. I need the overnight shift to start sweeping flights arriving this morning. Any aliens from these countries should be detained and reported to myself and the APDs.

This is serious, I need acknowledgement from the WC and overnight sup that we are sweeping flights for these individuals. I need a list of arriving aliens from these countries seduced to land in Atlanta at least 2 hours before they get here.

State and (b)(7)(E) are working to cancel visas. However, it will likely be 3 or 4 days before all individuals from these countries are out of the air. I need you to dig down and get ahead of this. Don't fail us.

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

From: MANNING, REGINALD I

Sent: Friday, January 27, 2017 9:38:24 PM

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

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

Subject: FW: FINAL SIGNED EO FOR ACTION

This is the executive order signed this evening by the President. It basically states that all immigrants and non-immigrant from Iraq, Iran, Sudan, Libya, Somalia, Syria, and Yemen are to be refused entry to the US.

There are exceptions to this case LPRs being one of them where S1 can authorize a waiver for the traveler. This authority for LPRs has been delegated to the DFO but requires (b)(7)(E) and a thorough narrative. Advanced paroles are also eligible for a waiver as well. As of now, if we encounter ANYONE FROM THE SEVEN COUNTRIES previously identified, (b)(7)(E) to ensure we take the appropriate action.

I am awaiting formal guidance from APP later this evening that I will provide as well. There will be a reporting requirement to OPS that will be due early in the morning on the encounters.

APP and the (b)(7)(E) are available if there are additional questions and those questions should be submitted to the Field Office's Border Security Staff.

Please review the EO and be prepared to notify your WCs, Chiefs, SCBPOs, and CBPOs of the guidance as it is effective immediately.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office

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

OFO PROUD!

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

Sent: Friday, January 27, 2017 9:07:26 PM

To: DIRECTORS FIELD OPS

Subject: FW: FINAL SIGNED EO FOR ACTION

Thank you,

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

Acting Deputy Executive Director
Operations
US Customs and Border Protection

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

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

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

To: HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)

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

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

Subject: FW: FINAL SIGNED EO FOR ACTION

From: MCALEENAN, KEVIN K

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

To: WAGNER, JOHN P (b)(6), (b)(7)(C)
FLANAGAN, PATRICK S

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

Subject: FINAL SIGNED EO FOR ACTION

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 1:16 AM
To: (b)(6), (b)(7)(C); ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: RE: FINAL SIGNED EO FOR ACTION

Sir,
 As of right now, (b)(7)(E) All
 are arriving after 1200 hours

Nationality	Last name	First name	Middle name	Date of Birth	Citizenship
1	IQ				IQ
2	IR				IR
3	IR				IR
4	IR				IR
5	IR				IR
6	IR				IR
7	SY				SY
8	SD				SD
9	IR				IR
1	IR				IR
1	IR				IR
1	IR				IR
2	IR				IR
1	IR				IR
3	IR				IR
1	IQ				IQ
1	IR				IR
5	IR				IR
1	IR				IR
6	IR				IR
1	IR				IR
7	SY				SY
1	IR				IR
8	IR				IR
1	IR				IR
9	IR				IR
2	IR				IR
2	IR				IR
2	IR				IR
1	IR				IR
2	IR				IR
2	IR				IR
2	IR				IR
3	IR				IR

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

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

U.S. Customs And Border Protection
Atlanta Hartsfield-Jackson Int'l Airport

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

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From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 11:47 PM
To: (b)(6), (b)(7)(C) ATL CHIEFS-HFA002A (b)(7)(E)
(b)(7)(E); ATL MANAGERS-HFA002A (b)(7)(E); ATL SUPERVISORS-HFA002A (b)(7)(E)
Subject: RE: FINAL SIGNED EO FOR ACTION

Thank you. Excellent work!

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 11:44:50 PM
To: (b)(6), (b)(7)(C) ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: RE: FINAL SIGNED EO FOR ACTION

Sir,

The following actions have taken place:

- 1) a brief introductory muster was held for the "anchor" shift officers

(b)(7)(E)

- 5) the muster sheet was printed and signed by the "anchor" shift personnel
- 6) the muster sheets and documents for immediate dissemination in the am will be ready

Thank you -
Have a great and blessed day!

V/R,

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

U. S. Customs and Border Protection
Hartsfield-Jackson Int'l Airport

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

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This email message and all documents that accompany it are intended only for the use of the individual or entity to which addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader is not the intended recipient, any disclosure, distribution or other use of this email is prohibited. If you have received this email message in error, please notify the sender immediately

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:48 PM
To: (b)(6), (b)(7)(C); ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: RE: FINAL SIGNED EO FOR ACTION

Outstanding

From: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:48:25 PM
To: (b)(6), (b)(7)(C) ATL CHIEFS-HFA002A; ATL MANAGERS-HFA002A; ATL SUPERVISORS-HFA002A
Subject: RE: FINAL SIGNED EO FOR ACTION

Sir,

Understood and SCBPO (b)(6), (b)(7)(C) and I are formulating a plan and the midnight team will sweep the flights in arrival order.

Thank you -
Have a great and blessed day!

V/R,

(b)(6), (b)(7)(C)
U. S. Customs and Border Protection
Hartsfield-Jackson Int'l Airport

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

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SUPERVISOR (Acting)

(b)(6), (b)(7)(C)
U.S. Customs And Border Protection
Atlanta Hartsfield-Jackson Int'l Airport

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

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Subject: FW: FINAL SIGNED EO FOR ACTION

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

From: MANNING, REGINALD I
Sent: Friday, January 27, 2017 9:38:24 PM
To: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
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Please review the EO and be prepared to notify your WCs, Chiefs, SCBPOs, and CBPOs of the guidance as it is effective immediately.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office

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

OFO PROUD!

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

Thank you,

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

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

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

From: MCALEENAN, KEVIN K

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

To: WAGNER, JOHN P <
FLANAGAN, PATRICK S <

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

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

Subject: FINAL SIGNED EO FOR ACTION

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 2:45 PM
To: (b)(6), (b)(7)(C)
Subject: Automatic reply: EO video

I am currently out of the office.

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 8:03 PM
To: (b)(6), (b)(7)(C) MANNING, REGINALD I; (b)(6), (b)(7)(C);
 (b)(6), (b)(7)(C);
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C);
 (b)(6), (b)(7)(C)
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good evening,

The Area Port of Norfolk is submitting a negative 2030 report.

In addition the 0430 report for tomorrow Feb. 1st will also be negative.

Thank you,

(b)(6), (b)(7)(C)
 Watch Commander
 Customs and Border Protection
 Area Port of Norfolk, Virginia
 (b)(6), (b)(7)(C) (office)
 (b)(6), (b)(7)(C) (mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:49:26 PM
To: ATL WATCH COMMANDERS; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: MANNING, REGINALD I; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Update 3 – Effectively immediately, please utilize the attached reporting spreadsheet “Copy of Executive Order Reporting” and update under the Atlanta tab. As you will see there are some additional columns. Please DO NOT change anything within the spreadsheet as HQs has specific formulas set up.

In addition, please report any individuals being held due to the EO within the “FO EO Individuals Being Held” spreadsheet.

Reporting times remain – 0430, 1430 and 2030 for BOTH spreadsheets.

(b)(6), (b)(7)(C)
 CBP Officer/Program Manager

Field Operations Atlanta
U.S. Customs and Border Protection

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

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

Good afternoon DFOs and ADFOs,

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

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

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

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

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

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

Thank you,

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



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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:33 PM
To: OFO-FIELD LIAISON <(b)(7)(E)>; DIRECTORS FIELD OPS <(b)(7)(E)>; EXECUTIVE DIRECTORS HQ <(b)(7)(E)>; BORDER SECURITY ASST DIRECTORS <(b)(7)(E)>; TRADE OPERATIONS ASST DIRECTORS <(b)(7)(E)>; MISSION SUPPORT ASST DIRECTORS <(b)(7)(E)>
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); MURDOCK, JUDSON W <(b)(6), (b)(7)(C)>; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Importance: High

Directors,

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

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

As a reminder:

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

Thank you for your patience and flexibility.

Thank you,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison ((b)(7)(E)). Reports

must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

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

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 9:06 PM
To: NORFOLK MANAGERS AND SUPERVISORS
Subject: FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Good evening,

Please see the below and muster.

Effective immediately, we 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”*

Field Offices are instructed to immediately resume inspection of travelers in accordance with standard policy and procedure.

Thank you,

(b)(6), (b)(7)(C)
Watch Commander
Customs and Border Protection
Area Port of Norfolk, Virginia
(b)(6), (b)(7)(C) (office)
(b)(6), (b)(7)(C) mobile)

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 8:44 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Ensure this gets mustered and guidance is followed accordingly.

From: MANNING, REGINALD I
Sent: Friday, February 03, 2017 8:39:01 PM
To: DAVIS, CAREY T; (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

EFFECTIVE IMMEDIATELY, all elements of the EO are suspended until further notice.

For more details, please refer to the Acting Commissioner's direction in the message below.

PLEASE ACKNOWLEDGE RECEIPT.

Reginald Manning

Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: MCALEENAN, KEVIN K
Sent: Friday, February 03, 2017 8:23:19 PM
To: Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; DIRECTORS FIELD OPS
Cc: ALLES, RANDOLPH D; (b)(6), (b)(7)(C); KOLLER, JULIE (OCC); HUTTON, JAMES R; 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.

(b)(5)

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: Thursday, February 02, 2017 11:49 AM
To: NORFOLK CHIEF SCBPOS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: NORFOLK-WATCH-COMMANDERS
Subject: FW: Redlegation of 3(g) Authority
Attachments: Executive Order Redlegation From Commissioner to OFO SES Draft 2-1-17.docx

Good morning,

Please brief your supervisors on the below and attached update on the delegation authority.

The DFO may now adjudicate all exceptions related to the subject Executive Order.

Thanks,

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

Watch Commander
Customs and Border Protection
Area Port of Norfolk, VA

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

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

Sent: Thursday, February 02, 2017 9:06 AM

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

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

Subject: FW: Redlegation of 3(g) Authority

Ensure this gets to the Chief's and Sups.

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

Assistant Port Director
Area Port of Norfolk
U.S. Customs and Border Protection

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

From: MANNING, REGINALD I

Sent: Thursday, February 02, 2017 8:24 AM

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

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

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

Subject: FW: Redlegation of 3(g) Authority

FYI and appropriate dissemination.

Reginald J. Manning

Director Field Operations
Atlanta Field Office

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

OFO PROUD!

From: HOFFMAN, TODD A

Sent: Wednesday, February 01, 2017 10:29 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: Redefinition of 3(g) Authority

Directors,

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

From: HUTTON, JAMES R

Sent: Wednesday, February 01, 2017 7:16:55 PM

To: HOFFMAN, TODD A

Subject: Redefinition of 3(g) Authority

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC



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



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

DELEGATED BY

Commissioner

DELEGATED TO

Deputy Commissioner
 Executive Assistant Commissioner, Field Operations
 Deputy Executive Assistant Commissioner, Field Operations
 Executive Director Operations, Field Operations
 Executive Director, (b)(7)(E)
 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)

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 2:11 PM
To: (b)(6), (b)(7)(C); MANNING, REGINALD I; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); NORFOLK-WATCH-COMMANDERS; MARSHALL,
 (b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

(b)(6), (b)(7)(C)
 Watch Commander
 Customs and Border Protection
 Area Port of Norfolk, VA
 (b)(6), (b)(7)(C) (office)
 (b)(6), (b)(7)(C) (cell)

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 02, 2017 12:01 PM
To: (b)(6), (b)(7)(C); MANNING, REGINALD I <(b)(6), (b)(7)(C)>;
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); NORFOLK-WATCH-COMMANDERS <(b)(7)(E)>; (b)(6), (b)(7)(C);
 (b)(6), (b)(7)(C)
Subject: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good afternoon,

The Area Port of Norfolk is submitting a negative 1430 report.

Thank you,

(b)(6), (b)(7)(C)
 Watch Commander
 Customs and Border Protection
 Area Port of Norfolk, VA
 (b)(6), (b)(7)(C) (office) (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) (cell)
 (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:49:26 PM
To: ATL WATCH COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: MANNING, REGINALD I; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Update 3 – Effectively immediately, please utilize the attached reporting spreadsheet “Copy of Executive Order Reporting” and update under the Atlanta tab. As you will see there are some additional columns. Please DO NOT change anything within the spreadsheet as HQs has specific formulas set up.

In addition, please report any individuals being held due to the EO within the “FO EO Individuals Being Held” spreadsheet.

Reporting times remain – 0430, 1430 and 2030 for BOTH spreadsheets.

(b)(6), (b)(7)(C)
 CBP Officer/Program Manager
 Field Operations Atlanta
 U.S. Customs and Border Protection

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

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

Good afternoon DFOs and ADFOs,

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

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

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

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

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

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

Thank you,

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

Branch Chief

U.S. Customs and Border Protection

Office of Field Operations

Field Liaison Division

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

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

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

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

Desk:

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

BB:



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

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

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

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

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

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

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

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

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

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

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

Importance: High

Directors,

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

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

As a reminder:

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

Thank you for your patience and flexibility.

Thank you,

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

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

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

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

Office of Field Operations

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

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

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

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

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

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 2:13 PM
To: (b)(6), (b)(7)(C); MANNING, REGINALD I; (b)(6), (b)(7)(C);
(b)(6), (b)(7)(C);
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C);
(b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good afternoon,

The Area Port of Norfolk is submitting a negative 1430 report.

Thank you,

(b)(6), (b)(7)(C)
Watch Commander
Customs and Border Protection
Area Port of Norfolk, VA
(b)(6), (b)(7)(C) (office)
(b)(6), (b)(7)(C) (cell)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:49:26 PM
To: ATL WATCH COMMANDERS; (b)(6), (b)(7)(C);
(b)(6), (b)(7)(C);
(b)(6), (b)(7)(C);
(b)(6), (b)(7)(C)
Cc: MANNING, REGINALD I; (b)(6), (b)(7)(C);
(b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Update 3 – Effectively immediately, please utilize the attached reporting spreadsheet “Copy of Executive Order Reporting” and update under the Atlanta tab. As you will see there are some additional columns. Please DO NOT change anything within the spreadsheet as HQs has specific formulas set up.

In addition, please report any individuals being held due to the EO within the “FO EO Individuals Being Held” spreadsheet.

Reporting times remain – 0430, 1430 and 2030 for BOTH spreadsheets.

(b)(6), (b)(7)(C)
CBP Officer/Program Manager
Field Operations Atlanta

U.S. Customs and Border Protection

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

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

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

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

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

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

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

Good afternoon DFOs and ADFOs,

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

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

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

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

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

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

Thank you,

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

Branch Chief

U.S. Customs and Border Protection

Office of Field Operations

Field Liaison Division

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

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

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

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

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

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

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



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

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

Directors,

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

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

As a reminder:

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

Thank you for your patience and flexibility.

Thank you,

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

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

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

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

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

Cc: (b)(6), (b)(7)(C); OFO-FIELD LIAISON (b)(7)(E);
 CAMPBELL, CARL S <CARL.S.CAMPBELL@cbp.dhs.gov>; O'DONNELL, MARTIN E <MARTIN.E.O'DONNELL@cbp.dhs.gov>;
 MURDOCK, JUDSON W <(b)(6), (b)(7)(C)>
 (b)(6), (b)(7)(C)

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

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

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

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

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

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

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison ((b)(7)(E)). Reports

must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

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

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 9:26 PM
To: NORFOLK CHIEF SCBPOS; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS
Subject: FW: Executive Order- Protecting the Nation from Foreign Terrorist Entry into the United States - Report.

FYI and as needed-

Thanks,

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

Watch Commander
Customs and Border Protection
Area Port of Norfolk, VA

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

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 9:22 PM
To: (b)(6), (b)(7)(C)

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

Cc: MANNING, REGINALD I <(b)(6), (b)(7)(C)>

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

Subject: FW: Executive Order- Protecting the Nation from Foreign Terrorist Entry into the United States - Report.

Good Evening,

Please see email below from the EO CAT concerning additional information regarding the processing of refugees.

Should you have additional information you would like to include, please provide a narrative in the email when you send your report.

Thanks,

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

Border Security Coordinator
Field Operations Atlanta

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

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

Sent: Monday, January 30, 2017 9:00:40 PM

To: (b)(6), (b)(7)(C) MANNING, REGINALD I; (b)(6), (b)(7)(C) DURST, CASEY OWEN; (b)(6), (b)(7)(C)

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

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

Subject: Executive Order- Protecting the Nation from Foreign Terrorist Entry into the United States - Report.

Good evening Directors,

CBP CAT is requesting that you include an additional item when you submit your Executive Order- Protecting the Nation from Foreign Terrorist Entry into the United States - Report.

(b)(7)(E)

Thank you for your assistance.

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

Field Liaison Division
Office of Field Operations
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW, Room 2.3A-5
Washington, DC 20229

Office: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)
E-Mail: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 12:01 PM
To: (b)(6), (b)(7)(C) MANNING, REGINALD I; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; MARSHALL,
 (b)(6), (b)(7)(C)
Subject: RE: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Good afternoon,

The Area Port of Norfolk is submitting a negative 1430 report.

Thank you,

(b)(6), (b)(7)(C)
 Watch Commander
 Customs and Border Protection
 Area Port of Norfolk, VA
 (b)(6), (b)(7)(C) office (b)(6), (b)(7)(C)
 cell
 (b)(6), (b)(7)(C)

WARNING: This document is FOR OFFICIAL USE ONLY (FOUO). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:49:26 PM
To: ATL WATCH COMMANDERS; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: MANNING, REGINALD I; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: UPDATE #3: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States

Update 3 – Effectively immediately, please utilize the attached reporting spreadsheet “Copy of Executive Order Reporting” and update under the Atlanta tab. As you will see there are some additional columns. Please DO NOT change anything within the spreadsheet as HQs has specific formulas set up.

In addition, please report any individuals being held due to the EO within the “FO EO Individuals Being Held” spreadsheet.

Reporting times remain – 0430, 1430 and 2030 for BOTH spreadsheets.

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

CBP Officer/Program Manager
 Field Operations Atlanta
 U.S. Customs and Border Protection

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

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

Good afternoon DFOs and ADFOs,

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

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

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

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

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

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

Thank you,

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

Unclass: (b)(6), (b)(7)(C)
 HSDN: (b)(6), (b)(7)(C)
 NOC: (b)(6), (b)(7)(C)
 JWICS: (b)(6), (b)(7)(C)
 Desk: (b)(6), (b)(7)(C)
 Fax: (b)(6), (b)(7)(C)
 BB: (b)(6), (b)(7)(C)



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From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 8:33 PM
To: OFO-FIELD LIAISON <(b)(7)(E)>; DIRECTORS FIELD OPS <(b)(7)(E)>; EXECUTIVE DIRECTORS HQ <(b)(7)(E)>; BORDER SECURITY ASST DIRECTORS <(b)(7)(E)>; TRADE OPERATIONS ASST DIRECTORS <(b)(7)(E)>; MISSION SUPPORT ASST DIRECTORS <(b)(7)(E)>
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); MURDOCK, JUDSON W <(b)(6), (b)(7)(C)>; (b)(6), (b)(7)(C)
Subject: UPDATE #2: Reporting Guidance for Actions Taken Related to Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States
Importance: High

Directors,

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

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

As a reminder:

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

Thank you for your patience and flexibility.

Thank you,

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

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

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

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

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

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

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

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

Using the attached spreadsheet, data should be captured daily for the 24-hour time period beginning at 0300 (EST) – and ending at 0259 hours (EST). **By 0500 hours (EST) daily**, each Field Office is required to submit their data from the previous 24-hours to OFO Field Liaison ((b)(7)(E)). Reports

must be submitting using the attached Microsoft Excel template document. Field Liaison will consolidate these reports into a final report senior CBP and DHS leadership.

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

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 10:58 AM
To: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: DHS-OIG

No Sir.

(b)(6), (b)(7)(C) Port Director
Customs and Border Protection

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

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

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

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

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 10:42:19 AM
To: NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
Subject: FW: DHS-OIG

Any inquiries from DHS-OIG regarding the EO?

(b)(6), (b)(7)(C)
Area Port Director
Customs and Border Protection
Phone (b)(6), (b)(7)(C)
Fax

From: MANNING, REGINALD I
Sent: Friday, February 03, 2017 10:35 AM
To: (b)(6), (b)(7)(C)

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

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

(b)(6), (b)(7)(C) ✓

Subject: DHS-OIG

PDs,

Has anyone been contacted by DHS-OIG to request an interview with you or your employees regarding the EO?
Negative replies are required.

Regards,

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

Director Field Operations

Atlanta Field Office

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

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

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

OFO PROUD!

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 10:48 PM
To: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Federal Court Stay - Hold all departures. Need confirmation
Importance: High

From: MANNING, REGINALD I
Sent: Saturday, January 28, 2017 10:37:35 PM
To: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Federal Court Stay - Hold all departures. Need confirmation

Please confirm receipt!

Reginald I. Manning
Director Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Fax: (b)(6), (b)(7)(C)
BB: (b)(6), (b)(7)(C)

From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 10:34 PM
To: DIRECTORS FIELD OPS
Subject: Federal Court Stay - Hold all departures. Need confirmation
Importance: High

DFOs,

Based on this evening's federal court stay, we are to **suspend all departures** of those found inadmissible under the Executive Order, including those who wished to voluntarily depart. We should freeze all departures but continue to detain the individuals in the airports while we await further legal guidance. All pre-departure actions will remain underway.

Need confirmation from each DFO.

Todd C. Owen
Executive Assistant Commissioner
Office of Field Operations

U.S. Customs & Border Protection

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:09 PM
To: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

From: MANNING, REGINALD I
Sent: Sunday, January 29, 2017 12:21:33 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

FYI and appropriate action.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: HUTTON, JAMES R
Sent: Sunday, January 29, 2017 11:49:13 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)
(b)(6), (b)(7)(C)
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

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

DFO's

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

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

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

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

- DXD Hutton
- OFO Field Liaison

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

Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

(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.

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 Immigration Advisory Program/Joint Security Program (IAP/JSP) locations, and Regional Carrier Liaison Groups (RCLG).

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 Secure Integrated Government Mainframe Access (SIGMA) 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) examination 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) exam should be notated in CSIS 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) examination and held at the port of entry until such time as an exemption to the Executive Order can be obtained. This exemption falls to the Secretary of State and Secretary of Homeland Security. Further guidance will be forthcoming on processing these exemptions.

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 7:54 AM
To: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Attachments: Executive Order - Protecting the Nation from Foreign Terrorist Entry into the United States.pdf; FW: Delegation of Case-by-Case Waiver Authority per Executive Order on Protection the Nation From Foreign Terrorist Entry Into the United States
Importance: High

Dfo approval for all lpr's. Coordination with Foa on all and immediate notification to me of encounters with any covered by EO.

From: MANNING, REGINALD I
Sent: Saturday, January 28, 2017 7:29:57 AM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

Please ensure that your personnel have this guidance and coordinates inspections with the field office.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:06:41 AM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; HUTTON, JAMES R; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

Directors,

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

Memorandum For: Directors, Field Operations

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

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

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

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

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

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

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

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

Returning Residents,

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

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

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

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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


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 
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 ~~presented 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)

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

From: MCALEENAN, KEVIN K

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

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

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

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

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director (b)(7)(E) Executive Director, (b)(7)(E) (b)(7)(E) Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority, on a case-by-case basis, and when in the national interest, and only with respect to Lawful Permanent Residents of the United States, to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry Into the United States," (January 27, 2017). Prior to taking any such action, the Lawful Permanent Resident who is the subject of the action must be subjected to a thorough examination by an immigration officer. This authority may not be further delegated.

KM



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

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

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

Vigilance • Service • Integrity

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 10:47 PM
To: NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C); RE: Waiver Request for 212(1) in re: (b)(6), (b)(7)(C); EO 212(f) Waiver for (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Importance: High

From: MANNING, REGINALD I
Sent: Saturday, January 28, 2017 10:02:21 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Please distribute the updated guidance to your CBP personnel.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 9:33:39 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)
(OCC)
Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

DFO's

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

- Returning Refugees (to include any 1st time refugees encountered);
- Returning Asylees;

- Individuals in possession of a valid I-512 issued by CIS;
- UAC

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

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

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




Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

(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.

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 Immigration Advisory Program/Joint Security Program (IAP/JSP) locations, and Regional Carrier Liaison Groups (RCLG).

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 Secure Integrated Government Mainframe Access (SIGMA) 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) examination 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) exam should be notated in CSIS with the following language: *Individual is subject to Presidential Executive Order and barred from entry pursuant to 212(f) of the INA but has been granted an exemption per (insert DFO/SES PD).*

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

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

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

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

Approved per C1, 1722 hours.

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

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

Exemption to Executive Order Request

January 28, 2017

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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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



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

Waiver granted by C1, 1312 hours.

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

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

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

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

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

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

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

(b)(7)(E)

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

(b)(5)

OFO recommends that you (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: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:12 AM
To: NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order
Attachments: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High

From: MANNING, REGINALD I
Sent: Sunday, January 29, 2017 2:30:46 AM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

Any travelers that are eligible for waiver consideration must be submitted to CI for approval.

If there are any questions, please contact the appropriate Office for assistance.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office

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

OFO PROUD!

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

DFO's

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

Thank you,

J. Ryan Hutton

Deputy Executive Director
Admissibility and Passenger Programs

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

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



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

ALCON:

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

To further the implementation of the Executive Order, consistent with the principle in Section 5(e) recognizing due consideration for travelers who were in transit and for whom denying admission would cause undue hardship, ports of entry shall take the following actions for those limited number of travelers subject to the Executive Order currently in CBP custody (b)(7)(E)

(b)(7)(E)



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

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

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

Vigilance • Service • Integrity

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

DFO's

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

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

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

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

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

Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

Waiver Narrative

(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)(6), (b)(7)(C)
✉ (b)(6), (b)(7)(C)



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

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

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

Directors,

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

Memorandum For: Directors, Field Operations

From: Todd A. Hoffman
Executive Director

Admissibility and Passenger Programs
Office of Field Operations

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

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

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

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

Returning Residents,

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

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

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

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

Approved per C1, 1722 hours.

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

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

Exemption to Executive Order Request

January 28, 2017

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

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

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

Details:

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

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




SUBJECT OF INTEREST

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




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

Waiver granted by C1, 1312 hours.

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

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

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

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

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

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

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

(b)(7)(E)

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

OCC

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

(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: (b)(6), (b)(7)(C)
Sent: Friday, January 27, 2017 10:42 PM
To: (b)(6), (b)(7)(C) NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION
Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Fyi and action if needed. Specifics to follow.

From: MANNING, REGINALD I
Sent: Friday, January 27, 2017 9:59:16 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

Please confirm receipt.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office

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

OFO PROUD!

From: MANNING, REGINALD I
Sent: Friday, January 27, 2017 9:38:24 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: FINAL SIGNED EO FOR ACTION

This is the executive order signed this evening by the President. It basically states that all immigrants and non-immigrant from Iraq, Iran, Sudan, Libya, Somalia, Syria, and Yemen are to be refused entry to the US.

There are exceptions to this case LPRs being one of them where S1 can authorize a waiver for the traveler. This authority for LPRs has been delegated to the DFO but requires (b)(7)(E) and a thorough narrative. Advanced paroles are also eligible for a waiver as well. As of now, if we encounter ANYONE FROM THE SEVEN COUNTRIES previously identified, (b)(7)(E) to ensure we take the appropriate action.

I am awaiting formal guidance from APP later this evening that I will provide as well. There will be a reporting requirement to OPS that will be due early in the morning on the encounters.

APP and the (b)(7)(E) are available if there are additional questions and those questions should be submitted to the Field Office's Border Security Staff.

Please review the EO and be prepared to notify your WCs, Chiefs, SCBPOs, and CBPOs of the guidance as it is effective immediately.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office

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

OFO PROUD!

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

Thank you,

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

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

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

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

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

Subject: FINAL SIGNED EO FOR ACTION

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST
ENTRY INTO THE UNITED STATES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,
January 27, 2017.

#

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 8:48 PM
To: NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Revert to normal processing of those who would have been subject to the eo.

From: MANNING, REGINALD I
Sent: Friday, February 03, 2017 8:39:01 PM
To: (b)(6), (b)(7)(C)
Subject: FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

EFFECTIVE IMMEDIATELY, all elements of the EO are suspended until further notice.

For more details, please refer to the Acting Commissioner's direction in the message below.

PLEASE ACKNOWLEDGE RECEIPT.

Reginald Manning
 Director, Field Operations
 U.S. Customs and Border Protection
 Atlanta Field Office
 Office: (b)(6), (b)(7)(C)
 Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: MCALEENAN, KEVIN K
Sent: Friday, February 03, 2017 8:23:19 PM
To: Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; DIRECTORS FIELD OPS
Cc: ALLES, RANDOLPH D; (b)(6), (b)(7)(C) HUTTON,
 JAMES R; 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)

(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.

(b)(5)

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: Wednesday, February 01, 2017 4:06 PM
To: NORFOLK-WATCH-COMMANDERS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Canadian Landed Immigrants and Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Attachments: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; Canadian Landed Immigrants and E.O.PDF
Importance: High

EO and Canadian Landed Immigrant (with valid visa)... follow waiver request rules.

(b)(6), (b)(7)(C)
Area Port Director
Customs and Border Protection
Phone (b)(6), (b)(7)(C)
Fax (b)(6), (b)(7)(C)

From: MANNING, REGINALD I
Sent: Wednesday, February 01, 2017 4:00 PM
To: (b)(6), (b)(7)(C)

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

Cc: (b)(6), (b)(7)(C)
Subject: FW: Canadian Landed Immigrants and Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Importance: High

Please disseminate to your officers at the POEs.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 3:46:08 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C); Owen, Todd C (AC OFO); WAGNER, JOHN P

Subject: 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)

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

 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (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; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ; BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)
Subject: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Attachments: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C) RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C) EO 212(f) Waiver for (b)(6), (b)(7)(C) (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 1st time refugees encountered);
- Returning Asylees;
- Individuals in possession of a valid I-512 issued by CIS;
- UAC

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

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

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

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

Sample

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



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

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

Directors,

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

Memorandum For: Directors, Field Operations
From: Todd A. Hoffman
Executive Director

Admissibility and Passenger Programs
Office of Field Operations

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

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

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

Wherever possible, (b)(7)(E) will coordinate the denial of boarding through Immigration Advisory Program/Joint Security Program (IAP/JSP) locations, and Regional Carrier Liaison Groups (RCLG).

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 Secure Integrated Government Mainframe Access (SIGMA) 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) examination 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) exam should be notated in CSIS 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) examination and held at the port of entry until such time as an exemption to the Executive Order can be obtained. This exemption falls to the Secretary of State and Secretary of Homeland Security. Further guidance will be forthcoming on processing these exemptions.

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

Returning aliens ineligible who withdraw their application for admission:

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

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

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

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

Approved per C1, 1722 hours.

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

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

Exemption to Executive Order Request

January 28, 2017

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

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




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

Waiver granted by C1, 1312 hours.

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

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

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

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

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

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

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

(b)(7)(E)

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

OCC

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

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**

FEB 01 2017

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

FROM: Todd A. Hoffman **(b)(6), (b)(7)(C)**
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)**

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