

**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)  
 (b)(6), (b)(7)(C)  
**Subject:** EO 212(f) Waiver for (b)(6), (b)(7)(C)  
**Importance:** High

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

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)



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

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 8:30 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

This request has been responded to.

Michele M. James  
 Director, Field Operations  
 Customs and Border Protection

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 5:13:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** JAMES, MICHELE; (b)(6), (b)(7)(C)  
**Subject:** RE: TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Negative for Seattle, C1 waivers wee just approved for our two in custody

Thanks

(b)(6), (b)(7)(C)  
 Assistant Director, Border Security  
 Seattle Field Office  
 OFO - U.S. Customs and Border Protection  
 Seattle, Washington

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 6:45:05 AM  
**To:** DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ; MISSION SUPPORT ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS  
**Cc:** OFO-FIELD LIAISON; (b)(6), (b)(7)(C)  
**S:** (b)(6), (b)(7)(C) HOFFMAN, TODD A  
**Subject:** TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Good morning,

The time frame needed has now changed.

We need this information ASAP.

It is going to be briefed at 0900 hours (EST) therefore we need the information NLT 0830 hours.

Sorry for the inconvenience.

Thank you,

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

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

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. State and local Homeland security officials may share this document with authorized security personnel without further approval from DHS.

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 6:12 AM  
To: DIRECTORS FIELD OPS (b)(7)(E); BORDER SECURITY ASST DIRECTORS (b)(7)(E); EXECUTIVE DIRECTORS HQ (b)(7)(E); MISSION SUPPORT ASST DIRECTORS (b)(7)(E); TRADE OPERATIONS ASST DIRECTORS (b)(7)(E)  
Cc: OFO-FIELD LIAISON (b)(7)(E) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Good morning Directors,

We have been tasked with obtaining the names, status, disposition, and departure flight time information for those being held for the 212(f) Executive Order.

Example:

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

This is due to the EAC by 1000 hours (EST) this morning.

Can you have your staff provide this information to OFO Field Liaison by 0930 hours for consolidation.

I've attached a spreadsheet to ease the process.

If you have any questions, please don't hesitate to contact me.

Thank you,

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

Branch Chief  
 U.S. Customs and Border Protection  
 Office of Field Operations  
 Field Liaison Division

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

[cid:image001.jpg@01D15FFA.F92A59A0]

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. State and local Homeland security officials may share this document with authorized security personnel without further approval from DHS.

From: Owen, Todd C (AC OFO)

Sent: Saturday, January 28, 2017 10:57:40 PM

To: **(b)(6), (b)(7)(C)** HOFFMAN, TODD A; HUTTON, JAMES R; OFO-FIELD LIAISON

Subject: Specifics needed on anyone held at the ports

XD Ops, XD APP, Field Liaison,

First thing in the morning, we will need each Field Office to provide a list of names of any individuals being held for the 212(f) executive order. Here is the format JFK provided, will need each Field Office to provide a similar listing by 1000.

Thank you.

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

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

**From:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 11:13 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Federal Court Stay - Hold all departures. Need confirmation

Thanks. I also sent to (b)(6), (b)(7)(C)

Michele M. James  
Director, Field Operations  
Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 8:10:39 PM  
**To:** JAMES, MICHELE; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: Federal Court Stay - Hold all departures. Need confirmation

Acknowledged.

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

Sent from iPhone

---

**From:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 7:37:34 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: Federal Court Stay - Hold all departures. Need confirmation

See below. Those found inadmissible will be placed into detention.

Michele M. James  
Director, Field Operations  
Customs and Border Protection

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

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:34:00 PM  
**To:** DIRECTORS FIELD OPS  
**Subject:** Federal Court Stay - Hold all departures. Need confirmation

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:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 8:38 AM  
**To:** OFO-FIELD LIAISON  
**Subject:** FW: TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Copy for in-box.

Michele M. James  
 Director, Field Operations  
 Customs and Border Protection

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 5:13:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** JAMES, MICHELE; (b)(6), (b)(7)(C)  
**Subject:** RE: TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Negative for Seattle, C1 waivers we just approved for our two in custody

Thanks

(b)(6), (b)(7)(C)  
 Assistant Director, Border Security  
 Seattle Field Office  
 OFO - U.S. Customs and Border Protection  
 Seattle, Washington

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 6:45:05 AM  
**To:** DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ; MISSION SUPPORT ASST DIRECTORS; TRADE OPERATIONS ASST DIRECTORS  
**Cc:** OFO-FIELD LIAISON; (b)(6), (b)(7)(C)  
**S:** (b)(6), (b)(7)(C) HOFFMAN, TODD A  
**Subject:** TIME CHANGE DUE NTL 0830 hours: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Good morning,

The time frame needed has now changed.

We need this information ASAP.



It is going to be briefed at 0900 hours (EST) therefore we need the information NLT 0830 hours.

Sorry for the inconvenience.

Thank you,

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

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

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. State and local Homeland security officials may share this document with authorized security personnel without further approval from DHS.

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 6:12 AM  
To: DIRECTORS FIELD OPS <(b)(7)(E)>; BORDER SECURITY ASST DIRECTORS  
<(b)(7)(E)>; EXECUTIVE DIRECTORS HQ  
<(b)(7)(E)>; MISSION SUPPORT ASST DIRECTORS  
<(b)(7)(E)>; TRADE OPERATIONS ASST DIRECTORS  
<(b)(7)(E)>  
Cc: OFO-FIELD LIAISON <(b)(7)(E)> <(b)(6), (b)(7)(C)>  
<(b)(6), (b)(7)(C)>  
<(b)(6), (b)(7)(C)>  
Subject: ACTION: DUE 0930 Hours (EST) 01292017: Specifics needed on anyone held at the ports

Good morning Directors,

We have been tasked with obtaining the names, status, disposition, and departure flight time information for those being held for the 212(f) Executive Order.

Example:

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

This is due to the EAC by 1000 hours (EST) this morning.

Can you have your staff provide this information to OFO Field Liaison by 0930 hours for consolidation.

I've attached a spreadsheet to ease the process.

If you have any questions, please don't hesitate to contact me.

Thank you,

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

Branch Chief  
 U.S. Customs and Border Protection  
 Office of Field Operations  
 Field Liaison Division

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

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. State and local Homeland security officials may share this document with authorized security personnel without further approval from DHS.

From: Owen, Todd C (AC OFO)  
 Sent: Saturday, January 28, 2017 10:57:40 PM  
 To: **(b)(6), (b)(7)(C)**; HOFFMAN, TODD A; HUTTON, JAMES R; OFO-FIELD LIAISON  
 Subject: Specifics needed on anyone held at the ports  
 XD Ops, XD APP, Field Liaison,

First thing in the morning, we will need each Field Office to provide a list of names of any individuals being held for the 212(f) executive order. Here is the format JFK provided, will need each Field Office to provide a similar listing by 1000.

Thank you.

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

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

---

**From:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 10:35 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: Federal Court Stay - Hold all departures. Need confirmation

Received.

Michele M. James  
Director, Field Operations  
Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(cell)

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:34:00 PM  
**To:** DIRECTORS FIELD OPS  
**Subject:** Federal Court Stay - Hold all departures. Need confirmation

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:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 11:04 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: Federal Court Stay - Hold all departures. Need confirmation

EAC,  
 We are finalizing bullets regarding the emergency order issued by the US federal judge in seattle. We have 2 travelers that w: (b)(7)(E) (b)(5) We will be placing the two into the detention facility in Tacoma pending their hearing scheduled for Friday. I realize we are not engaging in conversation with governors, congressmen, etc, however, some sort of messaging to them would be helpful.

Michele M. James  
 Customs and Border Protection  
 Director, Field Operations Seattle

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

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:34 PM  
**To:** DIRECTORS FIELD OPS <(b)(7)(E)>  
**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:** JAMES, MICHELE  
**Sent:** Friday, February 03, 2017 8:49 PM  
**To:** HOFFMAN, TODD A  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Got it.

Michele M. James  
 Director, Field Operations  
 Customs and Border Protection

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

**From:** MCALEENAN, KEVIN K  
**Sent:** Friday, February 03, 2017 5:23:19 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)**

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.

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

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

(b)(5)

We will

update you with further guidance as soon as it is received.

Thank you,



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

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

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

*Vigilance • Service • Integrity*

**From:** HUTTON, JAMES R  
**Sent:** Sunday, January 29, 2017 1:55 AM  
**To:** JAMES, MICHELE  
**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

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

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



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

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

States

Importance: High

DFO's

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

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

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

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

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)**



**(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)**



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

**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); MCFARQUHAR, KEITH E  
(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 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 noted 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)(7)(E)>; 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)



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

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 1:13 PM  
**To:** HUTTON, JAMES R  
**Cc:** HOFFMAN, TODD A; (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; (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)**

[\[cid:image001.png@01D00E30.B35BEEB0\]](#)

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

**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)  
 (b)(6), (b)(7)(C)  
**Subject:** EO 212(f) Waiver for (b)(6), (b)(7)(C)  
**Importance:** High

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

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)



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 10:03 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Preservation of Electronic Media

(b)(5)

(b)(6), (b)(7)(C)  
Assistant Chief Counsel  
U.S. Customs and Border Protection  
Seattle, Washington

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

\*\*\*NEW NUMBERS\*\*\*

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

This document may contain confidential and sensitive attorney client privileged, attorney work product and/or U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by the Office of Chief Counsel, U.S. Customs and Border Protection.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 5:46 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Preservation of Electronic Media

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

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

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 3:56:47 PM  
**To:** (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)  
Subject: FW: Preservation of Electronic Media

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

(b)(5)

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

Assistant Chief Counsel  
U.S. Customs and Border Protection

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

This document may contain confidential and sensitive attorney client privileged, attorney work product and/or U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by the Office of Chief Counsel, U.S. Customs and Border Protection.

From: WHITE, ROBERT E

Sent: Tuesday, January 31, 2017 5:25 PM

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

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

Subject: FW: Perservation of Electronic Media

(b)(7)(A),(b)(5)

Robert White  
Director, Field Operations  
CBP Chicago Field Office

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

\*\*\*Sent by Mobile Device\*\*\*

From: MURDOCK, JUDSON W

Sent: Wednesday, February 01, 2017 6:55:58 AM

To: DIRECTORS FIELD OPS

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

Subject: FW: Perservation of Electronic Media

DFOs,

(b)(5)

Thanks,  
Jud Murdock  
Executive Director, Operations (Acting)

Office of Field Operations  
U.S. Customs and Border Protection

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

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

---

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

(b)(7)(A)

Thank you,

(b)(6), (b)(7)(C)  
Assistant Special Agent in Charge  
DHS OIG  
Philadelphia Field Office  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 9:37 PM  
**To:** JAMES, MICHELE  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

(b)(5)

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

(b)(6), (b)(7)(C)  
Seattle, WA. 98104

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

Attorney-Client Privileged Document

---

From: JAMES, MICHELE  
Sent: Friday, February 03, 2017 5:47:03 PM  
To: (b)(6), (b)(7)(C)  
Subject: FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

FYI. We are notifying our PDs now to comply immediately.

Michele M. James  
Director, Field Operations  
Customs and Border Protection

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

---

From: MCALEENAN, KEVIN K  
Sent: Friday, February 03, 2017 5:23:19 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.

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

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

**(b)(5)**

We will update you with further guidance as soon as it is received.

Thank you,

[Department of Homeland Security Logo]<<http://www.cbp.gov/>>

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

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

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

Vigilance • Service • Integrity



**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:33 PM  
**To:** JAMES, MICHELE  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

No problem.

Changes en route soon

(b)(6), (b)(7)(C)  
**Chief Customs and Border Protection Officer**  
**Seattle Tacoma International Airport**

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

---

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 10:28 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (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"

(b)(5), (b)(7)(E) will stand by for your revised version. Thx.

Michele M. James  
Customs and Border Protection  
Director, Field Operations Seattle  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

---

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 10:26 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (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"  
**Importance:** High

Chief – I received your request minutes ago. Please use the below template which the port also used last night for the two that were provided waivers by C1 this morning. Then I push to hq for consideration. Thx.

Michele M. James

Customs and Border Protection  
Director, Field Operations Seattle

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

**From:** HUTTON, JAMES R

**Sent:** Saturday, January 28, 2017 10:55 PM

**To:** JAMES, MICHELE <(b)(6), (b)(7)(C)>

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

**Importance:** High

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

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



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

**From:** HUTTON, JAMES R

**Sent:** Saturday, January 28, 2017 9:34 PM

**To:** HOFFMAN, TODD A <(b)(6), (b)(7)(C)>; DIRECTORS FIELD OPS  
(b)(7)(E); EXECUTIVE DIRECTORS HQ (b)(7)(E); BORDER SECURITY ASST DIRECTORS (b)(7)(E)

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

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

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

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

**Importance:** High

DFO's

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

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

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

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

- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman
- **(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**

OFO recommends that you

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

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

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




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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

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



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

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

Directors,

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

Memorandum For: Directors, Field Operations

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

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

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

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

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

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

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

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

*Returning Residents,*

- (1) Lawful Permanent Residents should be referred for (b)(7)(E) and held at the port of entry until an exemption to the Executive Order is granted. The authority to grant an exemption has been delegated to the Commissioner of CBP, and further delegated to Directors of Field Operations and SES Port Directors. Once an exemption has been granted results of (b)(7)(E) should be noted 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:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 10:59 PM  
**To:** JAMES, MICHELE  
**Subject:** RE: Federal Court Stay - Hold all departures. Need confirmation

10-4  
I will.

Thank you.

V/r

(b)(6), (b)(7)(C) Watch Commander  
Tactical Branch  
U.S. Customs and Border Protection  
Office of Field Operations  
123 2nd Street Blaine, Washington 98230

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

**Pro Patria Vigalans/Libertas Justitia Veritas/ Tuebor**

WARNING: This document is LAW ENFORCEMENT SENSITIVE and is designated FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 USC 552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information, and is not to be released to the public or personnel who do not have a valid "need to know" without prior approval.

**From:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 7:57 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Federal Court Stay - Hold all departures. Need confirmation

Making sure you have this. Please ensure your ports are aware.

Michele M. James  
Customs and Border Protection  
Director, Field Operations Seattle

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

**From:** JAMES, MICHELE  
**Sent:** Saturday, January 28, 2017 7:38 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)



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

**Subject:** FW: Federal Court Stay - Hold all departures. Need confirmation

See below. Those found inadmissible will be placed into detention.

Michele M. James  
Director, Field Operations  
Customs and Border Protection

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

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:34:00 PM  
**To:** DIRECTORS FIELD OPS  
**Subject:** Federal Court Stay - Hold all departures. Need confirmation

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 1:44 PM  
**To:** JAMES, MICHELE  
**Subject:** RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

Will update information just forward to the below- disregard forwarded spreadsheet

(b)(6), (b)(7)(C)  
Border Security Coordinator  
Office of Field Operations  
U.S. Customs and Border Protection  
Seattle, WA  
Office (b)(6), (b)(7)(C)  
Blackberry (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 10:30 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

(b)(6), (b)(7)(C) copy for you. For our next report, he will probably still be at the port while we seek C1 concurrence for a waiver.

Michele M. James  
Customs and Border Protection  
Director, Field Operations Seattle  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 10:28 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"

(b)(5), (b)(7)(E) I will stand by for your revised version. Thx.

Michele M. James  
Customs and Border Protection  
Director, Field Operations Seattle  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

**From:** JAMES, MICHELE  
**Sent:** Sunday, January 29, 2017 10:26 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (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  
**Importance:** High

Chief – I received your request minutes ago. Please use the below template which the port also used last night for the two that were provided waivers by C1 this morning. Then I push to hq for consideration. Thx.

Michele M. James  
 Customs and Border Protection  
 Director, Field Operations Seattle  
 (b)(6), (b)(7)(C) (office)  
 (b)(6), (b)(7)(C) (cell)

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 10:55 PM  
**To:** JAMES, MICHELE <(b)(6), (b)(7)(C)>  
**Subject:** FW: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States  
**Importance:** High

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

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



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

**From:** HUTTON, JAMES R  
**Sent:** Saturday, January 28, 2017 9:34 PM  
**To:** HOFFMAN, TODD A <(b)(6), (b)(7)(C)>; DIRECTORS FIELD OPS

(b)(7)(E) EXECUTIVE DIRECTORS HQ (b)(7)(E) BORDER  
 SECURITY ASST DIRECTORS < (b)(7)(E)  
 Cc: Owen, Todd C (AC OFO) < (b)(6), (b)(7)(C) WAGNER, JOHN P < (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

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

**Importance:** High

DFO's

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

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

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

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

- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman
- (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**

OFO recommends that you p

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

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

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

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

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs

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

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



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

**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 <[JOHN.P.WAGNER@CBP.DHS.GOV](mailto:JOHN.P.WAGNER@CBP.DHS.GOV)>; HUTTON, JAMES R <(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) (b)(7)(E)

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

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

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

*Returning Residents,*

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

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

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

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

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

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

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

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



**From:** MANNING, REGINALD I  
**Sent:** Saturday, January 28, 2017 10:10 PM  
**To:** MURDOCK, JUDSON W  
**Subject:** FW: Visit by Congressman

We're providing bullets to liaison but here's the long version.

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:** Saturday, January 28, 2017 9:41:35 PM  
**To:** MANNING, REGINALD I; **(b)(6), (b)(7)(C)**  
**Subject:** RE: Visit by Congressman

DFO,

Congressman Lewis and Congressman Johnson from Georgia both showed up in F Concourse E+C. I called Chief **(b)(6), (b)(7)(C)** the duty Watch Commander and asked him to speak with the Congressmen to see what they required. He called back stating that he couldn't answer their questions. I asked him to place me on speakerphone contact with the Congressmen.

- Congressmen Lewis and Johnson were brought in to the Global Entry Office so we could have a private conversation
- I asked the gentlemen how I could help
- Mr. Johnson stated that he had calls from several constituents claiming that family members were being held in CBP without counsel or cause as they are permanent residents.
- I advised the gentlemen that I could not discuss procedures or any part of the Executive Order
- I then advised that Port of Atlanta had 11 persons arrive that fit these categories today. 9 had been processed and granted waivers. One was in process and one had yet to arrive.
- I advised that all individuals in our custody were treated humanly, offered food and water and we're treated respectfully at all times.
- congressman Johnson asked who made the decision to admit or deny. I stated that the CBP Officer makes admissibility decisions in consultation with several layers of management.
- he further asked if our decision making was altered by a court order in New York. I asked him to call OCA.
- he asked if there were written procedures for vetting. I advised him to call OCA.
- the call ended amicably

Chief **(b)(6), (b)(7)(C)** is advising the Congressmen now that the GE office is closing. I will let you know when they have departed.

Regards,

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

---

**From:** MANNING, REGINALD I  
**Sent:** Saturday, January 28, 2017 9:19:00 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Visit by Congressman

The guidance I have been given is that we are not to let Congress Lewis into the FIS Area. He did not formally request permission in advance. When it is time to close the waiting area, he should be advused that the area is closwd and he'll have ro leave.

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:** Saturday, January 28, 2017 9:01:56 PM  
**To:** MANNING, REGINALD I; (b)(6), (b)(7)(C)  
**Subject:** FW: Visit by Congressman

I was misinformed. Congressman Lewis is still in the E+C area talking with the press. I think OCA needs to be contacted so the can call the Congressman's staffers.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 8:23:10 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Visit by Congressman

John Lewis. I talked to him inside the E&C, as a courtesy.  
No information and referral to Public Affairs for a official statement.

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