



United States Department of State

Washington, D.C. 20520

January 28, 2017

UNCLASSIFIED

**ACTION MEMO FOR ACTING SECRETARY SHANNON**

FROM: PRM (b)(6), Acting

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

**Recommendation**

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

Approve

(b)(6)

Disapprove \_\_\_\_\_

**Background**

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

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

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 Many have had their residency permits rescinded by their countries of asylum once granted exit permits to imminently depart to the United States and others have been preparing for life in the United States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

(SBU) You must also determine jointly with the Secretary of Homeland Security that the admission of each of these individuals would not pose a risk to the security or welfare of the United States. Refugees under this exemption request have cleared security vetting. All of the information (including biographic and biometric) collected on applicants has been screened (b)(7)(E)

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

(b)(7)(E) Where appropriate, certain aspects of screening were automated, but human intelligence analysts were engaged throughout.

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

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

Drafted: PRM/A - **(b)(6)** ext. **(b)(6)** and cell: **(b)(6)**

Cleared: L - **(b)(6)** (ok)  
C - **(b)(6)** (ok)

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

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PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

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**OFFICE OF INSPECTOR GENERAL**

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

January 31, 2017

MEMORANDUM FOR: The Honorable Chip F. Fulghum  
Acting Deputy Secretary

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

Thomas D. Homan  
Acting Director  
U.S. Immigration & Customs Enforcement

Lori Scialabba  
Acting Director  
U.S. Citizenship & Immigration Services

FROM:

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

Inspector General

SUBJECT:

Notice of Obligation to Preserve Documents  
Related to Executive Order dated January 27,  
2017, "Protecting the Nation from Terrorist  
Entry into the United States by Foreign  
Nationals"

In connection with a request from Congress, the Office of Inspector General (OIG) has opened an investigation of the Department's implementation of the President's January 27, 2017 Executive Order "Protecting the Nation from Terrorist Entry into the United States by Foreign Nationals" ("Executive Order"). This memorandum serves as notice to you, and to all personnel within your organization, of the obligation to preserve all potentially relevant documents and information, as specified below. Further, this serves as notice that you are obligated to disseminate this document preservation notice throughout your organization and ensure that all agency personnel (including employees, contractors, and members of the Senior Executive Service) comply with its terms.



## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

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### **Preservation Instructions**

While specific document requests will be forthcoming, effective immediately, you must preserve (i.e., prevent destruction or substantive alteration of) all documents<sup>1</sup> and information that contain or constitute information that is potentially relevant to DHS OIG's investigation, or that might reasonably lead to the discovery of relevant information, relating to implementation of any and all provisions of the Executive Order. This includes, but is not limited to, all communication, training, and/or guidance related to implementation of the Executive Order; information reflecting actions taken to implement the Executive Order; the receipt and handling of complaints; the public dissemination of information; notice of and compliance with court orders affecting implementation of the Executive Order; instances of violations of any court order; video and audio recordings; the handling of detained individuals; and, the disposition of individual detention cases.

For the duration of this hold, any information described by this notice that is within your individual possession or control must be preserved in the exact form as it currently exists. This obligation extends to both the content of any document and any metadata associated with electronic documents. Employees should take all steps necessary, to prevent the intentional or accidental destruction, deletion, alteration, or removal of information described by this notice.

### **Sources of Material That Must Be Preserved:**

Any and all files and records over which you have control which pertain to the subject matter of this notice in the following locations:

- Handheld devices (wired and wireless) such as iPhones, Blackberries, other smart phones, cell phones, pagers,

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<sup>1</sup> As used in this notice, the word "documents" is defined in the broadest sense possible, to include the original and any non-identical copies, all drafts and final versions, audio recordings, video recordings, transcripts, polygraph examination records, e-mails, instant message communications, other communications, summaries, work papers, typed or handwritten notes, telephone message slips, appointment books, calendars, photographs, or other format.





## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

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- personal data assistants (PDA), iPads and digital cameras
- Office computers and laptops
  - Network servers and other network attached storage
  - Hard copy files
  - Network servers and other network attached storage
  - Backup/disaster recovery tapes
  - Special purpose storage such as Outlook and Blackberry e-mail servers and storage for communications and file sharing services such as Microsoft Lync, SMS messaging, Social media (*e.g.*, Facebook), and Webmail accounts
  - Removable media such as CDs, DVDs, external hard drives, and flash/thumb drives
  - Databases
  - Video systems (including CCTV)
  - Audio systems (including voicemail)



United States Department of State

Washington, D.C. 20520

January 28, 2017

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**ACTION MEMO FOR ACTING SECRETARY SHANNON**

FROM: PRM (b)(6) Acting

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

**Recommendation**

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

Approve

(b)(6)

Disapprove \_\_\_\_\_

**Background**

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

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

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

(SBU) You must also determine jointly with the Secretary of Homeland Security that the admission of each of these individuals would not pose a risk to the security or welfare of the United States. Refugees under this exemption request have cleared security vetting. All of the information (including biographic and biometric) collected on applicants has been screened; (b)(7)(E)

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

(b)(7)(E) Where appropriate, certain aspects of screening were automated, but human intelligence analysts were engaged throughout.

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

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

Attachment:

Tab 1: List of individuals

Tab 2: Executive Order

UNCLASSIFIED

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

Drafted: PRM/A - **(b)(6)** ext. **(b)(6)** and cell: **(b)(6)**

Cleared: L - **(b)(6)** (ok)  
C - **(b)(6)** (ok)



THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

January 27, 2017

EXECUTIVE ORDER

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PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 9:21 PM  
**To:** MCALEENAN, KEVIN K; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ  
**Cc:** FLANAGAN, PATRICK S; (b)(6), (b)(7)(C); HUTTON, JAMES R; (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order  
**Attachments:** reversal global.pdf

Department of State letter attached.

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

---

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

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

Regards,

(b)(6)

(b)(6)  
Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**Official**  
**UNCLASSIFIED**

---

**From:** (b)(6)  
**Sent:** Friday, February 03, 2017 9:10 PM  
**To:** (b)(6)  
**Subject:** FW: reversal global

Your letter reversing.

(b)(6)  
Director of Legal Affairs, Visa Office  
Bureau of Consular Affairs  
US Department of State  
Tel. (b)(6)

**Official**

**UNCLASSIFIED**





**United States Department of State**

*Deputy Assistant Secretary  
for Visa Services*

*Washington, D.C. 20520*

February 3, 2017

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

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

**(b)(6)**

**(b)(6)**

Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**THE WHITE HOUSE**  
WASHINGTON

February 1, 2017

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

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

**(b)(5)**

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:** Saturday, January 28, 2017 4:20 PM  
**To:** MANNING, REGINALD I  
**Subject:** FW: FYSA

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 4:16:36 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FYSA

S/A: JFK.

Approximately 400 protesters currently at Terminal 4 parking garage in reference to CBP detention of two Iraqi citizens. Significant media presence. No impact to airport or TSA operations. TSOC

MVLB

Sent from my iPhone

(b)(6), (b)(7)(C)  
Federal Security Director  
U.S. Department of Homeland Security  
Transportation Security Administration-Atlanta  
Hartsfield-Jackson Atlanta International Airport

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

(b)(7)(E)  
FOCUS on MISSION  
INVEST in PEOPLE  
COMMIT to EXCELLENCE

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 6:28 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** RE: FYSA

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

I'm hearing at least 3 news crews are filming at the information counter, arrivals level, F. they aren't pushing in to our area or attempting interviews.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 4:16:36 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FYSA

S/A: JFK.

Approximately 400 protesters currently at Terminal 4 parking garage in reference to CBP detention of two Iraqi citizens. Significant media presence. No impact to airport or TSA operations. TSOC

MVLB

Sent from my iPhone

(b)(6), (b)(7)(C)  
Federal Security Director  
U.S. Department of Homeland Security  
Transportation Security Administration-Atlanta  
Hartsfield-Jackson Atlanta International Airport

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

FOCUS on MISSION  
INVEST in PEOPLE  
COMMIT to EXCELLENCE

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**THE WHITE HOUSE**  
WASHINGTON

February 1, 2017

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

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

**(b)(5)**

**THE WHITE HOUSE**  
WASHINGTON

February 1, 2017

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

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

**(b)(5)**

**From:** MANNING, REGINALD I  
**Sent:** Monday, January 30, 2017 10:23 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Interim CG COA for implementation of "extreme vetting" EO

Please review and assist PD (b)(6), (b)(7)(C) as appropriate.

Reginald I. Manning  
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!

-----Original Message-----  
From: (b)(6), (b)(7)(C)  
Sent: Monday, January 30, 2017 8:48 AM  
To: MANNING, REGINALD I (b)(6), (b)(7)(C)  
Subject: FW: Interim CG COA for implementation of "extreme vetting" EO

Good morning Sir,

Below is email traffic from the USCG re handling crewmembers. We do not have any crewmembers from affected countries at this time. (b)(5), (b)(7)(E)  
(b)(5), (b)(7)(E)

-----Original Message-----  
From: (b)(6)  
Sent: Saturday, January 28, 2017 5:47 PM  
To: (b)(6)  
Subject: FW: Interim CG COA for implementation of "extreme vetting" EO

Not sure what directives CBP has handed down but below is the CG's. (b)(5), (b)(7)(E)  
(b)(5), (b)(7)(E)

From: (b)(6) RADM  
Sent: Saturday, January 28, 2017 5:01:40 PM  
To: Tomasulo, Gary CAPT; B (b)(6) Dixon, Jeffrey F CAPT; Dean, Megan CAPT; Janszen, Jeffrey A CAPT; Najarian, Holly L CAPT; Warren, Robert W CAPT; Gould, Austin J CAPT; Allen, Ladonn A CAPT; (b)(6)

(b)(6) (b)(6), (b)(7)(C) Vinciguerra, Aldante CAPT; Gordon, Mark D CAPT; Vlaun, Mark R CAPT;  
(b)(6), (b)(7)(C)  
Subject: FW: Interim CG COA for implementation of "extreme vetting" EO

Please see below regarding recent Executive Order. Note initial guidance which basically says two things:

1. Coordinate with local OFO and ensure alignment.
2. (b)(5), (b)(7)(E)  
(b)(5), (b)(7)(E)

It is also prudent for Sector staffs to provide additional scrutiny of vessel arrivals until we receive more guidance (expected Monday).

Note also one inbound vessel to Miami on Monday per below email.

R,

Rear Admiral (b)(6)  
Commander, Coast Guard District Seven  
Director, Homeland Security Task Force South East

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

From: (b)(6)  
Sent: Saturday, January 28, 2017 12:18 PM  
To: (b)(6)  
(b)(6), (b)(7)(C)  
Cc: (b)(6)  
Subject: FW: Interim CG COA for implementation of "extreme vetting" EO

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

(b)(6)

From: (b)(6)  
Sent: Saturday, January 28, 2017 11:49:36 AM  
(b)(6)  
Subject: RE: Interim CG COA for implementation of "extreme vetting" EO

VCG,DCO, Admirals,

Sorry, inadvertently hit send before I intended/finished.

Will tee up Monday AM for discussion and CCG visibility. Will also have further details from DHS-led Screening/Vetting Board that met Friday.



v/r

(b)(6)

From: (b)(6)

Sent: Saturday, January 28, 2017 11:43:11 AM

To: Brown, Peter J RADM; Michel, Charles D ADM; Ray, Charles W VADM; Servidio, Joseph A RADM; Fagan, Linda L RADM; Thomas, Paul F RADM; Andersen, Steven J RDML

Cc: Schreiber, Patrick C CAPT; Gifford, Verne B CAPT; Frankford, Mark A CAPT; Durham, Diane W CAPT; Jones, Eric C CAPT; O'Connor, John C CAPT; Genovese, Scott

Subject: RE: Interim CG COA for implementation of "extreme vetting" EO

For quick amplification on the scope and status of this issue currently.

Sector Del Bay has a vessel import w/9 Syrians, departing 1/29. Also has vessel arriving 1/30 with 24 Syrians.

Sector Corpus Christi has vessel in port with 1 Syrian, departing 1/29.

Sector Miami has a cruise ship entering and departing on 1/30 with one Iranian on valid C1/D visa.

(b)(7)(E)

From: (b)(6)

Sent: Saturday, January 28, 2017 11:31:28 AM

To: Michel, Charles D ADM; Ray, Charles W VADM; Servidio, Joseph A RADM; Fagan, Linda L RADM; Thomas, Paul F RADM; Hayes, Robert P RDML; Andersen, Steven J RDML

Cc: Schreiber, Patrick C CAPT; Gifford, Verne B CAPT; Frankford, Mark A CAPT; Durham, Diane W CAPT; Jones, Eric C CAPT; O'Connor, John C CAPT; Genovese, Scott

Subject: Interim CG COA for implementation of "extreme vetting" EO

Admirals,

(b)(7)(E)

(b)(7)(E)

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

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

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

Very respectfully,

(b)(6)

RADM Peter J. Brown, USCG  
Assistant Commandant for Response Policy

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

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From: Hayes, Robert P RDML  
Sent: Saturday, January 28, 2017 10:00:52 AM  
To: Brown, Peter J RADM; Thomas, Paul F RADM; Genovese, Scott  
Cc: Schreiber, Patrick C CAPT  
Subject: FW: Initial Report ISO EO

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

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

OK?  
v/r  
Rob

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From: **(b)(6), (b)(7)(C)**  
Sent: Saturday, January 28, 2017 8:58:01 AM  
To: Hayes, Robert P RDML  
Cc: Tiongson, Katherine F CAPT; Brown, Alex S SES  
Subject: Initial Report ISO EO

Sir,

Good morning. First cut on the reporting. Rule sets have been developed and I'll established a battle rhythm. Will also include on current Intel brief.

v/r,  
pcs

**United States Department of State***Deputy Assistant Secretary  
for Visa Services**Washington, D.C. 20520*

January 27, 2017

Upon request of the U.S. Department of Homeland Security and pursuant to sections 212(f) and 221(i) of the Immigration and Nationality Act and 22 CFR 41.122 and 42.82, and in implementation of section 3(c) of the Executive Order on Protecting the Nation from Terrorist Attacks by Foreign Nationals, I hereby provisionally revoke all valid nonimmigrant and immigrant visas of nationals of Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen, subject to the exceptions discussed below.

The revocation does not apply to visas in the following nonimmigrant classifications: A-1, A-2, G-1, G-2, G-3, G-4, NATO, C-2, or certain diplomatic visas.

The revocation also does not apply to any visa exempted on the basis of a determination made by the Secretaries of State and Homeland Security pursuant to section 3(g) of the Executive Order on a case-by-case basis, and when in the national interest.

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

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

Edward J. Ramotowski

Deputy Assistant Secretary

Bureau of Consular Affairs

Department of State

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.

# # #

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.

# # #

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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

Petitioners.

- against -

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

Respondents.

ANN DONNELLY, District Judge.

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

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

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

**DECISION AND ORDER**

17 Civ. 480 (AMD)

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

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

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

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

SO ORDERED.

**(b)(6)**

United States District Judge

Dated: Brooklyn, New York  
January 28, 2017

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 04, 2017 12:10 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Copy

(b)(6), (b)(7)(C)  
Asst. Area Port Director  
U.S. CBP Field Operations  
Area Port of Seattle

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 7:50:24 PM  
**To:** (b)(6), (b)(7)(C)

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

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

(b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Effective immediately all reporting requirements to the SFO in regards to the EO have been suspended.

Please call/email me if you have any questions.

(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:** Friday, February 3, 2017 6:43 PM  
**To:** (b)(6), (b)(7)(C)

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



(b)(6), (b)(7)(C) >; CORNELIUSEN, BRET C (b)(6), (b)(7)(C) RECTOR, JAMES L  
(b)(6), (b)(7)(C) MARUSKA, KEVIN L (b)(6), (b)(7)(C) MEYER, MARY J  
<MARY.J.MEYER@CBP.DHS.GOV>; SCHMELZ, JASON W <JASON.W.SCHMELZ@CBP.DHS.GOV>; HASSLER, BARBARA  
<BARBARA.HASSLER@CBP.DHS.GOV>; MISSON, CHRISTOPHER M <CHRISTOPHER.M.MISSON@CBP.DHS.GOV>; BEETER,  
BRENT L <BRENT.L.BEETER@CBP.DHS.GOV>; JACKSON, ANTHONY E <ANTHONY.E.JACKSON@CBP.DHS.GOV>; ORTEGA,  
JOSE R <JOSE.R.ORTEGA@CBP.DHS.GOV>

Cc: (b)(5)  
(b)(6), (b)(7)(C) JAMES, MICHELE (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

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

Please see attachment, please call me if you encounter a traveler where still shows the visa was revoked. This should have been corrected by DOS and DHS.

Thank you

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 6:20:44 PM  
**To:** MCALEENAN, KEVIN K; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ  
**Cc:** FLANAGAN, PATRICK S (b)(6), (b)(7)(C); HUTTON, JAMES R; (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order

Department of State letter attached.

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

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

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

Regards,

(b)(6)  
Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**Official**  
**UNCLASSIFIED**



**From:** (b)(6)  
**Sent:** Friday, February 03, 2017 9:10 PM  
**To:** (b)(6)  
**Subject:** FW: reversal global

Your letter reversing.

(b)(6)  
Director of Legal Affairs, Visa Office  
Bureau of Consular Affairs  
US Department of State  
Tel: (b)(6)

**Official**  
**UNCLASSIFIED**

(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:** Friday, February 3, 2017 5:55 PM  
**To:** (b)(6), (b)(7)(C)  
SULLIVAN, JAMES E <[JAMES.E.SULLIVAN@CBP.DHS.GOV](mailto:JAMES.E.SULLIVAN@CBP.DHS.GOV)>; CHARGUALAF, MARVIN  
(b)(6), (b)(7)(C); KALBACH, DONALD R <[DONALD.R.KALBACH@CBP.DHS.GOV](mailto:DONALD.R.KALBACH@CBP.DHS.GOV)>; EGAN, MICHAEL <[MICHAEL.EGAN@CBP.DHS.GOV](mailto:MICHAEL.EGAN@CBP.DHS.GOV)>; HELTON, EMILY J <[EMILY.J.HELTON@CBP.DHS.GOV](mailto:EMILY.J.HELTON@CBP.DHS.GOV)>; WILLIAMS, KENNETH DAHM, JOHN E <[JOHN.E.DAHM@CBP.DHS.GOV](mailto:JOHN.E.DAHM@CBP.DHS.GOV)>; SCHMELZ, JASON W <[JASON.W.SCHMELZ@CBP.DHS.GOV](mailto:JASON.W.SCHMELZ@CBP.DHS.GOV)>; HOPE, CRAIG <[CRAIG.HOPE@cbp.dhs.gov](mailto:CRAIG.HOPE@cbp.dhs.gov)>; DEMILLE, RICHARD MCPHAIL, JOHN M <[JOHN.M.MCPHAIL@CBP.DHS.GOV](mailto:JOHN.M.MCPHAIL@CBP.DHS.GOV)>; MCMILLAN, RONALD J <[RONALD.J.MCMILLAN@CBP.DHS.GOV](mailto:RONALD.J.MCMILLAN@CBP.DHS.GOV)>; ARCHER, RENNE J <[RENNE.J.ARCHER@CBP.DHS.GOV](mailto:RENNE.J.ARCHER@CBP.DHS.GOV)>; ESCOBEDO, DANIEL <[DANIEL.ESCOBEDO@CBP.DHS.GOV](mailto:DANIEL.ESCOBEDO@CBP.DHS.GOV)>; CORNELIUSEN, BRET C <[BRET.C.CORNELIUSEN@cbp.dhs.gov](mailto:BRET.C.CORNELIUSEN@cbp.dhs.gov)>; RECTOR, JAMES L <[JAMES.L.RECTOR@CBP.DHS.GOV](mailto:JAMES.L.RECTOR@CBP.DHS.GOV)>; MARUSKA, KEVIN L <[KEVIN.L.MARUSKA@cbp.dhs.gov](mailto:KEVIN.L.MARUSKA@cbp.dhs.gov)>; MEYER, MARY J <[MARY.J.MEYER@CBP.DHS.GOV](mailto:MARY.J.MEYER@CBP.DHS.GOV)>; SCHMELZ, JASON W <[JASON.W.SCHMELZ@CBP.DHS.GOV](mailto:JASON.W.SCHMELZ@CBP.DHS.GOV)>; HASSLER, BARBARA <[BARBARA.HASSLER@CBP.DHS.GOV](mailto:BARBARA.HASSLER@CBP.DHS.GOV)>; MISSON, CHRISTOPHER M <[CHRISTOPHER.M.MISSON@CBP.DHS.GOV](mailto:CHRISTOPHER.M.MISSON@CBP.DHS.GOV)>; BEETER, BRENT L <[BRENT.L.BEETER@CBP.DHS.GOV](mailto:BRENT.L.BEETER@CBP.DHS.GOV)>; JACKSON, ANTHONY E <[ANTHONY.E.JACKSON@CBP.DHS.GOV](mailto:ANTHONY.E.JACKSON@CBP.DHS.GOV)>; ORTEGA, JOSE R <[JOSE.R.ORTEGA@CBP.DHS.GOV](mailto:JOSE.R.ORTEGA@CBP.DHS.GOV)>  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) JAMES, MICHELE <(b)(6), (b)(7)(C)>  
(b)(6), (b)(7)(C)  
**Subject:** FW: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Area Port Directors

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.

I will need to immediately acknowledge receipt of this message and immediately contact your POE to inform them of this ruling.

Thank you

(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:** 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,

(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:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 10:08 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

10-4

(b)(6), (b)(7)(C)  
Asst. Area Port Director  
U.S. CBP Field Operations  
Area Port of Seattle

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, February 03, 2017 6:43:03 PM  
**To:** (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
**Cc:** (b)(6), (b)(7)(C); JAMES, MICHELE; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

Please see attachment, please call me if you encounter a traveler where still shows the visa was revoked. This should have been corrected by DOS and DHS.

Thank you

---

**From:** HOFFMAN, TODD A  
**Sent:** Friday, February 03, 2017 6:20:44 PM  
**To:** MCALEENAN, KEVIN K; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ  
**Cc:** FLANAGAN, PATRICK (b)(6), (b)(7)(C); HUTTON, JAMES R; (b)(6), (b)(7)(C)  
**Subject:** FW: Provisional Revocations Lifted in Compliance with Court Order

Department of State letter attached.

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

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

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

Regards,

(b)(6)

Deputy Assistant Secretary  
Bureau of Consular Affairs  
Department of State

**Official**  
**UNCLASSIFIED**

**From:** (b)(6)  
**Sent:** Friday, February 03, 2017 9:10 PM  
**To:** (b)(6)  
**Subject:** FW: reversal global

Your letter reversing.

(b)(6)  
Director of Legal Affairs, Visa Office  
Bureau of Consular Affairs  
US Department of State  
Tel. (b)(6)

**Official**  
**UNCLASSIFIED**

(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:** FREEMAN, MICHAEL T  
**Sent:** Friday, February 3, 2017 5:55 PM  
**To:** (b)(6), (b)(7)(C)

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



(b)(7)(C)

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

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

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

Area Port Directors

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.

I will need to immediately acknowledge receipt of this message and immediately contact your POE to inform them of this ruling.

Thank you

(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: 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)(7)(C)  
Subject: IMMEDIATE ACTION: District Court Ruling Enjoining the Executive Order

All,

(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,



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) on behalf of ENFORCEMENT PROGRAMS DIVISION  
**Sent:** Saturday, February 04, 2017 7:55 PM  
**To:** (b)(6), (b)(7)(C) OFO-FIELD LIAISON; ENFORCEMENT PROGRAMS DIVISION;  
 (b)(6), (b)(7)(C)  
**Cc:** JAMES, MICHELE; (b)(6), (b)(7)(C)  
**Subject:** FW: SA - 4 February 2017 - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C)

Sir,

See DoS response below.

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

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

**From:** (b)(6)  
**Sent:** Saturday, February 04, 2017 7:53 PM  
**To:** (b)(6)  
 (b)(6)  
**Cc:** ENFORCEMENT PROGRAMS DIVISION; (b)(7)(E) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** Re: SA - 4 February 2017 - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C)

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

We are working to contact post so that the can issue a transportation letter. We will coordinate with the attorney since her contact info is included. If you have a way to contact (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) we can have post contact him directly. I have included our duty officer and office director who are both aware.

Thanks,

(b)(6)

Sent from my BlackBerry 10 smartphone.

Original Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, February 4, 2017 6:53 PM  
**To:** (b)(6)  
**Cc:** ENFORCEMENT PROGRAMS DIVISION; (b)(6), (b)(7)(C)  
**Subject:** FW: SA - 4 February 2017 - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C)

FYSA

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

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



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

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

From: (b)(6), (b)(7)(C)  
Sent: Saturday, February 04, 2017 6:34 PM  
To: OFO-FIELD LIAISON (b)(7)(E) ENFORCEMENT PROGRAMS DIVISION  
(b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C)  
Cc: JAMES, MICHELE (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: FW: SA - 4 February 2017 - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C)

Field Liaison/Enforcement Programs-

I received the below message from the Area Port Director Seattle, the Washington State Governors aide reached out to him for assistance on a Somalian who immigrant visa was revoked due to the EO and they need assistance from the DOS to get a transportation letter for he can board the flight. CBP Sea-Tac retained the immigrant visa packet.

Can Field Liaison reach out to DOS for assistance to allow travel back to Seattle and reactivate his immigrant visa. If the DOS has any questions they can reach out to Assistant Port Director (b)(6), (b)(7)(C) (copied on this message). The port is attempting to expedite travelers return back to Seattle

Thank you

I received the below email from (b)(6), (b)(7)(C) of Governor Jay Inslee staff. He outlined some specific actions that they expect CBP Seattle to execute. I responded to his email by informing him that Seattle CBP is willing to assist as much as possible to process the (b)(6), (b)(7)(C) without any unnecessary delays upon his arrival, however, our local ability to contact the State Department and airline overseas (b)(6), (b)(7)(C) is out of our immediate abilities. We will be elevating this situation up through our chain of command to Washington, DC, and possibly a CBP office at the Headquarters level could facilitate what you have outlined with the State Department- the reissuance of the visa and/or provide a travel letter for (b)(6), (b)(7)(C) since he does not have a passport and visa.

We sent bullets to your attention, and is it possible for you to ask or point out that HQ may need to assist in coordinating some of these action with the Department of State.

Thank you,

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

(b)(6), (b)(7)(C) . Area Port Director . Area Port of Seattle U.S. Customs and Border Protection . Office of Field Operations

Office: (b)(6), (b)(7)(C) . Cell: (b)(6), (b)(7)(C) . Fax: (b)(6), (b)(7)(C) Secure Voice: (b)(6), (b)(7)(C)

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

"Let the Mission Inspire You"

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From: (b)(6), (b)(7)(C)  
Sent: Saturday, February 04, 2017 2:35 PM  
To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
Subject: RE: (b)(6), (b)(7)(C); Somali turned around

(b)(6), (b)(7)(C) and all - I am including (b)(6), (b)(7)(C) from CPB intergovernmental affairs, and (b)(6), (b)(7)(C) from the Port of Seattle on this chain.

It appears that CBP is prepared to allow (b)(6), (b)(7)(C) to enter the United States upon his entry at Sea-Tac airport, under the terms of his previously-issued visa. Furthermore, the CPB team is helpfully prepared to work with the airline carrier to ensure they are aware of (b)(6), (b)(7)(C) ability to enter the U.S., so that he is allowed to board his flight.

However, (b)(6), (b)(7)(C) physical immigrant visa packet and visa were held in Seattle when he was sent back to (b)(6), (b)(7)(C) on Saturday. My understanding is that he is not in possession of a passport, but was relying on these documents for entry and for travel. Furthermore, our understand is that his visa remains listed as "cancelled" in the State Department system. And, because of these things, and given the fact that he has to travel from (b)(6), (b)(7)(C) before continuing on a flight to Seattle, there is a concern that he will not be allowed to board his flight(s), due to the airline or potentially in an issue with European customs in intra-Euro travel.

Can the CPB team assist (b)(6), (b)(7)(C) and her client in getting in touch with the State Department to 1) revise his "cancelled" visa status, and 2) obtain a written document that will clearly indicate that his ability to travel from (b)(6), (b)(7)(C) to Seattle? Again, we appreciate your willingness to communicate directly with the carrier, as well. That will also be important, but (b)(6), (b)(7)(C) and her client are worried it will be insufficient.

Thank you for your assistance and attention in this matter.

(b)(6), (b)(7)(C)  
Director, Washington, DC Office  
Office of Governor Jay Inslee

(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)

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

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

Sent: Saturday, February 04, 2017 4:23:37 PM

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

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

Subject: SA - 4 February 2017 - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C)

Area Port of Seattle

Situational Awareness - Assistance Provided to Immigrant Affected by EO (b)(6), (b)(7)(C) February 4, 2017

Affected Port: Seattle-Tacoma International Airport

Date of Report: February 4, 2017

Executive Summary:

On January 28, 2017 a male citizen of Somalia (b)(6), (b)(7)(C) arrived aboard (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) The passenger applied for admission as a first time immigrant. He was referred to hard secondary because he met the criteria for January 27th Presidential Executive Order. He was found inadmissible based on the Executive Order and was allowed to withdraw his application for admission. His immigrant visa package was retained by CBP and his Immigrant Visa was cancelled. He was returned to London later that day on (b)(6), (b)(7)(C)

On February 3, 2017, in response to a District Court ruling enjoining the Executive Order, the Deputy Assistant Secretary (Edward Ramotowski) for the Department of State reversed the provisional revocation of all visa provisionally revoked on January 27, 2017.

On February 4, 2017, (b)(6), (b)(7)(C) immigration attorney, (b)(6), (b)(7)(C) contacted APD (b)(6), (b)(7)(C) seeking assistance in getting (b)(6), (b)(7)(C) back to the U.S. She indicated that (b)(6), (b)(7)(C) was currently in (b)(6), (b)(7)(C) and wished to return to the U.S. as an immigrant, however he is not in possession of a passport or an immigrant visa that would allow him to board a flight to the U.S. In an attempt to facilitate his return, CBP Seattle attempted to contact IAP (b)(6), (b)(7)(C) to request assistance with boarding (b)(6), (b)(7)(C) on a Seattle bound flight. However, due to time difference, no officers were on duty. It was later determined that (b)(6), (b)(7)(C) was actually in (b)(6), (b)(7)(C) and that he would be boarding a flight there. CBP Seattle informed (b)(6), (b)(7)(C) that Seattle would process (b)(6), (b)(7)(C) if he could get to Seattle, however he would need to contact the Department of State (DOS) to obtain a boarding letter and visa. (b)(6), (b)(7)(C) indicated that she understood that it wasn't a CBP issue and that she would be reaching out to Governor Inslee's office to get assistance in resolving the matter with the DOS so (b)(6), (b)(7)(C) could board the plane.

Details of the Incident / Date and Time:

\* On January 27, 2014, Presidential Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" enacted.

\* On January 28, 2017 at 1035 hours, Somalia citizen, (b)(6), (b)(7)(C) arrives aboard (b)(6), (b)(7)(C) and applies for admission as a new immigrant.

\* (b)(6), (b)(7)(C) is denied admission and allowed to withdraw his application for admission.

\* At 1345 hours, (b)(6), (b)(7)(C) is returned to (b)(6), (b)(7)(C)

\* On February 3, 2017 at approximately 1700 hours, a District Court rules issues a temporary restraining order suspending the Presidential Executive Order.

\* On February 4, 2017, at 1150 hours, (b)(6), (b)(7)(C) contacted APD (b)(6), (b)(7)(C) by email, seeking assistance with getting (b)(6), (b)(7)(C) back to the U.S.

\* At 1210 hours, APD (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) to help coordinate (b)(6), (b)(7)(C) return.

\* At 1227 hours, multiple attempts to contact IAP (b)(6), (b)(7)(C) were made, but were unsuccessful.

\* (b)(6), (b)(7)(C) was informed that CBP Seattle would process (b)(6), (b)(7)(C) if he arrive in Seattle but she would need to contact the DOS about obtaining a boarding letter and/or a visa that would allow him to board a plane to the U.S.

\* (b)(6), (b)(7)(C) indicated that she understood that CBP could not help her with this and that she would seek assistance from Governor Inslee's office to help resolve the matter with DOS.

Passenger Details:

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

Lawyer Details:

\* Name: (b)(6), (b)(7)(C)

\* Firm: Law Offices of (b)(6), (b)(7)(C) & Associates, P.S.

\* Address: 500 Denny Way Seattle, WA 98109

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

\* Email: (b)(6), (b)(7)(C)@seattle-immigration.com

Notifications:

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

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

Tactical Operations Chief

(b)(7)(E)

United States Customs and Border Protection Department of Homeland Security

Seattle-Tacoma International Airport | Seattle, WA 98158 | Office (b)(6), (b)(7)(C) | Cell (b)(6), (b)(7)(C) | Fax (b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C) D13 D13  
**Sent:** Thursday, February 02, 2017 8:56 AM  
**To:** Pearce, Robert G CAPT; Gilda, Brian S CAPT; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) A; JAMES, MICHELE;  
 Raymond, Joe W CAPT; (b)(6), (b)(7)(C)  
**Cc:** Sturgis, Linda A CAPT; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) Cross, Sean M CAPT  
**Subject:** (b)(7)(E) conference call request - EO 13769  
**Attachments:** D13 EO Checklist.docx

(b)(7)(E)

(b)(7)(E) 02FEB17 - Executive Order 13769 checklist for agency details. (b)(5), (b)(6), (b)(7)(C)

(b)(7)(E)

Very Respectfully,  
 (b)(7)(E)

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5 U.S.C. 552.

### **D13 Executive Order 13769 Checklist**

*More (or less) information may be needed depending upon the  
specific circumstances of the case.*

1. Vessel Name/IMO#	<b>(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)</b>
2. Flag of the vessel	
3. Vessel type/length/Gross tonnage (Tanker, Bulker, Container, etc)	
4. Cargo & Volume.	
5. Port and Facility the vessel is calling to	
6. Estimated arrival/departure date	
7. What is the vessel's assessed security threat? (Spot report issued by ICC/MIFC).	
8. What standard CG Activities (e.g. exams, boarding etc.)/MSRO actions are required outside of EO 13769?	
9. Number and nationality of all crew/pax on board (available in SANS)	
10. Last 5 Foreign Ports of Call (available in SANS)	
11. Next Port of Call (after leaving this port, if known.) If next port is in the U.S., list all consecutive ports until vessel sails foreign (may need to get this info from the agent)	
12. What risk mitigation measures will be implemented prior to and/or during the vessel's port call? (COTP Order, denial of entry, security boarding, security plan, Positive Control Measures, escort, etc)	

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5 U.S.C. 552.

This Document is FOUO: Public Availability to be Determined under  
5 U.S.C. 552.

<p>13. Has Customs and Border Protection (CBP) been consulted on the proposed course of action?</p>	<p><b>(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)</b></p>
<p>14. Is CBP requesting COTP assistance per MOA? a. Yes – What requested? b. No – Why?</p>	
<p>15. Name and contact details for CBP Port Director.</p>	
<p>16. Are any current actions and/or decisions being made in direct response to the Executive Order?</p>	
<p>17. Would denial of entry into US waters have a negative economic impact in the region or any other ascertainable impact that would be contrary to regional or national interests?</p>	
<p>18. Who has been notified about this incident? (Internal/External)</p>	
<p>19. Have there been any inquires about this incident from outside of the Department of Homeland Security? (Media, Congress, State/Local Governments, International Partners, etc...)</p>	

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5 U.S.C. 552.

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 3:49 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Detain On Board Information Request from Coast Guard

Thank you!

(b)(6), (b)(7)(C)  
 Supervisory Program Manager  
 Border Security and Facilitation  
 U.S. Customs and Border Protection  
 Seattle Field Office

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 12:46 PM  
**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Detain On Board Information Request from Coast Guard

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

AP Seattle has been tracking on this vessel in conjunction with the USCG. At this time our information is this vessel will not call at any U.S. dock. It will hover at anchor, take on fuel from a local commercial fuel supplier's barge and then move to Vancouver, BC.

**Details:**

The plan for the vessel is to attempt to take bunkers (ship's fuel) on the 4<sup>th</sup> unless the fuel is not available. If the fuel is not available they plan to drift until it's ready. Specifically they do not want to be at anchor for more than 24 hours to avoid having to make U.S. entry.

The agent information from the e-NOA is below.

[ 24-Hour Point of Contact Information ]

POC Name: (b)(6), (b)(7)(C)  
 POC 24-Hour Phone: (b)(6), (b)(7)(C)  
 POC Company: (b)(6), (b)(7)(C)  
 POC Email: (b)(6), (b)(7)(C)

[ Arrival/Departure Port Information ]  
 City: PORT ANGELES



State: Washington  
Port (or Nearest): Port Angeles  
USCG COTP Zone: Sector Puget Sound  
Place: ---  
Anchorage: ---  
Receiving Facility: PORT ANGELES ANCHORAGE  
Arrival Date/Time: 02/04/2017 18:00  
Departure Date/Time: 02/05/2017 08:00  
Less Than 24 Hr. Voyage: No

We have confirmed the vessel Captain is Syrian. Please see details for him below:

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

**(b)(7)(E)** 01/31/2016@1435 hrs:

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

If the itinerary of this vessel changes resulting in an impending stop at a U.S. dock, we will coordinate with the USCG and advise your office. We will handle the Syrian vessel captain according to the most recent guidance received.

Thank You,

**(b)(6), (b)(7)(C)**  
Assistant Area Port Director  
Area Port of Seattle Tactical Operations  
OFO - U.S. Customs and Border Protection

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

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**From:** **(b)(6), (b)(7)(C)**  
**Sent:** Wednesday, February 01, 2017 12:26 PM  
**To:** **(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**

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

Subject: FW: Detain On Board Information Request from Coast Guard

Area Port of Seattle,

Can you confirm the below information received from Coast Guard; arrival of vessel and COC of the captain. I plan to contact HQ POCs to make sure we follow the proper procedures upon arrival.

Thank you,

(b)(6), (b)(7)(C)  
Supervisory Program Manager  
Border Security and Facilitation  
U.S. Customs and Border Protection  
Seattle Field Office

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

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From: (b)(6), (b)(7)(C)  
Sent: Wednesday, February 01, 2017 11:53 AM  
To: (b)(6), (b)(7)(C)  
Subject: Detain On Board Information Request from Coast Guard

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

The M/V (b)(6), (b)(7)(C) is arriving Port Angeles, WA on February 4<sup>th</sup>. The ship's Captain, (b)(6), (b)(7)(C) and subject to the Executive Order Rules.

Coast Guard is inquiring if we will initiate Detain-on-Board Security Procedures, as they have been tasked to keep track of the reporting of all crew members detained on board.

The request is from Lt. Commander (b)(6), (b)(7)(C). Would we be able to request the seaport to kindly let Coast Guard know of any crew members we detain on board based on the Executive Order. Their district office is requesting they keep a log of all detainees.

Thank you for considering this request. Commander (b)(6), (b)(7)(C) information is found below.

(b)(6), (b)(7)(C)  
Sector Puget Sound Intel Officer

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

Respectfully,

(b)(6), (b)(7)(C)  
Intelligence Officer  
U. S. Customs and Border Protection  
Seattle Field Office  
1000 Second Ave. Suite 2200

Seattle, WA 98104

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 2:55 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detain On Board Information Request from Coast Guard

Coming over to discuss

(b)(6), (b)(7)(C)  
Supervisory Program Manager  
Border Security and Facilitation  
U.S. Customs and Border Protection  
Seattle Field Office  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 11:53 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Detain On Board Information Request from Coast Guard

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

The M/V (b)(6), (b)(7)(C) is arriving Port Angeles, WA on February 4<sup>th</sup>. The ship's Captain, (b)(6), (b)(7)(C) and subject to the Executive Order Rules.

Coast Guard is inquiring if we will initiate Detain-on-Board Security Procedures, as they have been tasked to keep track of the reporting of all crew members detained on board.

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Thank you for considering this request. Commande (b)(6), (b)(7)(C) information is found below.

LCDR (b)(6), (b)(7)(C) USCG  
Sector Puget Sound Intel Officer

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

Respectfully,  
(b)(6), (b)(7)(C)  
Intelligence Officer

U. S. Customs and Border Protection  
Seattle Field Office

1000 Second Ave. Suite 2200

Seattle, WA 98104

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

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

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