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**From:** Owen, Todd C (AC OFO)  
**Sent:** Tuesday, January 31, 2017 8:50 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Discussion

One handcuffing incident. JFK. Transported between terminals via car, handcuffed per policy. She was the mother of a soldier. Actions were in accordance with policy and had nothing to do with the EO. But just to be aware.

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

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From: MCALEENAN, KEVIN K  
Sent: Wednesday, February 01, 2017 1:43:55 AM  
To: Owen, Todd C (AC OFO)  
Subject: RE: Discussion

Thank you!

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From: Owen, Todd C (AC OFO)  
Sent: Tuesday, January 31, 2017 8:42:00 PM  
To: MCALEENAN, KEVIN K  
Subject: Discussion

Spoke with [REDACTED] Murdock on DFW and Houston. No red flags. First 24 hours were hectic but no mistreatment or anything like that. I will share the full details when you get in the office tomorrow.

Social media is spinning stuff up. [REDACTED] tells me he just got off the phone with the LAWA XD because social media is saying that right now we have 100 in holding with no food, no water. He's calling from ARU and the detention area, and they have no one. Unreal.

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

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Sunday, January 29, 2017 10:02 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Im on. Hoffman, ryan with me.

Yes, we believe so but still confirming. Still working it.

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

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**From:** MCALEENAN, KEVIN K  
**Sent:** Sunday, January 29, 2017 3:00:57 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: Im on. Hoffman, ryan with me.

Thanks. Any derog on the two LPRs not granted a waiver?

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Sunday, January 29, 2017 10:00:22 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** Im on. Hoffman, ryan with me.

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

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Sunday, January 29, 2017 8:26 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

Confirmed (b)(6), (b)(7)(C) was approved around 2230 last night and released.

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

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Sunday, January 29, 2017 1:20:18 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

Seems both may have been approved, confirming, on (b)(6), (b)(7)(C)

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

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**From:** MCALEENAN, KEVIN K  
**Sent:** Sunday, January 29, 2017 1:19:06 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

Okay. I thought counsel had 2 more

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Sunday, January 29, 2017 8:18:31 AM  
**To:** MCALEENAN, KEVIN K; ALLES, RANDOLPH D  
**Subject:** RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

We are current on waivers. Nothing pending at of 0815.

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

From: MCALEENAN, KEVIN K  
Sent: Sunday, January 29, 2017 1:16:17 PM  
To: Owen, Todd C (AC OFO); ALLES, RANDOLPH D  
Subject: RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

Exception approved

From: Owen, Todd C (AC OFO)  
Sent: Sunday, January 29, 2017 8:04:15 AM  
To: MCALEENAN, KEVIN K; ALLES, RANDOLPH D  
Subject: FW: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

Waiver request.

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

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 1:02:03 PM  
To: (b)(6), (b)(7)(C)  
HOFFMAN, TODD A; HUTTON, JAMES R; (b)(6), (b)(7)(C) MURDOCK, JUDSON W; OFO-FIELD LIAISON; Owen, Todd C (AC OFO); WAGNER, JOHN P  
Cc: PEREZ, ROBERT E; (b)(6), (b)(7)(C)  
Subject: RE: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)

(b)(5)

(b)(6), (b)(7)(C)  
CBP Associate Chief Counsel (Enforcement and Operations) T. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
\*\* Attorney Work Product / Attorney-Client Privileged \*\*

From: (b)(6), (b)(7)(C)  
Sent: Sunday, January 29, 2017 7:50 AM  
To: (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
HOFFMAN, TODD A (b)(6), (b)(7)(C) HUTTON, JAMES R (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) MURDOCK, JUDSON W (b)(6), (b)(7)(C)  
OFO-FIELD LIAISON (b)(7)(E) Owen, Todd C (AC OFO) (b)(6), (b)(7)(C)  
WAGNER, JOHN P (b)(6), (b)(7)(C)  
Cc: PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
Subject: EO 212(f) Waiver for (b)(6), (b)(7)(C) (f/n's) (b)(6), (b)(7)(C) (family unit)



OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" [January 28, 2017] to (b)(6), (b)(7)(C) in Baghdad, Iraq, a forty-nine year old male, citizen and national of Iraq, arrived at John F. Kennedy International Airport aboard Qatar airlines flight QR 703 from Doha, Qatar. Subject was traveling with his daughter, (b)(6), (b)(7)(C). The Port of Entry has done thorough exams on these individuals and vetting indicates there is no nexus to terrorism. Due to the lack of any indication of a security risk, and the potential claims of fear of his country of nationality, we recommend that these individuals be admitted consistent with Section 3(g) of the Executive Order. The granting of the waiver requests are in the interest of the United States government because the individual possesses the education, experience and background to benefit the United States. Additionally, the wife of both subjects was previously admitted as DV-1 immigrant, therefore it is in the interest of the United States government for the purposes of family unity.

- The subject (b)(6), (b)(7)(C) is a citizen of Iraq DOB (b)(6), (b)(7)(C)
- (b)(6), (b)(7)(C) arrived at JFK NYC POE Terminal 7 on January 28, 2017 via Qatar Airlines flight QR 703
- The subject arrived from Doha, Qatar where he had been residing with his wife and daughter.
- Subject traveled with his wife and daughter, both also first time immigrants. The daughter also requires approval, (b)(6), (b)(7)(C). The wife, (b)(6), (b)(7)(C) is a citizen of Qatar and was admitted on 1/28/2017 as a DV-1 immigrant.
- Family was residing at Qatar/Doha (b)(6), (b)(7)(C) which had now been vacated.
- Subject (b)(6), (b)(7)(C) has foreign travel as follows: Saudi Arabia in 2010 for Haji, Turkey in 2015 and 2016 to visit brother, Jordan in 2014 to visit another brother, UAE in 2010 for pleasure.
- Subject worked as a fighter control officer for the Iraqi Air Force from 1986 until 2003 finishing with the rank of LT Colonial.
- Subject is employed with Qatar Civil Aviation Authority as an Air Traffic Controller. Subject began his employment in Qatar in 2003. Subject graduated with a bachelor's degree from the Iraqi Airforce in 1990.
- Subject will stay in a hotel until he can rent an apartment. Intercontinental Hotel in New York. Subject's cell phone number is (b)(6), (b)(7)(C) (Qatar Cell Number)
- Subject has a distant cousin named (b)(6), (b)(7)(C) and his number (b)(6), (b)(7)(C)
- Subject's daughter (b)(6), (b)(7)(C) has foreign travel to Saudi Arabia in 2016 for Umrah.

Respectfully,

(b)(6), (b)(7)(C)  
 (A) Assistant Director, Border Security  
 U.S. Customs & Border Protection  
 New York Field Office

T  
 M (b)(6), (b)(7)(C)

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 8:43 PM  
**To:** MCALEENAN, KEVIN K  
**Cc:** ALLES, RANDOLPH D; FLANAGAN, PATRICK S  
**Subject:** FW: Limited Distribution: EAC Bullets - Nationwide: Protests at Various Ports of Entry Resulting From President Trump's Executive Order

Information on the protests below. Protestors have started to gather at LAX in the last hour.

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

**U.S. Customs and Border Protection**  
**Office of Field Operations**  
**Bullets for the Executive Assistant Commissioner**  
**January 28, 2017**

**Limited Distribution**

**Nationwide: Protests at Various Ports of Entry Resulting From President Trump's Executive Order**

**SYNOPSIS:**

On January 28, 2017, various U.S. Customs and Border Protection (CBP) ports of entry (POEs) are reporting protests resulting from the Executive Order (EO) "Protecting the Nation from Foreign Terrorist Entry into the United States" issued by President Trump on January 27, 2017. This EO suspended all entry into the United States for aliens who are nationals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen as per Section 212(f) of the INA. This includes all non-immigrant classifications, with the exception of those people traveling on diplomatic visas, NATO visas, C2 visas going to the United Nations, G1, G2, G3 and G4 visas. The order also includes all immigrant classes of admission, returning resident aliens, refugees and asylees.

**DETAILS:**

**New York Field Office:**

John F. Kennedy International Airport (JFK)

**UPDATE:**

- As of 1900 hours, protestors have occupied the parking garage at Terminal 4 (all levels) with signs.
- Crowd estimate is approximately 2,500-3,000. Demonstration mainly contained to Terminal 4 at this time, sporadic protesters at all the other terminals. PAPD, National Guard, state police, and NYPD assets will be deployed to all terminals.
- The protesters are being contained, are peaceful, are keeping their distance and are being closely monitored.
- Air Train service is restricted, only ticketed passengers and persons with airport ID will be allowed to enter the air train to access the central terminal areas.
- No impact to airport operations.

- According to the NY/NJ Port Authority Police Department (PAPD), a group of demonstrators (about 80) are currently protesting in a parking lot outside Terminal 4 under the presence of media outlets.
- With assistance of PAPD and Port Authority (PA) operations we have directed the protesters to remain in a specific lot where they are currently staged and monitored.

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

- The remaining 4 CBP terminals at JFK have not been impacted. The PAPD are making sure media personnel are not congregating in the terminals.
- A conference call with PAPD was held at 1500 hours and the JFK Port Director briefed the other law enforcement agencies on how CBP is processing the passengers who are subject to this EO.
- Due to the demonstration scheduled to take place in the Terminal 4 parking lot at 1830 hours, additional police personnel will be deployed to the area to ensure that the demonstration remains peaceful.
- Approximately 350-400 demonstrators are currently in the east side of the parking lot.

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

Newark-Liberty International Airport (EWR)

- A group of protestors have congregated at the Terminal B International Arrivals Area of Newark Liberty International Airport.
- The crowd size is approximately 100 and the protest is peaceful.
- Several media outlets have set up around the protest. The group is protesting the implementation of President Trump's Executive Order.
- PAPD is securing the area for travelers and airport employees.

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

**Baltimore Field Office:**Washington-Dulles International Airport (IAD)

- Virginia Governor Terry McAuliffe and Virginia Attorney General Mark Herring attend a "Protest Rally To Welcome Refugees" at IAD organized by a social group identifying itself as "Standing Up For Racial Justice of Northern Virginia".
- Virginia Governor Terry McAuliffe gave a speech to the media in opposition to President Donald Trump's Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States" temporarily banning immigrants and non-immigrants from seven majority-Muslim countries entry into the United States.
- Social justice group "Standing Up For Racial Justice of Northern Virginia" organized a welcome rally via social media to take place at Washington Dulles Airport. The Governor and state attorney general gave a press conference and left Washington Dulles after briefly speaking with rally attendees.
- Rally organizer, (b)(6) representing the group stated to media sources that the group was planning a show of solidarity to international arrivals, immigrants, refugees coming into this country, who might be afraid of the executive order, to let them know the group supports and welcomes them.
- Estimated by Airport authority that this event has drawn up to 300 participants. Protestors have been witnessed cheering when passengers exit the FIS, and occasionally chanting "love, not hate. That's what makes America great."
- (b)(7)(E)
- Personnel have also been advised that they are not to speak to the media or other individuals who may inquire regarding the executive order, but rather are to refer them to public affairs link on CBP.gov and/or notify a supervisor.

Philadelphia International Airport (PHL)

- Information obtained from news outlets and Philadelphia Police Airport Group have identified that a protest is scheduled at the Philadelphia International Airport Arrivals Hallway at 1400 hrs.
- (b)(7)(E)
- Philly.com ((b)(6) - columnist) is reporting that a protest is imminent (being organized) at Terminal "A".
  - Expected turn-out is projected to be in the hundreds
  - This is the main entrance and exit for the CBP staff to access the FIS for start/end of shifts
  - (b)(7)(E)
  - (b)(7)(E)
  - Officers have been mustered multiple times that if engaged, they are to state that they are not authorized to comment
  - Additional staffing has been assigned for tomorrow
  - (b)(7)(E)
  - Officers have been advise to remain vigilant and to challenge individuals who are accessing our area
  - PHI CBP Supervisors have been monitoring (not responding too) social media.

Baltimore International Airport (BWI):

- The MDTA Police and MAA are not aware of any planned protests for today or tomorrow.

**Boston Field Office:**Boston-Logan International Airport (BOS)

- On January 28, 2017, Massachusetts District Attorney Maura Healey hosted a press conference outside the CBP Federal Inspection (FIS) area main arrivals door at BOS in response the Presidential Executive Order: Protecting the Nation from Foreign Terrorist Entry Into the United States and was covered by two (2) media outlets.
- Additionally approximately five (5) protesters have gathered. CBP along with the Massachusetts State Police and Massport are monitoring the developing situation.

**Chicago Field Office:**Chicago-O'Hare International Airport (ORD)

- Activists and elected officials called for an "emergency protest" at O'Hare **Airport's** international terminal. (no further details)

Port of Minneapolis/St. Paul (MSP)

- On January 28, 2017, at 1645 hours (CST), Minneapolis Airport Police Department called and relayed that a group of approximately 30-40 individuals have organized a demonstration/protest via Facebook, at the Minneapolis Airport, terminal one.
- The dispatcher stated that 30-40 protestors have organized via Facebook and are currently gathering at the Minneapolis International Airport, Terminal one and planned to walk through the terminal and meet at the CBP/FIS exit doors, and greet people as they arrived. The Minneapolis Airport Police Department is monitoring the group by camera and also have officers present.
- All CBP staffed have been mustered and information disseminated.
- [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) and any activity will be reported as soon as possible.

**San Francisco Field Office**San Francisco International Airport (SFO)

- CBP was informed by the San Francisco Police Department (SFPD) that there are demonstrations anticipated at the San Francisco International Airport this afternoon. The demonstrations are in reaction to the recent presidential executive orders dealing with immigration.
- The San Francisco Airport reported a demonstration in front of the Departures level by a group called "Not In Our Name." SFPD will monitor situation and not interfere unless the group breaks any laws, such as [REDACTED] (b)(7)(E) SFPD stated they will have officers posted around the FIS exit to monitor situation.
- The demonstration has had no significant impact on CBP operations.
- The group outside the "A" exit to the arrivals lobby has been dispersed.
- Per SFPD approximately 300 protesters are massed on the curb outside the FIS arrivals lobby. SFPD states they are hearing "chatter" from some in the crowd suggesting that "they rush the doors" to the FIS and "free those being illegally detained by CBP". SFPD states they are reaching out to San Mateo County Sheriff's Department for assistance in crowd control.
- CBP SFO is shutting down [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E)
- CBP SFO is maintaining constant communication with SFPD to in order to monitor protest activity and assess risk.

- DFO Humphrey was on scene at SFO to oversee overall operations and ensure smooth and efficient processing of affected arriving aliens.

**Houston Field Office:****Dallas-Fort Worth International Airport (DFW)**

- On Saturday, January 28, 2017, at approximately 1630 hours, approx. 50-60 protesters and news media gathered outside the DFW International Airport FIS exit.
- Onsite were what appeared to be representatives from 10 different news media outlets with filming equipment. The DFW Police Department is onsite as well.
- At this time protesters are still onsite; however, passengers exiting the FIS were not being interfered with.

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

**Submitted by:** (b)(6) / Field Liaison Division

**Date / Time:** January 28, 2017 / 1900 hours

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 8:09 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** FW: CAIR @ Dulles

Pls see below. No CAIR trying to get into Dulles who identified themselves as such.

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

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From: DURST, CASEY OWEN  
 Sent: Sunday, January 29, 2017 1:04:51 AM  
 To: Owen, Todd C (AC OFO)  
 Subject: RE: CAIR @ Dulles

EAC,

I confirmed with PD (b)(6), (b)(7)(C) (he also confirmed with his management team) – he was at the port for most of the day and there were no specific inquiries from CAIR, however there were inquiries from attorney’s via telephone but none that identified with CAIR. These individuals were referred to public affairs as the questions were general and not in relation to a specific traveler.

Casey Owen Durst  
 Director, Field Operations  
 Baltimore Field Office  
 (b)(6), (b)(7)(C) (office)  
 (b)(6), (b)(7)(C) (cell)

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From: Owen, Todd C (AC OFO)  
 Sent: Saturday, January 28, 2017 7:46 PM  
 To: DURST, CASEY OWEN (b)(6), (b)(7)(C)  
 Subject: FW: CAIR @ Dulles  
 Importance: High

Casey, please advise?

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

From: MCALEENAN, KEVIN K  
 Sent: Saturday, January 28, 2017 7:38 PM  
 To: Owen, Todd C (AC OFO) <(b)(6), (b)(7)(C)>; WAGNER, JOHN P  
 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) HOFFMAN, TODD A  
 (b)(6), (b)(7)(C)

Subject: FW: CAIR

Please advise

From: (b)(6), (b)(7)(C)  
 Sent: Saturday, January 28, 2017 7:38 PM  
 To: MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>  
 Cc: (b)(6), (b)(7)(C); (b)(6)  
 Subject: CAIR

Hi, Kevin. Have you heard of any attorneys (and CAIR in particular) trying to get access to observe secondary inspections and/or represent aliens in secondary? I heard a rumor that they are, or might be, at Dulles and wanted to flag it.



**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 8:02 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** FW: EO 212(f) Waiver for (b)(6)  
**Attachments:** image001.jpg  
**Importance:** High

Still waiting for OCC to concur before forwarding to you, but recommend (b)(5)  
 We already waived in the LPR parents.

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

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**From:** HUTTON, JAMES R  
**Sent:** Sunday, January 29, 2017 12:37:10 AM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
**Cc:** HOFFMAN, TODD A; MURDOCK, JUDSON W; (b)(6), (b)(7)(C) PEREZ, ROBERT E; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** EO 212(f) Waiver for (b)(6) (MINOR)

OCC

Please see below a waiver request involving a 14 year old male, who is travelling with his LPR parents. JFK PD has already approved a waiver for his LPR parents.

OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" [January 28, 2017] to (b)(6) (b)(6) (D/POB: (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) ), a fourteen year old male, citizen and national of Syria, arrived at John F. Kennedy International Airport aboard Saudi Arabian Airlines (SV) flight SV-21 from Jeddah, Saudi Arabia. The Port of Entry has done a thorough exam on this individual and vetting indicates there is no nexus to terrorism. Due to the lack of any indication of a security risk, the potential claims of fear of returning to his country of nationality, and the fact that he is a minor, we recommend that this individual be admitted consistent with Section 3(g) of the Executive Order.

Details:

- Subject is a fourteen year old traveling with his parents who are both LPRs, he is a first time immigrant (FX2), (b)(6)
- Syrian passport: (b)(6) issued 10 Mar 2013 [expires 09 Mar 2019] in Damascus, Syria.
- Subject plans to live with his parents at (b)(6)
- Subject has been a ninth grade student at Dar Jana International School in Jeddah, Saudi Arabia.
- Subject was residing with his parents in his father's apartment, located in (b)(6), (b)(7)(C) Jeddah, Saudi Arabia.
- Foreign phone number: (b)(6) [mobile] [WhatsApp]
- Email address as: (b)(6), (b)(7)(C)
- Social Media: Facebook "(b)(6), (b)(7)(C)", Instagram "(b)(6), (b)(7)(C)" and Snapchat (b)(6), (b)(7)(C)
- Passport reveals travel to USA, Saudi Arabia, Turkey, and Spain.
- Last in Syria in 2013 when he traveled with his parents for vacation.
- No evidence of travel to other countries of interest found.
- (b)(7)(E) revealed no derogatory information.

J. Ryan Hutton  
 Deputy Executive Director  
 Admissibility and Passenger Programs  
 RRB #2.4G-56  
 Washington, DC

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

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

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**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:52 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** FW: JFK Protest Pictures

Heavy Police presence at JFK.

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

From: (b)(6), (b)(7)(C)  
Sent: Saturday, January 28, 2017 7:50 PM  
To: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C)  
Subject: FW: JFK Protest Pictures

EAC – Not sure if you saw this.

Thank you,

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

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From: HUTTON, JAMES R

Sent: Saturday, January 28, 2017 7:15 PM

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

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

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:52 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: CAIR

No. Sending you pics.

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

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 7:50 PM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
**Subject:** RE: CAIR

Also; any security concerns from our team at JFK?

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:49 PM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>  
**Subject:** RE: CAIR

Checking now.

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

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**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 7:38 PM  
**To:** Owen, Todd C (AC OFO) <(b)(6), (b)(7)(C)>; WAGNER, JOHN P <(b)(6), (b)(7)(C)>; (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)>; HOFFMAN, TODD A <(b)(6), (b)(7)(C)>  
**Subject:** FW: CAIR

Please advise

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 7:38 PM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>  
**Cc:** (b)(6), (b)(7)(C); (b)(6)  
**Subject:** CAIR

Hi, Kevin. Have you heard of any attorneys (and CAIR in particular) trying to get access to observe secondary inspections and/or represent aliens in secondary? I heard a rumor that they are, or might be, at Dulles and wanted to flag it.

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 7:15 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Need the waiver process write up ASAP?

Here is what is being sent to the DFOs as a go by with a sample waiver template. The DFOs send it into APP, who routes to OCC, and once OCC concurs, they send it to me, and I review/send to you.

-----  
 -----

#### DFO's

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

- Returning Refugees (to include any 1<sup>st</sup> time refugees encountered – *N.B. DoS has advised that no refugees are scheduled to travel this weekend but some Field Offices have reported arrival.*)
- Returning Asylees;
- Immigrant Visas to include Special Immigrant Visas;
- Individuals in possession of a valid I-512 issued by CIS;
- UAC

The request for said waiver will need to follow the below format set to the following distro below:

- EAC Owen
- DEAC Wagner
- XD Murdock
- XD Hoffman
- (a) DXD Campbell
- DXD Hutton
- OFO Field Liaison

#### Sample Waiver Narrative

OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) to **[name and date of birth]**. **[details of arrival]**. **[NIV/IV etc classification]**. **[Information about any basis to support a waiver including information like previous service to the US, LPR status, history in the US with no indication of danger, etc.]**. The port of entry has done a thorough exam on this individual and vetting indicates that there is no nexus to terrorism **[port should include any other information about the individual's background and why it does not preclude waiver]**. Because of **[summary of reasons]**, along with the lack of any indication of a security risk, we recommend that this individual be admitted consistent with Section 3(g) of the Executive Order.

Specific bullets regarding the specific individual(s), for example:

- Subject (**insert name**) DOB: (**insert DOB**) COC IRAQ arrived at JFK Terminal One at 1753 hours on 01/27/2017.
- Subject presented a passport from Iraq with a SQ1 visa classification (Special Immigrant).



- Subject previously worked as a translator for the US Army.
- Subject was traveling with his spouse, 2 minor children and 1 adult child who were processed and released without incident.
- Subject's purpose of travel was to relocate his family to the US. (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C).
- Subject was referred at 1821 hours to (b)(7)(E)  
(b)(7)(E)
- Subject was cleared for the alert which stated "no nexus to terrorism" event # (b)(6)
- Subject remained in Passport Control Secondary and was re-referred pending official guidance in regard to the Executive Order.
- IOM (International Organization for Migration) attorney made telephonic contact with CBP requesting subject's release.
- Notification of a Washington Post reporter in the lobby of Terminal One were made to CBP. This report was unconfirmed.
- Subject was transported to Terminal 4 (IAT) ramp side and will be offered a I-275 (withdrawal of application).

Subjects spouse and children: **(If applicable)**

Wife:  
Female

Children:  
D (minor)  
(b)(6), (b)(7)(C)  
Male

N  
(b)(6), (b)(7)(C)  
Female

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

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 7:11 PM



To: Owen, Todd C (AC OFO) <[redacted] (b)(6), (b)(7)(C)>

Subject: Need the waiver process write up ASAP?



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

[redacted] (b)(6), (b)(7)(C)

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

*Vigilance • Service • Integrity*

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 1:20 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

10-4, ny has the release. Shouldnt be long. Will advise.

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

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 6:19:20 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

Let me know when second one released

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

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 1:18 PM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>; ALLES, RANDOLPH D <(b)(6), (b)(7)(C)> FLANAGAN, PATRICK S <(b)(6), (b)(7)(C)>  
**Cc:** LOWRY, KIM M <(b)(6), (b)(7)(C)>  
**Subject:** FW: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

Pls note Congressmen who were waiting with the media when we released the first detainee from JFK.

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

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**From:** PEREZ, ROBERT E  
**Sent:** Saturday, January 28, 2017 6:01:56 PM  
**To:** Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)  
**Subject:** FW: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

FYI - sitroom to follow.

REP

From: (b)(6), (b)(7)(C)  
Sent: Saturday, January 28, 2017 12:55:34 PM  
To: (b)(6), (b)(7)(C); OFO-FIELD LIAISON; (b)(6)  
(b)(6), (b)(7)(C)  
Cc: PEREZ, ROBERT E; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
Subject: Media -Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK -

OFO Field Liaison,

Please view the bullets below regarding Congressman Jerrold Nadler and Congresswoman Nidia Velasquez visit to JFK.

The Congressman expressed concerned for the welfare of the two Iraqi subjects being held at JFK Terminal 4, especially, in regard to Mr. (b)(6) who has the SQ1 visa (the translator).

CBP stated that the passenger is being processed.

CBP did not interact with any journalists, however one journalist copied two CBP managers' names while speaking to the Congressman (Nassauer, and Goico ) might appear in the news.

At 12:46, Mr. (b)(6) was released.

He was escorted out a side door by two CBP managers, where Congressman Nadler met him.

Respectfully,

(b)(6), (b)(7)(C)  
Border Security Coordinator  
U.S. Customs & Border Protection  
Office of Field Operations, New York  
Office: (b)(6), (b)(7)(C)  
Blackberry: (b)(6), (b)(7)(C)  
Fax: (b)(6), (b)(7)(C)  
Email: (b)(6), (b)(7)(C)  
HSDN: (b)(6), (b)(7)(C)

"A man can be destroyed but not defeated."

Ernest Hemingway

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 1:04 PM  
**To:** MCALEENAN, KEVIN K  
**Cc:** ALLES, RANDOLPH D; FLANAGAN, PATRICK S  
**Subject:** FW: Waiver Request for 212(1) in re: (b)(6), (b)(7)(C)  
**Attachments:** image001.jpg

**Importance:** High

2nd waiver.

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

---

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

OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) to (b)(6) DOB (b)(6). The subject arrived at JFK aboard Norwegian AirShuttle (DY) flight 7015, on 01/27/2017 from Stockholm, Sweden at Terminal One at 23:29 hours. The subject was in possession of Iraqi passport # (b)(6) and valid ZZ refugee Classification Foil # (b)(6). The subject's wife and young son reside in Houston, Texas. They were admitted as refugees in February of 2014. The subject is intending to travel to (b)(6). The port of entry has done a thorough exam on this individual and vetting indicates that there is no nexus to terrorism. Because of the lack of any indication of a security risk, and the potential claims of fear of his country of nationality, we recommend that this individual be admitted consistent with Section 3(g) of the Executive Order."

- Subject (b)(6) (DOB (b)(6), (b)(7)(C)) arrived at JFK aboard Norwegian AirShuttle (DY) flight 7015, on 01/27/2017 from Stockholm, Sweden at Terminal One at 23:29 hours.
- The subject was in possession of Iraqi passport # (b)(6) and valid ZZ refugee Classification Foil # (b)(6) # (b)(6)
- Subject was referred to Passport Control Secondary for a 1 day (b)(6), (b)(7)(C) CTR interview
- The subject was born and raised in Baghdad, Iraq and has been living there since 2015
- The subject left Iraq about a year and half ago due to death threats and an attempted kidnapping
- The subject left Iraq and traveled to Turkey for two weeks and then onward to Sweden

- The subject has been living in Sweden with his brother and remained unemployed
- The subject attended Baghdad University and received his Bachelor’s degree in Accounting.
- While in Iraq he worked for a company called Harland which deals with HVAC work
- The subject’s wife and young son reside in Houston, Texas. They were admitted as refugees in February of 2014.
- The subject is intending to travel to (b)(6)
- This is the subject’s first trip to the United States
- Previous travel outside of Iraq is only 2 weeks in Turkey and then onward to Sweden
- Subject states that he has no military experience
- (b)(7)(E) No derogatory information found

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

•: (b)(6), (b)(7)(C)  
 7:  
 •:

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

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

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 6:59 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** Hi

Hi Kevin - I am the new President at CBSA and was looking forward to introducing myself to you in person in London at the B5 meeting.

As it turns out it we will probably need to chat sooner so that we can calibrate on the recent EO and how it is playing out. I imagine you are fielding lots of calls now, so if a call tonight doesn't work, perhaps we can chat tomorrow?

I am at my neighbors tonight, so I just have my cell (b)(6) for tonight.

Essentially, we are looking for as close to definitive guidance as we can get on how the EO is being applied.

In the interim, (b)(6) says hello!

Cheers, (b)(6)

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 7:49 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** Dulles Access

Kevin -

Thank you in advance for any help you can give us. I am the Pro Bono Director at the Capital Area Immigrant Rights' Coalition. As you know, there are many people being held at Dulles airport by CBP from the seven countries named in the President's executive order. Many of these people are green card holders or valid immigrant visas. We would like access to the people so that we can collect biographical and visa information. We understand that we would not typically be allowed access to CBP containment but these people are not being held in a typical manner. Access to counsel to gather info is essential. We would like for dulles CBP to be directed to provide that access. This is unprecedented and requires immediate action.

You can reach me via phone as well at (b)(6), (b)(7)(C)

(b)(6)

--

(b)(6), (b)(7)(C)  
Pro Bono Director, Capital Area Immigrants' Rights (CAIR) Coalition  
1612 K Street NW suite 204  
Washington, DC 20006

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

Visit our website at [www.caircoalition.org](http://www.caircoalition.org).  
Follow us on [Facebook](#) and [Twitter](#).  
Catalogue for Philanthropy "One of the Best"

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 11:41 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Consideration of Waiver of 212(f) - Iraqi SIVs: Nondelivered

**Importance:** High

Your message did not reach some or all of the intended recipients.

Subject: RE: Consideration of Waiver of 212(f) - Iraqi SIVs  
Sent: Saturday, January 28, 2017 11:41 AM (UTC-05:00) Eastern Time (US & Canada)

The following recipient(s) could not be reached:

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



**From:** (b)(6)  
**Sent:** Friday, January 27, 2017 11:27 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** Urgent request re Iraqi refugee at JFK  
  
**Importance:** High

Dear Kevin,

Apologies to be emailing so late. We've just learned that an Iraqi interpreter, (b)(6) (b)(6) who was given a Special Immigrant Visa because his life was at risk due to his work for the Americans in Iraq, landed tonight at JFK, around 8:20 pm (ET). His wife and children were allowed through CBP, but he was held behind. All the family was told was that CBP was "awaiting instructions from DC." He is still being helped at JFK.

Please advise as to how we can ensure that (b)(6) be allowed through given that he was in transit despite today's Executive Order. My cell is (b)(6) if it would be easier to talk.

I've just gotten information about a second family at JFK, and an Afghani family at SFO that I am still waiting for more info on.

I would greatly appreciate a response as soon as possible.

Many thanks,

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

(b)(6) **Esq.** | Executive Director  
**National Immigration Law Center**  
3435 Wilshire Blvd., Suite 1600 | Los Angeles, CA 90010 | (b)(6), (b)(7)(C)

@ (b)(6)

**Executive Assistant:** (b)(6)  
(b)(6) | (b)(6), (b)(7)(C)



Save paper--don't print unless necessary

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**From:** LOWRY, KIM M  
**Sent:** Wednesday, February 01, 2017 6:51 AM  
**To:** MCALEENAN, KEVIN K  
**Cc:** FLANAGAN, PATRICK S  
**Subject:** RE: Senator McCaskill

Sir  
I will send it electronically  
VR  
Kim

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Wednesday, February 01, 2017 6:49:29 AM  
**To:** LOWRY, KIM M  
**Cc:** FLANAGAN, PATRICK S  
**Subject:** RE: Senator McCaskill

Thank you. Yes. Would like to see the letter.

---

**From:** LOWRY, KIM M  
**Sent:** Wednesday, February 01, 2017 12:13:44 AM  
**To:** MCALEENAN, KEVIN K  
**Cc:** FLANAGAN, PATRICK S  
**Subject:** Senator McCaskill

C1  
I spoke with the Senator's staff director (b)(6), (b)(7)(C) on HSGAC tonight and asked her if there was anything specific the Senator would like you to address during tomorrow's briefing. She mentioned the letter sent by the HSGAC minority members. Specifically, they are interested in the information contained in the letter. I have you a copy today at the 3:30. If you need another copy, I can provide in the am or send it to you electronically. She is very interested in LPRs and the change over the weekend (this was addressed today, however, she may ask for more details). She is also interested in receiving the timeline of events and the guidance issued to the field. I described that both oral and written guidance was provided to the field DFOs and explained the chain of command of OFO within CBP so she understood (she is learning). Finally, the Senator as well as others on the Committee will want you to explain CBP's operations and processes as they relate to the EO.

(b)(6), (b)(7)(C) is going to pull the highlights of the issues the HSGAC members inquired about over the past three days tomorrow am before the briefing.

Have a good night.  
VR  
Kim

---

**From:** LOWRY, KIM M  
**Sent:** Tuesday, January 31, 2017 2:01 PM  
**To:** MCALEENAN, KEVIN K; ALLES, RANDOLPH D; Owen, Todd C (AC OFO)  
**Cc:** FLANAGAN, PATRICK S; (b)(6), (b)(7)(C) WAGNER, JOHN P;  
(b)(6), (b)(7)(C)  
**Subject:** FW: CBP Implementation of President's Executive Order: Protecting the Nation from Foreign Terrorist Entry into the United States

Sirs  
We sent the below message and link to the Hill via our 1,300+ list serve  
VR  
Kim

---

**From:** (b)(6), (b)(7)(C) on behalf of ASSISTANT COMMISSIONER OCA  
**Sent:** Tuesday, January 31, 2017 12:49:05 PM  
**To:** ASSISTANT COMMISSIONER OCA  
**Subject:** CBP Implementation of President's Executive Order: Protecting the Nation from Foreign Terrorist Entry into the United States

Dear Colleagues –

As referenced during DHS Secretary Kelly's press conference at 12:00 p.m. today, information on CBP's operational implementation of the President's Executive Order: Protecting the Nation from Foreign Terrorist Entry into the United States, is now available at <https://www.cbp.gov/border-security/protecting-nation-foreign-terrorist-entry-united-states>.

Please contact us with any questions at:

U.S. Customs and Border Protection  
Office of Congressional Affairs  
Phone: (b)(6), (b)(7)(C)  
FAX: (b)(6), (b)(7)(C)  
Email: [OCAInquiry@cbp.dhs.gov](mailto:OCAInquiry@cbp.dhs.gov)

-CBP-

*U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.*

---

**From:** LOWRY, KIM M  
**Sent:** Monday, January 30, 2017 11:38 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Status check on FAQs

Thank you Sir!

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Monday, January 30, 2017 11:26:20 PM  
**To:** (b)(6), (b)(7)(C); J; LOWRY, KIM M  
**Cc:** FLANAGAN, PATRICK S  
**Subject:** FW: Status check on FAQs

I asked her for help.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 11:16:31 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C); MCALEENAN, KEVIN K  
**Subject:** Status check on FAQs

Hi all,

What is the posting status of the FAQs explaining how we are managing different groups?

Is it still stuck in approval somewhere? Can we shake it loose? It is vital that we have that posted before the press conference and before the Secretary goes to the hill. How can I help?

Thanks!

**Office of Congressional Affairs  
January 30, 2017**

**CBP Briefings**

- **Date:** 01/31/2017  
**Subject:** Briefing for staff from the House Committee on Homeland Security regarding an update on biometric entry-exit.  
**Participants:** Acting Commissioner McAleenan will lead the briefing. Deputy Executive Assistant Commissioner John Wagner (OFO), Assistant Commissioner Phil Landfried (OIT), and Executive Director (b)(6), (b)(7)(C) (OIT) will support. (b)(6), (b)(7)(C) (OCA) is coordinating.
- **Date:** 01/31/2017  
**Subject:** Member meeting with Rep. Martha McSally (R-AZ-2), Chairwoman of the House Committee on Homeland Security, Subcommittee on Border and Maritime Security ahead of the February 16, 2017 hearing regarding Transnational Criminal Organization (TCO) threats.  
**Participants:** Director (b)(6), (b)(7)(C) (TF-W) will participate. (b)(6), (b)(7)(C) (OCA) is coordinating.
- **Date:** 01/31/2017  
**Subject:** Briefing for staff from the House and Senate Appropriations Committees, Subcommittees on Homeland Security regarding CBP's implementation of the President's Executive Order dated January 27, 2017.  
**Participants:** Executive Assistant Commissioner Todd Owen (OFO) will participate. (b)(6), (b)(7)(C) (OCA) is coordinating.
- **Date:** 02/01/2017  
**Subject:** Classified briefing for staff from the House Oversight and Government Reform Committee regarding the 100% maritime cargo scanning requirement, and the current maritime security picture.  
**Participants:** (b)(6), (b)(7)(C) (OFO) will participate. DHS PLCY and DNDO are leading the briefing. USCG will also participate. (b)(6), (b)(7)(C) (OCA) is coordinating.
- **Date:** 02/02/2017  
**Subject:** Classified briefing for Members of the House Committee on Homeland Security regarding the "State of the Border."  
**Participants:** OI representative (TBD) and Deputy Chief (b)(6), (b)(7)(C) (USBP) will participate. (b)(6), (b)(7)(C) (A) is coordinating.
- **Date:** 02/02/2017  
**Subject:** Briefing for staff from the House and Senate Appropriations Committees, Subcommittees on Homeland Security regarding OPR and the polygraph program.  
**Participants:** Acting Assistant Commissioner Rodolfo Karisch (OPR), (b)(6), (b)(7)(C) (OPR), XD (b)(6), (b)(7)(C) (OPR) and (b)(6), (b)(7)(C) (OPR) will participate. (b)(6), (b)(7)(C) (OCA) is coordinating.

- **Date:** 02/03/2017  
**Subject:** Briefing for staff from the Senate Appropriations Committee, Subcommittee on Homeland Security regarding CDSOA interest and bonding collection issues.  
**Participants:** Executive Assistant Commissioner Brenda Brockman Smith (OT), Assistant Commissioner Jaye Williams (OF) and Associate Chief Counsel (b)(6), (b)(7)(C) (OCC) will participate. (b)(6), (b)(7)(C) (OCA) is coordinating.

### **Congressional Delegations without Members (STAFFDEL)**

- *February 7-11 (tentative): Staff from the House Appropriations Committee, Subcommittee on Homeland Security will tour CBP operations in and around El Paso, San Antonio, and McAllen, TX. (b)(6), (b)(7)(C) (OCA) is coordinating.*

### **Congressional Delegations with Members (CODEL)**

- February 20-22: Sens. John Cornyn (R-TX), Thom Tillis (R-NC), Dean Heller (R-NV), and John Kennedy (R-LA), and Rep. David Rouzer (R-NC-7) will receive an aerial orientation of the RGV and DRT, as well as a DRT Sector HQ briefing from USBP. (b)(6), (b)(7)(C) (OCA) is coordinating.
- February 22: Rep. Paul Ryan (R-WI-1), Speaker of the House, will tour DHS operations in and around McAllen, TX. The Speaker will likely be accompanied by a small group of select Members (TBD). (b)(6), (b)(7)(C) (OCA) is coordinating.

### **Hearings**

- February 16: Director (b)(6), (b)(7)(C) (JTF-W) will testify before the House Committee on Homeland Security, Subcommittee on Border and Maritime Security during a hearing regarding Transnational Criminal Organization (TCO) threats. Assistant Director (b)(6), (b)(7)(C) (ICE HSI) and Vice Admiral (b)(6), (b)(7)(C) (USCG) will also testify. (b)(6), (b)(7)(C) (OCA) is coordinating.
- February 16 (tentative): The House Oversight and Government Reform Committee will host a hearing regarding maritime cargo security, including 100% scanning. DHS and CBP witnesses will be invited to testify. (b)(6), (b)(7)(C) (OCA) is coordinating.
- March TBD (tentative): The House Committee on Homeland Security, Subcommittee on Border and Maritime Security will hold a hearing regarding DHS Southern Border and Approaches Campaign Joint Task Force (JTF) operations to address TCO threats. The Subcommittee is expected to invite the three JTF Directors to testify. (b)(6), (b)(7)(C) (OCA) is coordinating.

### **DHS Hearings**

- None.

**Events**

- None.

**Notes**

- The House and Senate are in session.

# Executive Order: Border Security and Immigration Enforcement Improvements

EXECUTIVE ORDER

-----

## BORDER SECURITY AND IMMIGRATION ENFORCEMENT IMPROVEMENTS

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

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

Transnational criminal organizations operate sophisticated drug- and human-trafficking networks and smuggling operations on both sides of the southern border, contributing to a significant increase in violent crime and United States deaths from dangerous drugs. Among those who illegally enter are those who seek to harm Americans through acts of terror or criminal conduct. Continued illegal immigration presents a clear and present danger to the interests of the United States.

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



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

- (a) secure the southern border of the United States through the immediate construction of a physical wall on the southern border, monitored and supported by adequate personnel so as to prevent illegal immigration, drug and human trafficking, and acts of terrorism;
- (b) detain individuals apprehended on suspicion of violating Federal or State law, including Federal immigration law, pending further proceedings regarding those violations;
- (c) expedite determinations of apprehended individuals' claims of eligibility to remain in the United States;
- (d) remove promptly those individuals whose legal claims to remain in the United States have been lawfully rejected, after any appropriate civil or criminal sanctions have been imposed; and
- (e) cooperate fully with States and local law enforcement in enacting Federal-State partnerships to enforce Federal immigration priorities, as well as State monitoring and detention programs that are consistent with Federal law and do not undermine Federal immigration priorities.

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

- (b) "Southern border" shall mean the contiguous land border between the United States and Mexico, including all points of entry.
- (c) "Border States" shall mean the States of the United States immediately adjacent to the contiguous land border between the United States and Mexico.
- (d) Except as otherwise noted, "the Secretary" shall refer to the Secretary of Homeland Security.
- (e) "Wall" shall mean a contiguous, physical wall or other similarly secure, contiguous, and impassable physical barrier.
- (f) "Executive department" shall have the meaning given in section 101 of title 5, United States Code.
- (g) "Regulations" shall mean any and all Federal rules, regulations, and directives lawfully promulgated by agencies.
- (h) "Operational control" shall mean the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

Sec. 4. Physical Security of the Southern Border of the United States. The Secretary shall immediately take the following steps to obtain complete operational control, as determined by the Secretary, of the southern border:

- (a) In accordance with existing law, including the Secure Fence Act and IIRIRA, take all appropriate steps to immediately plan, design, and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border;
- (b) Identify and, to the extent permitted by law, allocate all sources of Federal funds for the planning, designing, and constructing of a physical wall along the southern border;
- (c) Project and develop long-term funding requirements for the wall, including preparing Congressional budget requests for the current and upcoming fiscal years; and
- (d) Produce a comprehensive study of the security of the southern border, to be completed within 180 days of this order, that shall include the current state of southern border security, all geophysical and topographical aspects of the southern border, the availability of Federal and State resources necessary to achieve complete operational control of the southern border, and a strategy to obtain and maintain complete operational control of the southern border.

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

(b) The Secretary shall take all appropriate action and allocate all legally available resources to immediately assign asylum officers to immigration detention facilities for the purpose of accepting asylum referrals and conducting credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1225(b)(1)) and applicable regulations and reasonable fear determinations pursuant to applicable regulations.

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

Sec. 6. Detention for Illegal Entry. The Secretary shall immediately take all appropriate actions to ensure the detention of aliens apprehended for violations of immigration law pending the outcome of their removal proceedings or their removal from the country to the extent permitted by law. The Secretary shall issue new policy guidance to all Department of Homeland Security personnel regarding the appropriate and consistent use of lawful detention authority under the INA, including the termination

of the practice commonly known as "catch and release," whereby aliens are routinely released in the United States shortly after their apprehension for violations of immigration law.

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

Sec. 8. Additional Border Patrol Agents. Subject to available appropriations, the Secretary, through the Commissioner of U.S. Customs and Border Protection, shall take all appropriate action to hire 5,000 additional Border Patrol agents, and all appropriate action to ensure that such agents enter on duty and are assigned to duty stations as soon as is practicable.

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

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

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

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

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

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

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

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

(c) Pursuant to section 235(b)(1)(A)(iii)(I) of the INA, the Secretary shall take appropriate action to apply, in his sole and unreviewable discretion, the provisions of section 235(b)(1)(A)(i) and (ii) of the INA to the aliens designated under section 235(b)(1)(A)(iii)(II).

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

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

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

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

(b) enable those officers and employees of the United States, as well as all State and local officers as authorized by the Secretary, to perform such actions on Federal lands as the Secretary deems necessary and appropriate to implement this order.

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

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

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

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

Sec. 17. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

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

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

DONALD J. TRUMP

THE WHITE HOUSE,  
January 25, 2017.

# EXECUTIVE ORDER: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

## 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

# Q&A for “Protecting the Nation from Foreign Terrorist Entry into the United States

January 29, 2017

**Q1: How is the president legally allowed to issue this kind of executive order?**

A: Congress provided the President with the authority under section 212(f) of the Immigration and Nationality Act to suspend the entry of any class of aliens he deems detrimental to the interests of the United States. This authority has been exercised by Presidents for decades, and has been a component of our immigration laws since the Immigration and Nationality Act of 1952.

**Q2: Does this Executive Order apply to green card holders from one of the seven countries listed?**

A: Green card holders are eligible for national interest waivers consistent with the provisions of the Executive Order. The Secretary has determined that, absent significant derogatory information about an individual, it is in the national interest to allow entry for green card holders. The Executive Order does not affect lawful permanent residents who are currently in the country.

**Q3: So far, how many Lawful Permanent Residents have not been allowed to enter pursuant to the Exception to the Executive Order?**

A: Two. One, who was entered into proceedings based on a criminal record. Another individual chose to return to Canada and withdrew his request for entry.

**Q4: So far, how many aliens with special immigrant visas have been denied entry?**

A: None

**Q5: Does this Executive Order apply to dual nationals of the seven countries who want to enter the U.S.? If they apply for entry based on their citizenship from one of the countries NOT on the list, will they be allowed entry?**

A: Yes, but travelers are being treated according to the travel document they present. For example, if they present a Canadian passport, that is how they are processed for entry.

**Q6: What happened to the two men being held at JFK who were released?**

A: While DHS does not generally comment on individual cases, CBP is granting waivers, as outlined in the Executive Order, to individuals whose admission into the country is in the national interest, and who does not pose a national security threat.

**Q7: What do the two exemptions in the Executive Order mean? How are they applied to individual cases?**

A: DHS and State can review individual cases and grant waivers on a case-by-case basis if that individual's admission to the United States is deemed to be in the national interest and if they do not pose a national security threat.

**Q8: How will the EO affect college students from the barred countries, such as F1/J1/M1 visa holders? Are they included in the ban? What kind of guidance is being given to foreign students from these countries legally in the US?**

A: F1/J1/M1 visas are currently temporarily suspended due to the executive order. Individuals who were in the U.S. at the time of the signing of the executive order are not affected by the order. However, individuals who were out of the country at the time of the signing, or who travel out of the country and attempt to return will not be allowed to return for this temporary period. The Department is evaluating

whether those who are precluded from returning as a result of the Executive Order will be considered to have maintained their status as F1 or M1 students.

**Q9: Is it correct that DHS workers were instructed to implement at 4:30 pm on Friday, Jan 27?**

A: The Executive Order and the instructions therein were effective at the time of the order's signing. Guidance was provided to DHS field personnel shortly thereafter.

**Q12: Can USCIS continue refugee interviews of religious minorities and for countries with which we have an agreement?**

A: DHS and DOS continue to review the Executive Order and will conduct interviews as appropriate and consistent with the Executive Order.

**Q13: Will the U.S. accept emergency requests to process a refugee who will then travel?**

A: DHS and DOS will coordinate the processing of individual refugee cases which may be appropriate for travel consistent with the Executive Order.

**Q14: Can the exception for refugee admission be used in I-730 cases (family members following to join) for the petition of refugee/asylee relatives?**

A: These cases will be evaluated on a case-by-case basis.

**Q15: Does "from one of the seven countries" mean citizen, national or born in?**

A: Travelers are being treated according to the travel document they present.

**Q16: Does the Executive Order apply to those currently being adjudicated for naturalization?**

A: No. USCIS will continue to adjudicate N-400 applications for naturalization and administer the oath of citizenship consistent with prior practices.

**Q17: How does the lawsuit/stay affect DHS operations in implementing this executive order?**

A: Upon issuance of the court orders yesterday, U.S. Customs and Border Protection (CBP) immediately began taking steps to comply with the orders. Concurrently, the Department of Homeland Security continues to work with our partners in the Departments of Justice and State to implement President Trump's executive order on protecting the nation from foreign terrorist entry into the United States.

We are committed to ensuring that all individuals affected by the executive orders, including those affected by the court orders, are being provided all rights afforded under the law. We are also working closely with airline partners to prevent travelers who would not be granted entry under the executive orders from boarding international flights to the U.S. Therefore, we do not anticipate that further individuals traveling by air to the United States will be affected.

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

**Q18: Does DHS have a comment on the protests happening at airports around the country?**

A: The Department of Homeland Security fully respects the rights of all people to voice their opinion within the confines of the law.

**Q19: What about refugees who are considered to be "in transit?"**

A: There are currently 872 refugees who are considered to be in transit who are scheduled to arrive in the United States this week. The Secretaries of State and DHS have coordinated and will process the 872 individuals consistent with the terms of the Executive Order, which we've operationalized by assessing each traveler on a case-by-case basis.

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**From:** LOWRY, KIM M  
**Sent:** Saturday, January 28, 2017 12:51 PM  
**To:** Owen, Todd C (AC OFO); WAGNER, JOHN P  
**Cc:** MCALEENAN, KEVIN K; ALLES, RANDOLPH D; FLANAGAN, PATRICK S; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** FW: Urgent Question

EAC/DEAC

Please see below for awareness.

Thank you

Kim

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**From:** LOWRY, KIM M  
**Sent:** Saturday, January 28, 2017 12:49:21 PM  
**To:** (b)(6)  
**Cc:** (b)(6), (b)(7)(C); (b)(6); (b)(6), (b)(7)(C)  
**Subject:** RE: Urgent Question

(b)(6)

We will have an operational update later this afternoon. I don't know if we have this information right now or if we will have it later today. I will check and circle back later today.

Thanks

Kim Lowry

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**From:** (b)(6)  
**Sent:** Saturday, January 28, 2017 12:45:59 PM  
**To:** (b)(6)  
**Cc:** LOWRY, KIM M; (b)(6), (b)(7)(C); (b)(6)  
**Subject:** RE: Urgent Question

(b)(6) connecting to CBP leg Affairs.

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**From:** (b)(6)  
**Sent:** Saturday, January 28, 2017 12:38:57 PM  
**To:** (b)(6)  
**Subject:** Urgent Question

(b)(6)

We are hearing conflicting reports about what is happening at the border and ports of entry. Can you send me an update of the number of people who were denied entry pursuant to the most recent EO? Can you send me their nationalities and the status they were attempting to use for entry?

We need this ASAP.



(b)(6)

Democratic Counsel  
Subcommittee on Immigration and Border Security  
Committee on the Judiciary  
House of Representatives

(b)(6)

Direct: (b)(6)

General: (b)(6)

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**From:** LOWRY, KIM M  
**Sent:** Saturday, January 28, 2017 12:39 PM  
**To:** ALLES, RANDOLPH D; MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); FLANAGAN, PATRICK S; WAGNER, JOHN P  
**Subject:** RE: Congressional Engagement

Sirs

If anyone needs to reach me my personal cell is (b)(6), (b)(7)(C)

VR

Kim

---

**From:** ALLES, RANDOLPH D  
**Sent:** Saturday, January 28, 2017 12:36:33 PM  
**To:** MCALEENAN, KEVIN K; Owen, Todd C (AC OFO); LOWRY, KIM M; FLANAGAN, PATRICK S; WAGNER, JOHN P  
**Subject:** Congressional Engagement

For Congressional Engagement we'll need Senior folks with excellent knowledge of the EO and entry process. I'll be happy to engage but do not really meet the knowledge of entry process requirements. I think this will fall to EAC Owen, DEAC Wagner or C1. But if you need someone for them to yell at I'm available :)

S/F

R. D. Alles, (b)(6), (b)(7)(C) (Cell)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, January 29, 2017 1:18 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: preamble

10-4

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

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

**From:** MCALEENAN, KEVIN K  
**Sent:** Sunday, January 29, 2017 1:18 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** preamble

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

(b)(6) Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

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

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

*Vigilance • Service • Integrity*

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 4:11 PM  
**To:** (b)(6), (b)(7)(C) MCALEENAN, KEVIN K  
**Subject:** RE: (b)(5)  
(b)(5)

(b)(5)

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 4:10 PM  
**To:** (b)(6), (b)(7)(C) MCALEENAN, KEVIN K (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(5)  
(b)(5)

(b)(5)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 4:06 PM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)> (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(5)  
(b)(5)

(b)(5)

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

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

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 4:01 PM  
**To:** (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)>  
**Subject:** (b)(5)  
(b)(5)

(b)(6)

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)  
**Sent:** Saturday, January 28, 2017 4:06 PM  
**To:** MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
**Subject:** RE: (b)(5)  
 (b)(5)  
**Attachments:** Statement POTUS Executive Order Jan 27 CBPOCC.2.CLEAN.docx; Statement POTUS Executive Order Jan 27 CBPOCC.2.docx

(b)(6)

(b)(6)  
 Deputy Associate Chief Counsel  
 Office of Chief Counsel  
 U.S. Customs and Border Protection

(b)(6)

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 4:01 PM  
**To:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
**Subject:** (b)(5)  
 (b)(5)

(b)(6) Kevin K. McAleenan  
 Acting Commissioner  
 U.S. Customs and Border Protection

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

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

*Vigilance • Service • Integrity*

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 3:18 PM  
**To:** MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
**Subject:** RE: Action Memo S re travel exemption.docx

Sorry. This should say (b)(5), (b)(7)(E)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 3:15:24 PM  
**To:** MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
**Subject:** FW: Action Memo S re travel exemption.docx

(b)(5), (b)(7)(E) I should have the actual Natz list soon. Note the 1300 is over 4 days so you could expect 300 per day.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 3:04:00 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Action Memo S re travel exemption.docx

Working on it. But no one of the seven.

(b)(5)

Official  
UNCLASSIFIED

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**From:** (b)(6), (b)(7)(C); (b)(6)  
**Sent:** Saturday, January 28, 2017 3:02 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Action Memo S re travel exemption.docx

(b)(5) Can you send me the nationalities of the 1300?

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 1:28:21 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Action Memo S re travel exemption.docx

(b)(5)

Official  
UNCLASSIFIED

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 1:03 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Action Memo S re travel exemption.docx

Anything you can do to improve welcome.

(b)(5)

(b)(5)

**Official**

**UNCLASSIFIED**



---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, February 01, 2017 7:00 AM  
**To:** MCALEENAN, KEVIN K  
**Subject:** RE: Juan Mas

Yes sir.

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Tuesday, January 31, 2017 9:10:59 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6) ALLES, RANDOLPH D  
**Subject:** RE: Juan Mas

Thanks (b)(6), (b)(7)(C) We will do our best! Appreciate your work. Can we get a sense of the website hits?

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 8:57:09 PM  
**To:** MCALEENAN, KEVIN K  
**Cc:** FLANAGAN, PATRICK S; ALLES, RANDOLPH D  
**Subject:** FW: (b)(6), (b)(7)(C)

Sir,

Wanted to share the below Facebook post to give you unvarnished, unsolicited feedback about today's press conference from a childhood friend who lives in Southern California.

I agree with his assessment of your approach. Yours is exactly the tone we need to continue to maintain as we discuss these highly charged issues.

R/S

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 8:48:26 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** (b)(6), (b)(7)(C)

"I just listened to Kevin McAleenan who is the acting commissioner of the U.S. Customs & Boarder Protection speak. Although I still do not agree with Friday's actions by the White House, I appreciate his calm and collected professional approach to explaining what his agency is actually doing in real time. This discipline and calming behavior is what we expect in our government. The press conference (happening right now) is a parade of officials to try to ensure us they are taking the right approach to Trump's executive order... translation: THIS IS DAMAGE CONTROL for the chaos created because Trump himself is incapable of speaking in ways that make us feel like he is a rational human-being. I can only hope that the President learns from the bright lights on his staff how to act like a leader."

Sent from my iPad

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:45 AM  
**Subject:** SECRETARY KELLY PRESS CONFERENCE TO DISCUSS OPERATIONAL IMPLEMENTATION OF EXECUTIVE ORDERS

Good morning,

Today at noon, Secretary of Homeland Security John Kelly will participate in a media availability alongside U.S. Customs and Border Protection (CBP) Acting Commissioner Kevin McAleenan, U.S. Immigration and Customs Enforcement (ICE) Acting Director (b)(6), (b)(7)(C) and Office of Intelligence and Analysis (I&A) Acting Under Secretary (b)(6), (b)(7)(C) to discuss the operational implementation of the president's executive orders.

The press event will start be at 12:00PM and will be rebroadcast on the **CBP RRB in-house cable system Channels 19 (SD) and 58.3 (HD)**.

R/S

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, January 31, 2017 11:20 AM  
**To:** MCALEENAN, KEVIN K  
**Cc:** ALLES, RANDOLPH D; (b)(6)  
**Subject:** Media RSVP

Sir,

Essentially everyone will be there, including 10 cameras on sticks.

(b)(6) we need to limit staff to only C1 due to limited space.

Here on site and available.

R/S

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 8:14 PM  
**To:** MCALEENAN, KEVIN K  
**Cc:** ALLES, RANDOLPH D; (b)(6)  
**Subject:** FW: Updated numbers

(b)(5)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 7:22:41 PM  
**To:** (b)(6) (b)(6)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Updated numbers

Update: On the 109 number, we're going to state: (b)(5)  
(b)(5)  
(b)(6)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, January 30, 2017 7:19 PM  
**To:** (b)(6)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Updated numbers

Evening,

We've got updated numbers as of 3 p.m. Eastern (since the implementation) and are providing to media who have asked. We do not have any additional categories of stats to provide at this time.

- Number denied boarding – 721
- Visa Holders granted waivers – 75
- LPRs granted waivers – 1,059

(b)(5)

We propose the following response:

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

R/S

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

Assistant Commissioner (Acting)  
Office of Public Affairs  
U.S. Customs and Border Protection

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

---

**From:** MCALEENAN, KEVIN K  
**Sent:** Tuesday, January 31, 2017 8:44 PM  
**To:** FLANAGAN, PATRICK S  
**Subject:** FW: Discussion

---

**From:** Owen, Todd C (AC OFO)  
**Sent:** Tuesday, January 31, 2017 8:42:00 PM  
**To:** MCALEENAN, KEVIN K  
**Subject:** Discussion

Spoke with [REDACTED] and Murdock on DFW and Houston. No red flags. First 24 hours were hectic but no mistreatment or anything like that. I will share the full details when you get in the office tomorrow.

Social media is spinning stuff up. [REDACTED] tells me he just got off the phone with the LAWA XD because social media is saying that right now we have 100 in holding with no food, no water. He's calling from ARU and the detention area, and they have no one. Unreal.

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

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 8:08 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: JFK Protest Pictures

From: Owen, Todd C (AC OFO)  
Sent: Saturday, January 28, 2017 7:52 PM  
To: MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>  
Subject: FW: JFK Protest Pictures

Heavy Police presence at JFK.

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

From: (b)(6), (b)(7)(C)  
Sent: Saturday, January 28, 2017 7:50 PM  
To: Owen, Todd C (AC OFO) <(b)(6), (b)(7)(C)>  
Subject: FW: JFK Protest Pictures

EAC – Not sure if you saw this.

Thank you,

(b)(7)(E)  
Acting Deputy Executive Director  
Operations



US Customs and Border Protection

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

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

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From: HUTTON,

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 7:55 PM  
**To:** OWEN, TODD (b)(6), (b)(7)(C); WAGNER, JOHN P; (b)(6), (b)(7)(C);  
 HOFFMAN, TODD A  
**Subject:** FW: Dulles Access

For appropriate action

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, January 28, 2017 7:49 PM  
**To:** MCALEENAN, KEVIN K; (b)(6), (b)(7)(C)  
**Subject:** Dulles Access

Kevin -

Thank you in advance for any help you can give us. I am the Pro Bono Director at the Capital Area Immigrant Rights' Coalition. As you know, there are many people being held at Dulles airport by CBP from the seven countries named in the President's executive order. Many of these people are green card holders or valid immigrant visas. We would like access to the people so that we can collect biographical and visa information. We understand that we would not typically be allowed access to CBP containment but these people are not being held in a typical manner. Access to counsel to gather info is essential. We would like for dulles CBP to be directed to provide that access. This is unprecedented and requires immediate action.

You can reach me via phone as well at (b)(6), (b)(7)(C)

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

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

Pro Bono Director, Capital Area Immigrants' Rights (CAIR) Coalition  
 1612 K Street NW suite 204  
 Washington, DC 20006

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

Visit our website at [www.caircoalition.org](http://www.caircoalition.org).  
 Follow us on [Facebook](#) and [Twitter](#).  
 Catalogue for Philanthropy "One of the Best"

**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 8:06 PM  
**To:** Owen, Todd C (AC OFO)  
**Subject:** RE: EO 212(f) Waiver for (b)(6)

Consider the Waiver approved.

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

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 8:02 PM  
**To:** MCALEENAN, KEVIN K <(b)(6), (b)(7)(C)>  
**Subject:** FW: EO 212(f) Waiver for (b)(6)  
**Importance:** High

Still waiting for OCC to concur before forwarding to you, but recommend (b)(7)(E)  
 We already waived in the LPR parents.

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

**From:** HUTTON, JAMES R  
**Sent:** Sunday, January 29, 2017 12:37:10 AM  
**To:** Owen, Todd C (AC OFO); (b)(6), (b)(7)(C)  
**Cc:** HOFFMAN, TODD A; MURDOCK, JUDSON W; (b)(6), (b)(7)(C) PEREZ, ROBERT E; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Subject:** EO 212(f) Waiver for (b)(6)

OCC

Please see below a waiver request involving a 14 year old male, who is travelling with his LPR parents. JFK PD has already approved a waiver for his LPR parents.

OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" [January 28, 2017] to (b)(6) (b)(6) (D/POB: (b)(6), (b)(7)(C) in Jeddah, Saudi Arabia), a fourteen year old male, citizen and national of Syria, arrived at John F. Kennedy International Airport aboard Saudi Arabian Airlines (SV) flight SV-21 from Jeddah, Saudi Arabia. The Port of Entry has done a thorough exam on this individual and vetting indicates there is no nexus to terrorism. Due to the lack of any indication of a security risk, the potential claims of fear of returning to his country of nationality, and the fact that he is a minor, we recommend that this individual be admitted consistent with Section 3(g) of the Executive Order.

## Details:

- Subject is a fourteen year old traveling with his parents who are both LPRs, he is a first time immigrant (FX2), (b)(6), (b)(7)(C)
- Syrian passport: (b)(6), (b)(7)(C) issued 10 Mar 2013 [expires 09 Mar 2019] in Damascus, Syria.
- Subject plans to live with his parents at (b)(6), (b)(7)(C)
- Subject has been a ninth grade student at Dar Jana International School in Jeddah, Saudi Arabia.
- Subject was residing with his parents in his father's apartment, located in (b)(6), (b)(7)(C) Jeddah, Saudi Arabia.
- Foreign phone number (b)(6), (b)(7)(C) [mobile] [WhatsApp]
- Email address as: (b)(6), (b)(7)(C)
- Social Media: Facebook "(b)(6), (b)(7)(C)", Instagram "(b)(6), (b)(7)(C)" and Snapchat "(b)(6), (b)(7)(C)"
- Passport reveals travel to USA, Saudi Arabia, Turkey, and Spain.
- Last in Syria in 2013 when he traveled with his parents for vacation.
- No evidence of travel to other countries of interest found.
- (b)(7)(E) revealed no derogatory information.

J. Ryan Hutton  
 Deputy Executive Director  
 Admissibility and Passenger Programs  
 RRB #2.4G-56  
 Washington, DC

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

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

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**From:** MCALEENAN, KEVIN K  
**Sent:** Saturday, January 28, 2017 1:12 PM  
**To:** Owen, Todd C (AC OFO)  
**Cc:** ALLES, RANDOLPH D; FLANAGAN, PATRICK S  
**Subject:** RE: Waiver Request for 212(1) in re (b)(6)

Waiver granted.

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

**From:** Owen, Todd C (AC OFO)  
**Sent:** Saturday, January 28, 2017 1:04 PM  
**To:** MCALEENAN, KEVIN K (b)(6), (b)(7)(C)  
**Cc:** ALLES, RANDOLPH D (b)(6), (b)(7)(C); FLANAGAN, PATRICK S (b)(6), (b)(7)(C)  
**Subject:** FW: Waiver Request for 212(1) in re (b)(6)  
**Importance:** High

2nd waiver.

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

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

OFO recommends that you permit the grant of an immigration benefit under Section 3(g) of the President's Executive Order entitled, "Protecting the Nation from Foreign Terrorist Entry into the United States" (January 27, 2017) to (b)(6) DOB (b)(6), (b)(7)(C). The subject arrived at JFK aboard Norwegian AirShuttle (DY) flight 7015, on 01/27/2017 from Stockholm, Sweden at Terminal One at 23:29 hours. The subject was in possession of Iraqi passport # (b)(6) and valid ZZ refugee Classification Foil # (b)(6). The subject's wife and young son reside in Houston, Texas. They were admitted as refugees in February of 2014. The subject is intending to travel to (b)(6). The port of entry has done a thorough exam on this individual and vetting indicates that there is no nexus to terrorism. Because of the lack of any indication of a security risk, and the potential claims of fear of his country of nationality, we recommend that this individual be admitted consistent with Section 3(g) of the Executive Order."

· Subject (b)(6) arrived at JFK aboard Norwegian AirShuttle (DY) flight 7015, on 01/27/2017 from Stockholm, Sweden at Terminal One at 23:29 hours.

· The subject was in possession of Iraqi passport # (b)(6) and valid ZZ refugee Classification Foil # (b)(6) # (b)(6)



- Subject was referred to Passport Control Secondary for a 1 day (b)(7)(E) interview
- The subject was born and raised in Baghdad, Iraq and has been living there since 2015
- The subject left Iraq about a year and half ago due to death threats and an attempted kidnapping
- The subject left Iraq and traveled to Turkey for two weeks and then onward to Sweden
- The subject has been living in Sweden with his brother and remained unemployed
- The subject attended Baghdad University and received his Bachelor's degree in Accounting.
- While in Iraq he worked for a company called Harland which deals with HVAC work
- The subject's wife and young son reside in Houston, Texas. They were admitted as refugees in February of 2014.
- The subject is intending to travel to (b)(6)
- This is the subject's first trip to the United States
- Previous travel outside of Iraq is only 2 weeks in Turkey and then onward to Sweden
- Subject states that he has no military experience
- (b)(7)(E) No derogatory information found

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

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

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

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