

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

Subject:
Location:

Conference Call w/CBP to Discuss Changes to the Travel "Pause" Executive Order
(b) (7)(E)

Start:
End:

Wed 2/1/2017 6:00 PM
Wed 2/1/2017 6:30 PM

Recurrence:

(none)

Meeting Status:

Accepted

Organizer:

AIR TRANSPORT ASSOCIATION

Importance:

High

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

Subject: CBP Conference call to discuss changes to Executive Order

Location: (b) (7)(E)

Start: Wed 2/1/2017 6:30 PM

End: Wed 2/1/2017 7:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

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

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

Optional Attendees: (b) (6), (b) (7)(C)

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

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

(b) (6), (b) (7)(C) WAGNER, JOHN P

TIME CHANGE – Sorry for the delay -

Hello everyone,

CBP would like to host a short conference call today to discuss changes in the Executive Order.

The phone number is (b) (7)(E)

The conference line that CBP has listed here has only 100 lines, if you are able to call in jointly, that would be great.

If you have any questions, please let me know. Thank you.

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

Director
Travel and Tourism Initiatives
Electronic Visa Update System (EVUS)
Admissibility and Passenger Programs
Office of Field Operations

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

Subject: CBP Call on EXECUTIVE ORDER--9pm DC time tonight
Location: (b) (7)(E)

Start: Fri 2/3/2017 9:00 PM
End: Fri 2/3/2017 9:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

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

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

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

Sent: Friday, February 03, 2017 8:43 PM

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

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

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

Subject: CBP Call on EXECUTIVE ORDER--9pm DC time tonight

All:

CBP has asked me to set up a call to discuss some changes to the Executive Order for 9pm DC time.

Sorry for the short notice.

Call in number is:

(b) (7)(E)

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

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

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

Subject: Conference Call with CBP
Location: See number below

Start: Fri 2/3/2017 9:30 PM
End: Fri 2/3/2017 10:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer:

Required Attendees:

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

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

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

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

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

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

WAGNER, JOHN P (b) (6), (b) (7)(C)

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

HUTTON, JAMES R; HOFFMAN, TODD A

CBP would like to have a conference Call to discuss Changes in the Executive Order There are 100 lines.

USA Toll-Free: **(b) (7)(E)**
USA Caller Paid/International Toll:
ACCESS CODE: **(b) (7)(E)**

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

Director
Travel and Tourism Initiatives
Electronic Visa Update System (EVUS)
Electronic System for Travel Authorization (ESTA)
Admissibility and Passenger Programs
Office of Field Operations

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

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

From: ALLES, RANDOLPH D
Sent: Wednesday, February 01, 2017 9:35 PM
To: MCALEENAN, KEVIN K
Subject: RE: District Court Order in Mohammed v. Trump, No. 17-cv-00786

Sorry for slow response. SI said comply with order and (b) (5)
(b) (5)

S/F
R. D. Alles, (b) (6), (b) (7)(C)

From: MCALEENAN, KEVIN K
Sent: Wednesday, February 01, 2017 9:07:59 PM
To: ALLES, RANDOLPH D
Subject: RE: District Court Order in Mohammed v. Trump, No. 17-cv-00786

How does it sound?

From: ALLES, RANDOLPH D
Sent: Wednesday, February 01, 2017 9:07:07 PM
To: MCALEENAN, KEVIN K; (b) (6), (b) (7)(C) Owen, Todd C (AC OFO);
WAGNER, JOHN P
Cc: HOFFMAN, TODD A; HUTTON, JAMES R; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

Subject: RE: District Court Order in Mohammed v. Trump, No. 17-cv-00786

Gene is discussing with SI right now.

S/F
R. D. Alles, (b) (6), (b) (7)(C)

From: MCALEENAN, KEVIN K
Sent: Wednesday, February 01, 2017 8:32:56 PM
To: (b) (6), (b) (7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN P
Cc: HOFFMAN, TODD A; HUTTON, JAMES R; (b) (6), (b) (7)(C) ALLES, RANDOLPH D; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: District Court Order in Mohammed v. Trump, No. 17-cv-00786

(b) (5)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, February 1, 2017 8:31 PM

~~FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE~~
RECORDS MAY ALSO CONTAIN ATTORNEY-CLIENT, DELIBERATIVE
AND/OR OTHER APPLICABLE PRIVILEGED MATERIAL

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

Sent: Wednesday, February 01, 2017 10:55 PM

To: (b) (7)(E)

Cc: ENFORCEMENT PROGRAMS DIVISION

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

Subject: Clarification Regarding Returning Refugees/Asylees

(b) (7)(E)

Please see updated guidance posted below; please let me know if you have any questions:

Returning refugees or asylees who are nationals of the seven EO countries are **not** permitted to board.

Returning refugees & asylees from countries not affected by the EO are permitted to travel.

First time refugees, regardless of nationality, cannot travel unless they are included within the group of 872 previously approved by the Department of State.

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

EO CAT

~~FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE
RECORDS MAY ALSO CONTAIN ATTORNEY-CLIENT, DELIBERATIVE
AND/OR OTHER APPLICABLE PRIVILEGED MATERIAL~~

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

From: HOFFMAN, TODD A

Sent: Wednesday, February 01, 2017 10:29 PM

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

(b) (7)(E)

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

(b) (6), (b) (7)(C) Owen, Todd C (AC OFO) (b) (6), (b) (7)(C)

WAGNER, JOHN P (b) (6), (b) (7)(C) ENFORCEMENT PROGRAMS DIVISION

(b) (7)(E)

Subject: FW: Redlegation of 3(g) Authority

Directors,

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

From: HUTTON, JAMES R

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

To: HOFFMAN, TODD A

Subject: Redlegation of 3(g) Authority

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC



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



~~PROPERTY OF U.S. CUSTOMS AND BORDER PROTECTION~~

EO FOIA CBP 000000656

**FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE
RECORDS MAY ALSO CONTAIN ATTORNEY-CLIENT, DELIBERATIVE
AND/OR OTHER APPLICABLE PRIVILEGED MATERIAL**

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

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

DELEGATED BY

Commissioner

DELEGATED TO

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

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

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

PROPERTY OF U.S. CUSTOMS AND BORDER PROTECTION

~~FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE~~
RECORDS MAY ALSO CONTAIN ATTORNEY-CLIENT, DELIBERATIVE
AND/OR OTHER APPLICABLE PRIVILEGED MATERIAL

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

(b) (7)(E)

This authority may not be further delegated.

Commissioner

From: MCALEENAN, KEVIN K

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

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

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

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

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

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

Subject: RE: Redlegation

(b) (5)

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

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

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

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

Subject: RE: Redlegation

(b) (5)

(b) (5)

~~PROPERTY OF U.S. CUSTOMS AND BORDER PROTECTION~~

EO FOIA CBP 000000658

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

From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 10:29 PM
To: DIRECTORS, FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: **(b) (6), (b) (7)(C)** Owen, Todd C (AC OFO); WAGNER, JOHN
P; ENFORCEMENT PROGRAMS DIVISION
Subject: FW: Redelegation of 3(g) Authority
Attachments: Executive Order Redelegation From Commissioner to OFO SES Draft 2-1-17.docx
Follow Up Flag: Follow up
Flag Status: Flagged




Directors,

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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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



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

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

DELEGATED BY

Commissioner

DELEGATED TO

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

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

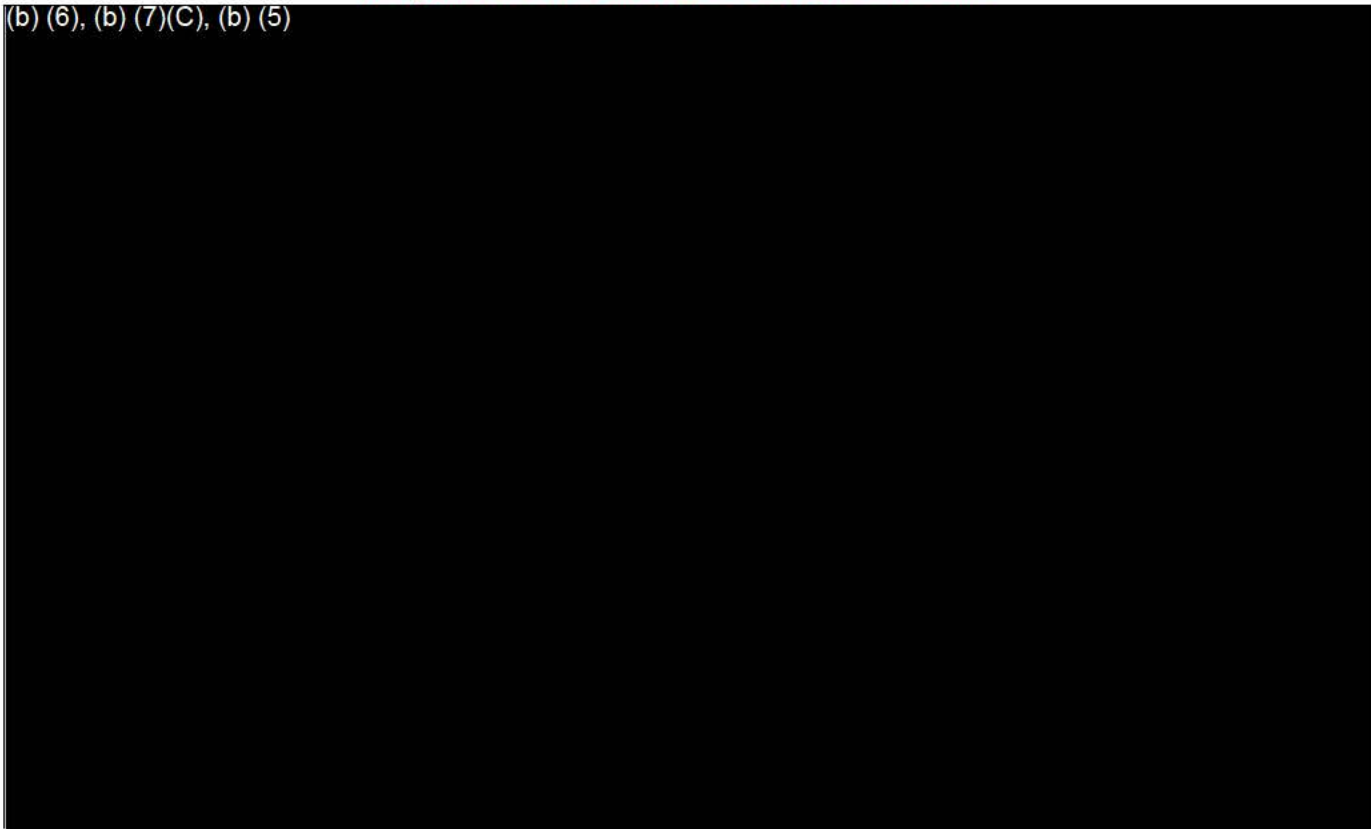
Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked under Section 3 of the Executive Order, on a case-by-case basis, and when in the national interest of the United States. Prior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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b) (7)(E)

(b) (7)(E)

This authority may not be further delegated.

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



From: MCALEENAN, KEVIN K

Sent: Wednesday, February 1, 2017 9:15 PM

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

(b) (6), (b) (7)(C) HOFFMAN, TODD A (b) (6), (b) (7)(C)

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

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

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

Subject: Redlegation

Acting Deputy Commissioner/Executive Assistant Commissioner,

SOURCE OF AUTHORITY BEING DELEGATED

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

Guidance on Executive Order Entitled "Protecting the Nation from Foreign Terrorist Entry into the United States (Jan. 27, 2017)" (February 1, 2017).

DELEGATION

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b) (7)(E)

(b) (7)(E)

This authority may not be further delegated.

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



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

From: Owen, Todd C (AC OFO)

Sent: Wednesday, February 1, 2017 9:20 PM

To: MCALEENAN, KEVIN K; (b) (6), (b) (7)(C); WAGNER, JOHN

P; (b) (6), (b) (7)(C); HOFFMAN, TODD A

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

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

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

Subject: RE: Redelegation

Thank you. We will advise the DFOs accordingly.

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

From: MCALEENAN, KEVIN K

Sent: Thursday, February 02, 2017 2:14:58 AM

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

Cc: ALLES, RANDOLPH D; [REDACTED] (b) (6), (b) (7)(C)

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

Subject: Redelegation

Acting Deputy Commissioner/Executive Assistant Commissioner,

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b) (7)(E)

(b) (7)(E)

This authority may not be further delegated.

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

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 9:26 PM
To: ENFORCEMENT PROGRAMS DIVISION; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: Redelegation
Follow Up Flag: Follow up
Flag Status: Completed

Team
S1 has concurred with allowing C1 to delegate exemptions to field for 3(g) categories. This means the field now has the authority to adjudicated all exemptions for those subject to EO.

Guidance to field will go out shortly.

From: Owen, Todd C (AC OFO)
Sent: Wednesday, February 01, 2017 9:19:37 PM
To: MCALEENAN, KEVIN K; WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R
Cc: ALLES, RANDOLPH D; (b) (6), (b) (7)(C)
Subject: RE: Redelegation

Thank you. We will advise the DFOs accordingly.

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

From: MCALEENAN, KEVIN K
Sent: Thursday, February 02, 2017 2:14:58 AM
To: Owen, Todd C (AC OFO); WAGNER, JOHN P; HOFFMAN, TODD A; HUTTON, JAMES R
Cc: ALLES, RANDOLPH D; (b) (6), (b) (7)(C)
Subject: Redelegation

Acting Deputy Commissioner/Executive Assistant Commissioner,

SOURCE OF AUTHORITY BEING DELEGATED

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

DELEGATION

Authority under Section 3(g) of the Executive Order to issue a visa or other immigration benefits to nationals of countries for which

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

Authority under Section 5(e) of the Executive Order to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner (or appropriate designee pursuant to this delegation) and the Secretary of State, or his designee, jointly determine that the admission of such individuals as refugees is in the national interest and would not pose a risk to the security or welfare of the United States. Prior to any such admission as a first-time refugee, each such individual must be subjected to a thorough examination by an immigration officer, to include CBP conduct of: (b) (7)(E)

This authority may not be further delegated.

~~FOR OFFICIAL USE ONLY / LAW ENFORCEMENT SENSITIVE~~
RECORDS MAY ALSO CONTAIN ATTORNEY-CLIENT, DELIBERATIVE
AND/OR OTHER APPLICABLE PRIVILEGED MATERIAL

-----Original Appointment-----

From: AIR TRANSPORT ASSOCIATION

Sent: Wednesday, February 01, 2017 4:12 PM

To: AIR TRANSPORT ASSOCIATION; (b) (6), (b) (7)(C)

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

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

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

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

Subject: Conference Call w/CBP to Discuss Changes to the Travel "Pause" Executive Order

When: Wednesday, February 01, 2017 6:00 PM-6:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: (b) (7)(E)

Importance: High

~~PROPERTY OF U.S. CUSTOMS AND BORDER PROTECTION~~

EO FOIA CBP 000000671

From: HUTTON, JAMES R
Sent: Wednesday, February 01, 2017 3:46 PM
To: DIRECTORS FIELD OPS (b) (7)(E) BORDER SECURITY ASST DIRECTORS
(b) (7)(E) EXECUTIVE DIRECTORS HQ
(b) (7)(E)
Cc: ENFORCEMENT PROGRAMS DIVISION (b) (7)(E)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) Owen, Todd C (AC OFO) (b) (6), (b) (7)(C)
WAGNER, JOHN P (b) (6), (b) (7)(C)
Subject: Canadian Landed Immigrants and Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Importance: High

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

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

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

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

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

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

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

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

☎: (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.~~



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

FEB 01 2017

MEMORANDUM FOR: Directors, Field Operations
Director, Field Operations Academy
(b) (6), (b) (7)(C)

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

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

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

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

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

(b) (7)(E)

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

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

~~Law Enforcement Sensitive
For Official Use Only~~

(b) (6), (b) (7)(C) U.S. Customs and Border Protection | (b) (6), (b) (7)(C)

From: HOFFMAN, TODD A

Sent: Wednesday, February 01, 2017 12:16 PM

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

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

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

I sent immediately. We're in the process of following up with phone calls.

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

From: HOFFMAN, TODD A

Sent: Wednesday, February 01, 2017 11:58 AM

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

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

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

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

Directors,

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

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

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

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

To: MCALEENAN, KEVIN K (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) WAGNER, JOHN P (b) (6), (b) (7)(C) HOFFMAN,

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

Cc: FALK, SCOTT K (OCC) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C); ALLES,

RANDOLPH D (b) (6), (b) (7)(C)

-----Original Appointment-----

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

Sent: Wednesday, February 01, 2017 2:07 PM

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

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

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

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

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

OFO-FIELD LIAISON;

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

(b) (6), (b) (7)(C) WAGNER, JOHN P; (b) (6), (b) (7)(C)

Subject: CBP Conference call to discuss changes to Executive Order

When: Wednesday, February 01, 2017 6:30 PM-7:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conference call - (b) (7)(E)

TIME CHANGE – Sorry for the delay -

Hello everyone,

CBP would like to host a short conference call today to discuss changes in the Executive Order.

The phone number is (b) (7)(E)

The conference line that CBP has listed here has only 100 lines, if you are able to call in jointly, that would be great.

If you have any questions, please let me know. Thank you.

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

Director
Travel and Tourism Initiatives
Electronic Visa Update System (EVUS)
Admissibility and Passenger Programs
Office of Field Operations

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

THE WHITE HOUSE

WASHINGTON

February 1, 2017

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

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

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

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

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

From: HUTTON, JAMES R

Sent: Wednesday, February 01, 2017 9:22 AM

To: PEREZ, ROBERT E (b) (6), (b) (7)(C) WHITE, ROBERT E

(b) (6), (b) (7)(C) HOWE, RANDY J (b) (6), (b) (7)(C)

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

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

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

HOFFMAN, TODD A

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

Subject: 3 Refugees Subject to EO Enroute to US with DoS Waiver

Importance: High

DFO's

Please see the attached revised list of three (3) additional refugees coming to your AOR. They have been (b) (7)(E) Authority to permit exemption per Section 5(e) of EO has been delegated to DFO (or JFK PD). Also attached is the concurrent waiver from Department of State.

DFO Howe,

I would kindly ask if Port could confirm when (b) (6), (b) (7)(C) has cleared inspection and enroute to U.S. as this case has generated significant Congressional interest.

Please do not hesitate to contact me should the need arise.

J. Ryan Hutton

Deputy Executive Director

Admissibility and Passenger Programs

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

Washington, DC

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



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.