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EXECUTIVE ORDER

PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

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

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

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

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.
Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

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

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

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

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

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

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

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

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

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

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

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall
review the USRAP application and adjudication process to
determine what additional procedures should be taken to ensure
that those approved for refugee admission do not pose a threat
to the security and welfare of the United States, and shall
implement such additional procedures. Refugee applicants who
are already in the USRAP process may be admitted upon the
initiation and completion of these revised procedures. Upon the
date that is 120 days after the date of this order, the
Secretary of State shall resume USRAP admissions only for
nationals of countries for which the Secretary of State, the
Secretary of Homeland Security, and the Director of National
Intelligence have jointly determined that such additional
procedures are adequate to ensure the security and welfare of
the United States.

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

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

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

(e) Notwithstanding the temporary suspension imposed
pursuant to subsection (a) of this section, the Secretaries of
State and Homeland Security may jointly determine to admit
dividuals 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. Recission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

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

DONALD J. TRUMP

THE WHITE HOUSE,

# # #
From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 10:16 AM
To: HUTTON, JAMES R
Subject: FW: Subject: EO 212(f) Waiver Request

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

Disregard, sorry.

From: HOFFMAN, TODD A
Sent: Wednesday, February 01, 2017 1:53:34 AM
To: HOFFMAN, TODD A; SABATINO, DIANE J
Subject: RE: Subject: EO 212(f) Waiver Request

I didn't see a C1 approval message. Are we still waiting?

From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 9:51:30 PM
To: (b)(6), (b)(7)(C) ENFORCEMENT PROGRAMS DIVISION; SABATINO, DIANE J
Cc: (b)(6), (b)(7)(C) Owen, Todd C (AC OFO); WAGNER, JOHN P; MURDOCK, JUDSON W; HOFFMAN, TODD A; OFO-FIELD LIASON
Subject: FW: Subject: EO 212(f) Waiver Request

CAT TEAM- below submission is updated 212 (f) waiver request for C-1 approval. Original submission contained typos. Below corrected version.

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 12:45:04 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Subject: EO 212(f) Waiver Request

Subject: EO 212(f) Waiver Request
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Respectfully,

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

(b)(6), (b)(7)(C)
Watch Commander
Passenger Operations
Miami International Airport
Office
Nextel

(b)(6), (b)(7)(C)
He just approved, thx.

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

On it Sir.

Adjutant for (A) Commissioner McAleenan

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

FYSA.

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

Sir,
I believe you may have a Boston request in your queue. Sent 16:53. Thx.

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 7:13 PM
To: FLANAGAN, PATRICK S < (b)(6), (b)(7)(C) >
Cc: HOFFMAN, TODD A < (b)(6), (b)(7)(C) >
Subject: Pending C1 Approval 212(f) Exemption for (b)(6), (b)(7)(C) BOS

Mr. Flannigan,

For visibility, just wanted to highlight that this exemption from BOS is still pending C1 approval (forwarded by OCC at 1653hrs).

C1 has already approved an exemption request from SEA that was forwarded after the BOS request.

If we’ve missed the BOS approval, please let me know

Thanks in advance,

EO CAT

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 4:53 PM
To: (b)(6), (b)(7)(C)
Cc: ENFORCEMENT PROGRAMS DIVISION < (b)(7)(E) >; BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES < (b)(7)(E) >; FERRARA, WILLIAM < (b)(6), (b)(7)(C) >
MCALEENAN, KEVIN K < (b)(6), (b)(7)(C) >
Subject: RE: EO 212(f) Exemption for (b)(6), (b)(7)(C)

Thanks.

CBP Associate Chief Counsel (Enforcement and Operations)
T. (b)(6), (b)(7)(C) / C (b)(6), (b)(7)(C)
** Attorney Work Product / Attorney-Client Privileged

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 1, 2017 4:02 PM
To: (b)(6), (b)(7)(C)
Cc: ENFORCEMENT PROGRAMS DIVISION < (b)(7)(E) >; BOSTON FIELD OFFICE -
Exception request for your review.

Respectfully,

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

(A) Program Manager
E.O. CAT HQ
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 01, 2017 3:51 PM
To: ENFORCEMENT PROGRAMS DIVISION (b)(7)(E)
Cc: BOSTON FIELD OFFICE - BORDER SECURITY EMPLOYEES (b)(7)(E); FERRARA, WILLIAM

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

Subject: EO 212(f) Exemption for (b)(6), (b)(7)(C)

OFO CAT,

Below is a waiver request from the Boston Field Office for a passenger that arrived at Boston Logan Airport at 1345 hours.
The subject is in advance parole status

OFO recommends that you: (b)(7)(E)

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

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

Tactical Operations Supervisor
U.S. Customs and Border Protection
(b)(6), (b)(7)(C)
From: HOFFMAN, TODD A  
Sent: Friday, February 03, 2017 7:54 PM  
To:  
Subject: FW: FINAL SIGNED EO FOR ACTION  
Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

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

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

From: McAleenan, Kevin K  
Sent: Friday, January 27, 2017 6:41 PM  
To: Wagner, John P, Flanagan, Patrick S  
Subject: FINAL SIGNED EO FOR ACTION
Thx

No need to review entire chain, however please know the following:
1. We went over preliminary ideas for OIG data requests this AM.
2. OIT is proceeding with automation of reports per my guidance Friday. Understanding the predecisional rollout plan, we may (and I stress may) be ready by the time we resume. I expect that certain rules will change based upon what EO'S are in place at the time of roll out, but [b](6), [b](7)(C) work have positioned us well to move toward automated reporting. Recommend a period of manual collection to validate business rules, but we will get there.

Respectfully,

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

(A)Director
Enforcement Programs
Customs and Border Protection

From: [b](6), (b)(7)(C)
Sent: Saturday, February 04, 2017 2:17:55 PM
I spoke with her. It will work.

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

Desk: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)
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From: [REDACTED]  
Sent: Friday, February 03, 2017 6:19 PM  
To: [REDACTED]  
Subject: FW: Reporting Questions/Clarification  
Importance: High

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

(b)(5)

(b)(6), (b)(7)(C)
Supervisory Program Manager  
Admissibility and Passenger Programs-HQ  
U.S. Customs & Border Protection  
Office: [REDACTED]  
Mobile: [REDACTED]  
*Mobile Message
Hi Ma’am,

(b)(5)

Thanks.

Very Respectfully,

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

Branch Chief (Program Manager/CBPO)

Department of Homeland Security

U.S. Customs and Border Protection
From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 4:53 PM
To: (b)(6), (b)(7)(C)
CC: (b)(6), (b)(7)(C)

Subject: RE: Reporting Questions/Clarification
Importance: High

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

I apologize. New look and feel for the report requirements/request as of NOW. Please see attached and below.

Answers:

1. Please provide a mapping of the (b)(7) Dispositions to NIV. All (b)(7) Dispositions. Yes, all 300+.

2. Please provide a mapping of the (b)(7)(E) Dispositions to IV. All (b)(7)(E) Dispositions. Yes, all 300+.
Please provide clarification as to whether or not you would like the twice daily report broken into two reports as we have done for the cumulative. Two reports.

## Executive Order Tracking - 24 Hour Reporting Period

### February 1, 2017

<table>
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<th>Country</th>
<th>Num of Non-Immigrant Visa Encounters</th>
<th>Num of Immigrant Visa Encounters</th>
<th>Canadian Landed Encounters</th>
<th>Num of Refugees Encounters</th>
<th>No Doc Encounters</th>
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### February 1, 2017

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<th>Num of Non-Immigrants NOT granted</th>
<th>Num of Non-Immigrants granted</th>
<th>Number of Immigrants granted waivers</th>
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I believe all the discussions and agreements made today still applies.

Please let me know if I need to remain here at TASPD or meet up anytime this weekend and/or Monday. I am and remain flexible. Thanks in advance.

*Very Respectfully,*

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

Branch Chief (Program Manager/CBPO)

Department of Homeland Security

U.S. Customs and Border Protection

Office of Field Operations

APP/Traveler Entry Programs

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

Here is the updated spreadsheet with the requirements for the reporting. TASPD will provide the reporting. It will be a total of 3, unless you want the last twice daily report to be broken out into two separate reports as we have done for the cumulative.

1. Please provide a mapping of the CSIS Dispositions to NIV.
2. Please provide a mapping of the CSIS Dispositions to IV.
3. Please provide clarification as to whether or not you would like the twice daily report broken into two reports as we have done for the cumulative.
Respectfully,

(b)(6), (b)(7)(C)
From: HOFFMAN, TODD A
Sent: Saturday, February 04, 2017 10:22 PM
To: Draft - Resumption of EO guidance (JSF V1).docx; DRAFT CAT SOP (JSF V1).docx; EO National Interest Waiver Criteria (JSF V1).docx; Predecisional EO Restart Rollout Plan - (JSF V1).docx; Sample Carrier Notice (JSF V1).docx; Sample Info Center Script (JSF V1).doc
Subject: FW: Draft documents for roll out plan
Attachments:

From: (b)(5), (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 7:13:47 PM
To: HOFFMAN, TODD A; HUTTON, JAMES R
Cc: (b)(5), (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: Draft documents for roll out plan

XD/DXD:

(b)(5)

Respectfully,

(b)(6), (b)(7)(C)
(A)Director
Enforcement Programs
Washington, DC, 20229
(b)(6), (b)(7)(C)
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(b)(5), (b)(7)(E)
(b)(5), (b)(7)(E)
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
(b)(5)
Executive Order (EO) Protecting the Nation from Foreign Terrorist Entry into the United States

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

ESTA PMO at 202-344-1170.
From: HOFFMAN, TODD A  
Sent: Saturday, February 04, 2017 8:36 PM  
To: (b)(6), (b)(7)(C)  
Subject: FW: Field/Stakeholder Engagement Plan and Talking Points  
Attachments: (b)(5)  

I’m sure the CAT has already shared what we’re working on/status, but want to make sure you have visibility. I’m trying to get as much consolidated for your review as possible before 9:30pm.

From: HOFFMAN, TODD A; HUTTON, JAMES R  
Sent: Saturday, February 04, 2017 5:33:09 PM  
To: HOFFMAN, TODD A; HUTTON, JAMES R  
Subject: FW: Field/Stakeholder Engagement Plan and Talking Points  
Attachments: (b)(6), (b)(7)(C)  

Subject: RE: Field/Stakeholder Engagement Plan and Talking Points  

All,  

Please find first inputs attached. CAT leadership is looking to review at 9:30pm tonight – then we also need to coordinate OCC review.

(b)(5)  

Thank you!

Best,  

SUBJECT: (b)(6), (b)(7)(C)
Please find the draft outline attached. Add outline items and text and share updates with this group.

I'm going to suggest we get clearance on our rolling list of FAQs at this stage as well, so let's add any FAQs we have been using or have pending.

Thank you!

U.S. Customs and Border Protection

PRE-DECISIONAL

(b)(5)

Best,

Office of the Commissioner
U.S. Customs and Border Protection
Office:
Cell:
(b)(5)
(b)(5)
(b)(5)
(b)(5)
I’m sure the CAT has already shared what we’re working on/status, but want to make sure you have visibility. I’m trying to get as much consolidated for your review as possible before 9:30pm.

All,

Please find first inputs attached. CAT leadership is looking to review at 9:30pm tonight – then we also need to coordinate OCC review.
Best,

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

U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 7:04 PM
To: (b)(6), (b)(7)(C)

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

Subject: RE: Field/Stakeholder Engagement Plan and Talking Points

Please find the draft outline attached. Add outline items and text and share updates with this group.

I’m going to suggest we get clearance on our rolling list of FAQs at this stage as well, so let’s add any FAQs we have been using or have pending.

Thank you!

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

U.S. Customs and Border Protection

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 6:24 PM
To: (b)(6), (b)(7)(C)

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

Subject: Field/Stakeholder Engagement Plan and Talking Points

PRE-DECISIONAL

All,

(b)(5)

Best,

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

Office of the Commissioner
Chapeau:

(b)(5)
(b)(5)
(b)(5)
(b)(5)
(b)(5)
From: HOFFMAN, TODD A
Sent: Tuesday, January 31, 2017 7:21 AM
To: HUTTON, JAMES R
Cc: 
Subject: FW: Executive Order Update on Seaport Operations and Consolidated Guidance
Attachments:

Guidance on Withdrawal - Court Compliance; Re-Delegation of EO Section 5 Refugee Waiver Authority; Arrival of Central American Minors (CAM) Parolees - Jan 31st; RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States; Signed memo

XD

No current reportable issues.

Thank you.

Director, Field Operations
U.S Customs and Border Protection
Buffalo, New York

From: HOFFMAN, TODD A
Sent: Tuesday, January 31, 2017 7:17:20 AM
To: DIRECTORS FIELD OPS
Cc: HUTTON, JAMES R; 
Subject: FW: Executive Order Update on Seaport Operations and Consolidated Guidance

Directors,

Here is a quick summary regarding the Executive Order:

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

For convenience, I have also attached the previously issued guidance to Field Offices since the Executive Order:

1/30 email: court compliance on WD
1/30 email: Delegation of Authority Documentation for 842 Refugee Arrivals
1/30 email: Arrival of Central American Minors (CAM) Parolees – Jan 31 arrival
1/28 email: Waiver Routing (b)(7)(E) added to routing on 1/29.
1/28: Executive Order Guidance to the Field – Signed Memo

I appreciate your efforts during this implementation. Please let me know if you have any questions. Also, the Crisis Action Team is staffed 24/7 and can be reached at (b)(7)(E) and (b)(7)(E).

Also, please let me know if you have any reportable issues for the 0900 senior leadership meeting.

Todd A. Hoffman
Executive Director, Admissibility and Passenger Programs
Office of Field Operations
U.S. Customs and Border Protection
From: HUTTON, JAMES R  
Sent: Monday, January 30, 2017 9:17 PM  
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ  
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)  
Subject: Guidance on Withdrawal - Court Compliance

DFO’s  
As pertains to applicants for admission subject to the EO, please ensure Officers within your AOR receive the below guidance from OCC:

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

J. Ryan Hutton  
Deputy Executive Director  
Admissibility and Passenger Programs  
Washington, DC

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U/FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid “need-to-know” without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form. This document, and any attachment(s) hereto, may contain confidential and/or sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient(s). Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by U.S. Customs and Border Protection.
From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 4:03 PM
To: DIRECTORS FIELD OPS; BORDER SECURITY ASST DIRECTORS; EXECUTIVE DIRECTORS HQ
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P; (b)(6), (b)(7)(C)

Subject: Re-Delegation of EO Section 5 Refugee Waiver Authority
Attachments: S Signed Action Memo Refugees.pdf; Copy of 30Jan-2 Feb Booking Spreadsheet Details (2).xlsx; 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

Importance: High

DFOs

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
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: MCALEENAN, KEVIN K
Sent: Monday, January 30, 2017 3:06 PM
To: ALLES, RANDOLPH D <(b)(5), (b)(7)(E)>
On: Todd C (AC OFO) <(b)(5), (b)(7)(E)>
Cc: (b)(5), (b)(7)(E)
Subject: Redelegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,
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**Feb 10**

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| 7-11| Y   |     | 02/01/2017 | DL   | 585  | LGA  | DTW  | 12:25 | 14:40 | DL   | 40627 | 18:3D | EWR  | WRI  | HPPAM2 |
|     |     |     | 12-23| N   Y   | 02/01/2017 | DL   | 431  | JFK  | ATL  | 19:25 | 22:12 | ATL  | VMM  | JMM056 |

**Feb 13**

|     |     |     | 4   | N   Y  | 01/31/2017 | AA   | 2185 | ORD  | MSP  | 20:25 | 21:50 | MSP  | VMM  | WHS017 |
|-----|-----|-----|-----|------|-----------|------|------|------|-------|-------|-------|------|-------|
| 7   | N   | Y   | 01/31/2017 | UA   | 1498 | ORD  | MIA  | 18:50 | 19:55 | MIA  | VMM  | JJBB1R |

**Feb 14**

|     |     |     | 1   | N   Y  | 01/31/2017 | AA   | 2185 | ORD  | MSP  | 20:25 | 21:50 | MSP  | VMM  | JPP07S |

**Feb 15**

|     |     |     | 7   | N   Y  | 01/31/2017 | UA   | 9803 | IAD  | ITH  | 12:40 | 13:57 | ITH  | WRI  | HH07HJ |
|-----|-----|-----|-----|------|-----------|------|------|------|-------|-------|-------|------|-------|
| 8-11| N   | Y   | 01/31/2017 | UA   | 9803 | IAD  | ITH  | 12:40 | 13:57 | ITH  | WRI  | HH07HJ |
|     |     |     | 12  | N   Y  | 01/31/2017 | UA   | 528  | IAD  | LAS  | 17:15 | 19:01 | LAS  | VMM  | YVPH4L |
| 13  | N   | Y   | 01/31/2017 | UA   | 528  | IAD  | LOS  | 17:15 | 19:01 | LOS  | VMM  | YVPH4L |
| 14  | N   | Y   | 01/31/2017 | UA   | 528  | IAD  | LAS  | 17:15 | 19:01 | LAS  | VMM  | YVPH4L |
| 20  | N   | Y   | 01/31/2017 | AA   | 2566 | IAD  | DFW  | 11:29 | 13:58 | DFW  | WRI  | QFRUE |

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(b)(6), (b)(7)(C)
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(b)(6), (b)(7)(C)
From: HUTTON, JAMES R
Sent: Monday, January 30, 2017 9:05 AM
To: SABATINO, DIANE J; MARTEL, CARLOS C; MURDOCK, JUDSON W; HOFFMAN, TODD A
Cc: (b)(6), (b)(7)(C)
Subject: Arrival of Central American Minors (CAM) Parolees - Jan 31st
Attachments: PAROLEE 30JAN-2FEB EL SALVADOR_HONDURAS.XLS; Form I-512L CAM Parole Authorization Letter.pdf
Importance: High

DFO/PDs
Starting on January 31st, the Ports of Miami, Houston and LA will encounter Central American Minors that have been authorized parole into the United States for a period of two (2) years. I have attached a list of the individuals scheduled to arrive to include an exemplar of the document they will present on primary. Just to alleviate any potential confusion, while these are adjudicated by CIS Refugee Office, these are not refugees, nor subject to the EO.

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

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
Washington, DC

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(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
DFO’s
Kindly request that you all Enforcement Programs Division (group mailbox) to all waiver requests. This will helps us track the waivers and alleviate field reporting.

Thank very much for all of your flexibility. We are striving not to burden the Field.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
Washington, DC

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

Importance: High

DFO’s
As a follow up from guidance sent last night.

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

(b)(7)(E)

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

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

(b)(5), (b)(7)(E)
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 1:07 AM
To: DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
BORDER SECURITY ASST DIRECTORS
Cc: Owen, Todd C (AC OFO); WAGNER, JOHN P.; HUTTON, JAMES R

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

Importance: High

Directors,

I apologize for the delay.

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

Subject: Guidance on Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States”
(b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
Todd A. Hoffman
Executive Director, Admissibility and Passenger Programs
Office of Field Operations
U.S. Customs and Border Protection
DFO's
As a follow up from guidance sent last night.

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

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

(b)(5), (b)(7)(E)
(b)(5), (b)(7)(E)
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From: HOFFMAN, TODD A  
Sent: Saturday, January 28, 2017 1:07 AM  
To: DIRECTORS FIELD OPS <DIRECTORS FIELD OPS>, EXECUTIVE DIRECTORS HQ <EXECUTIVE DIRECTORS HQ>, BORDER SECURITY ASST DIRECTORS <BORDER SECURITY ASST DIRECTORS>, Owen, Todd C (AC OFO) <Owen, Todd C (AC OFO)>, WAGNER, JOHN P <WAGNER, JOHN P>, HUTTON, JAMES R <HUTTON, JAMES R>  
Cc: (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)>, (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)>, (b)(6), (b)(7)(C) <(b)(6), (b)(7)(C)>  
Subject: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"  
Importance: High

Directors,

I apologize for the delay.

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

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

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

Todd A. Hoffman
Executive Director, Admissibility and Passenger Programs
Office of Field Operations
U.S. Customs and Border Protection
From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 5:23 PM
To: HUTTON, JAMES R
Cc: DURST, CASEY OWEN; (b)(6), (b)(7)(C); HOFFMAN, TODD A; MURDOCK, JUDSON W; (b)(6), (b)(7)(C)
Subject: RE: EO 212(f) Exemption Request for (b)(6), (b)(7)(C)

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

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

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

Exemption to Executive Order Request

January 28, 2017

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

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
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From: Owen, Todd C (AC OFO)
Sent: Saturday, January 28, 2017 1:13 PM
To: HUTTON, JAMES R
Cc: HOFFMAN, TODD A; (b)(6), (b)(7)(C)
MURDOCK, JUDSON W
Subject: RE: Waiver Request for 212(1) in re (b)(6), (b)(7)(C)

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

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)

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

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

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

(b)(7)(E)

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

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

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

Washington, DC

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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 12:58 AM
To: HOFFMAN, TODD A
Cc: (b)(6), (b)(7)(C)
Subject: Signed memo
Attachments: Executive Order - Protecting the Nation from Foreign Terrorist Entry into the United States.pdf

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

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Memorandum For: Directors, Field Operations

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

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

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

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

If you have any questions or require additional information, please contact (A) Director, Enforcement Programs Division, at (b)(6), (b)(7)(C)}
From: [Redacted]
Sent: Saturday, January 28, 2017 6:01 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

Deputy Chief Counsel
U.S. Customs and Border Protection

ATTOORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: [Redacted]
Sent: Saturday, January 28, 2017 5:57 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

From: [Redacted]
Sent: Saturday, January 28, 2017 5:47:49 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

Deputy Associate Chief Counsel
Office of Chief Counsel
From: MCALEENAN, KEVIN K
Sent: Saturday, January 28, 2017 5:47 PM
To: (b)(6), (b)(7)(C)
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; HUTTON, JAMES R
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 5:43 PM
To: (b)(6), (b)(7)(C)
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; HUTTON, JAMES R
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 5:29:15 PM
To: (b)(6), (b)(7)(C)
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S; HUTTON, JAMES R
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)
Re: FINAL SIGNED EO FOR ACTION
Thank you! Great work tonight. Will be a tough day for us in the field, but would not have worked at all without your help.
(b)(5)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 12:07 AM
To: MCALEENAN, KEVIN K (b)(6), (b)(7)(C) Owen, Todd C (AC OFO)
WAGNER, JOHN P (b)(6), (b)(7)(C)
HOFFMAN, TODD A (b)(6), (b)(7)(C)
FLANAGAN, PATRICK S (b)(6), (b)(7)(C)
Cc: ALLES, RANDOLPH D (b)(6), (b)(7)(C)
Subject: RE: FINAL SIGNED EO FOR ACTION

Deputy Associate Chief Counsel
Office of Chief Counsel
U.S. Customs and Border Protection

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 11:57 PM
I've signed. I've had printer issues at home so doc isn't perfect but you are cleared to go.

Chip

Thank you,
KM

Joe

Joseph B. Maher
Acting General Counsel
U.S. Department of Homeland Security

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this
message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: Nielsen, Kirstjen  
Sent: Friday, January 27, 2017 9:24 PM  
To: Maher, Joseph; Hamilton, Gene; MCALEENAN, KEVIN  
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip  
Subject: RE: FINAL SIGNED EO FOR ACTION  

Thanks Joe  
Spoke to Gene - will standby in case, when and until S1 engagement is needed.  
Thanks

From: Maher, Joseph  
Sent: Friday, January 27, 2017 9:18 PM  
To: Nielsen, Kirstjen; Hamilton, Gene; MCALEENAN, KEVIN  
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip  
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

From: Nielsen, Kirstjen  
Sent: Friday, January 27, 2017 9:15 PM  
To: Hamilton, Gene; MCALEENAN, KEVIN; Maher, Joseph  
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip  
Subject: RE: FINAL SIGNED EO FOR ACTION

(b)(5)

Best,  
K

From: Hamilton, Gene  
Sent: Friday, January 27, 2017 8:52 PM  
To: MCALEENAN, KEVIN; Maher, Joseph  
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip
Looping in Joe, also.

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 8:37 PM
To: Hamilton, Gene
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip
Subject: RE: FINAL Signed EO FOR ACTION

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

KM

From: Hamilton, Gene
Sent: Friday, January 27, 2017 8:22:17 PM
To: MCALEENAN, KEVIN K
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip
Subject: RE: FINAL Signed EO FOR ACTION

(b)(5)

From: MCALEENAN, KEVIN K
Sent: Friday, January 27, 2017 8:15 PM
To: Hamilton, Gene
Cc: Metzler, Alan; Higgins, Jennifer; Fulghum, Chip
Subject: FW: FINAL Signed EO FOR ACTION

Gene,

(b)(5)

KM
(b)(5)

(b)(5), (b)(7)(E)
(b)(5), (b)(7)(E)
Subject: FINAL SIGNED EO FOR ACTION
From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 7:26 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

(b)(5)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 7:24 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

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

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 7:10 PM
To: HOFFMAN, TODD A
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

(b)(5)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: HOFFMAN, TODD A
Sent: Saturday, January 28, 2017 7:06 PM
To: (b)(6), (b)(7)(C) HUTTON, JAMES R
Cc: (b)(6), (b)(7)(C) MURDOCK, JUDSON W
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

Todd

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 7:04 PM
To: HUTTON, JAMES R
Cc: (b)(6), (b)(7)(C) HOFFMAN, TODD A
Cc: (b)(6), (b)(7)(C) MURDOCK, JUDSON W
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 6:49 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) HOFFMAN, TODD A
Cc: (b)(6), (b)(7)(C) MURDOCK, JUDSON W
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High
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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 1:29 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High

Your thoughts on the below

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs
(b)(6), (b)(7)(C)
Washington, DC
(b)(6), (b)(7)(C)
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From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 1:27 PM
To: HOFFMAN, TODD A <(b)(6), (b)(7)(C)
Subject: RE: Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States
Importance: High

Boss

Proposed message to Field on how to process waivers at POE’s for the other categories.
(b)(5)
Admissibility and Passenger Programs
RRB #2.4G-56
Washington, DC
☎: 202-325-2315
✉: 202-344-3450
✉: James.Hutton@dhs.gov

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**From**: HOFFMAN, TODD A  
**Sent**: Saturday, January 28, 2017 1:07 AM

**To**: DIRECTORS FIELD OPS (b)(6), (b)(7)(C); EXECUTIVE DIRECTORS HQ (b)(6), (b)(7)(C); BORDER SECURITY ASST DIRECTORS (b)(6), (b)(7)(C)

**Cc**: Owen, Todd C (AC OFO) (b)(6), (b)(7)(C); WAGNER, JOHN P (b)(6), (b)(7)(C); HUTTON, JAMES R (b)(6), (b)(7)(C); CHROEDER-FAWCETT, JENNIFER L (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C)

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

**Importance**: High

Directors,

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

---

**Memorandum For**: Directors, Field Operations

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

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

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

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

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

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

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

**Returning Residents,**

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

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

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

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

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

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

Todd A. Hoffman
Executive Director, Admissibility and Passenger Programs
Office of Field Operations
U.S. Customs and Border Protection
From: (b)(6), (b)(7)(C)
Sent: Tuesday, January 31, 2017 1:33 PM
To:  (b)(6), (b)(7)(C)
Cc: HOFFMAN, TODD A; HUTTON, JAMES R; (b)(6), (b)(7)(C)
Subject: FAQs (Updated)
Attachments: Final QA (SH)v2.docx

Please find the updated FAQs attached. We will add in the materials the 7 points of additional guidance and redistribute so we can get final CBP clearance.

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

(b)(6), (b)(7)(C)
Office of the Commissioner
U.S. Customs and Border Protection

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

(b)(5)

Please let me know if you have any additional questions.

Best,

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

Office of the Commissioner
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
10/3/2017 12:00:40 AM

(b)(5)
(b)(5)
(b)(5)
Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
10/3/2017 12:00:40 AM

(b)(5)
I'm sure the CAT has already shared what we're working on/status, but want to make sure you have visibility. I'm trying to get as much consolidated for your review as possible before 9:30pm.

All,

Please find first inputs attached. CAT leadership is looking to review at 9:30pm tonight – then we also need to coordinate OCC review.

Thank you!
Subject: RE: Field/Stakeholder Engagement Plan and Talking Points

Please find the draft outline attached. Add outline items and text and share updates with this group.

I’m going to suggest we get clearance on our rolling list of FAQs at this stage as well, so let’s add any FAQs we have been using or have pending.

Thank you!

From: (b)(6), (b)(7)(C) U.S. Customs and Border Protection (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 6:24 PM
To: (b)(6), (b)(7)(C)

Subject: Field/Stakeholder Engagement Plan and Talking Points

PRE-DECISIONAL

All,

Best,

Office of the Commissioner
U.S. Customs and Border Protection
Office
Cell: (b)(6), (b)(7)(C)
(b)(5)
(b)(5)
(b)(5)
(b)(5)
(b)(5)
Just CBP...

Attached is the draft DHS statement for review.

Will stand by for any feedback via track changes.

R/S

Mike

Team,

How are we doing on these? Specifically 1 and 2. Standing by to review. Is looking for these ASAP.

KM
Subject: POTUS Executive Order - Communication

Thank you for joining the call.

Per the Deputy Commissioner, below are the assigned tasks for today.

1. **FAQ and Talking Points** (b)(6) (b)(7)(C) - DHS OPA will provide cleared FAQ and talking points to coordinate DHS wide communications on the EO. All Components will contribute as appropriate. DUE: 1/28 Afternoon.

2. **CBP Operational Statement** (b)(6) (b)(7)(C) - CBP OPA will draft operational statement providing high level overview of operational impacts, including number of individuals impacted and the waiver process, to be published online. DUE: 1/28 Afternoon.

3. **Roll-up of Congressional and Media Inquiries** (b)(6) (b)(7)(C) - Offices will consolidate listing of media and Congressional inquiries on the implementation of the EOs. DHS OPA and OLA will forward the consolidated inquiries to the DHS Front Office for direction on engagements. Due: 1/28 Afternoon.

4. **Background Call with Media** (b)(6) (b)(7)(C) - Upon receipt of cleared talking points, DHS OPA will coordinate call for the Commissioner of CBP to provide, on background, overview of the implementation of the EOs. Due 1/28 Afternoon.

R/S

Michael Friel
Assistant Commissioner (Acting)
Office of Public Affairs
U.S. Customs and Border Protection
(b)(5)
From: FLANAGAN, PATRICK S
Sent: Monday, January 30, 2017 3:09 PM
To: HOFFMAN, TODD A; HUTTON, JAMES R
Subject: FW: Redelegation of Refugee Waiver Authority

V/R
Patrick

Patrick Flanagan
(b)(6), (b)(7)(C)

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From: MCALEENAN, KEVIN K
Sent: Monday, January 30, 2017 3:06 PM
To: ALLES, RANDOLPH D (b)(6), Owen, Todd C (AC OFO) (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Redelegation of Refugee Waiver Authority

Acting Deputy Commissioner/EAC,

Subject to my oversight, direction and guidance, I hereby delegate to the Deputy Commissioner, Executive Assistant Commissioner, Deputy Executive Assistant Commissioner, Executive Director Admissibility and Passenger Programs, Executive Director Operations, Executive Director National Targeting Center, Executive Director, National Targeting Center-Passenger, Directors, Field Operations, Port Director, John F. Kennedy Airport, and Port Director, Los Angeles International Airport, Office of Field Operations, U.S. Customs and Border Protection, the authority under § 5(e) of the Executive Order entitled, “Protecting the Nation from Foreign Terrorist Entry Into the United States,” (January 27, 2017), to admit individuals to the United States as first-time refugees on a case-by-case basis, but only if the Commissioner 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
(b)(7)(E)

(b)(7)(E) This authority may not be further delegated.
The White House
Office of the Press Secretary
For Immediate Release
January 27, 2017

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

EXECUTIVE ORDER

Protecting the Nation from Foreign Terrorist Entry into the United States

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

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

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.
In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

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

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

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

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

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

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

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

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

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

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.
(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

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

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

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

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

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

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

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

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

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

Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa
Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which
requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to
specific statutory exceptions.
(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

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

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

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

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

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

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.
(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

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

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

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

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

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

DONALD J. TRUMP
Executive Order (EO) Protecting the Nation From Terrorist Attacks by Foreign Nationals
Frequently Asked Questions
10/3/2017 12:24:27 AM

(b)(5)
(b)(5)
(b)(5)
(b)(5)
(b)(5)
From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 6:41 AM
To: (b)(6), (b)(7)(C)
Cc: HOFFMAN, TODD A
Subject: Executive Order: Refugees from IOM - Urgent

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

I would need confirmation from CBP whether refugees travelling under the supervision of IOM (United Nations agency), holders of valid US issued travel document are allowed to entry the United States or not. We have a group of 30 people tomorrow morning, and others the following days, with nationals from Iran, Iraq and Syria.

It is not clear whether these particular case is covered by the new regulation.

Thanking you in advance for your prompt input.

Kind regards (b)(6)

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Pensez à l’environnement avant d’imprimer ce message,
Think of the environment before printing this mail.
Initial numbers enroute

Sir,

This is based on the only way we could get you a fast answer that is for TODAY (not stale data):

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<th>Potential Travelers</th>
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<td></td>
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</table>
Needs stats for folks in air today and set top arrive from those 7 countries. Need it by 540.
United States Department of State

Washington, D.C. 20520

January 27, 2017

ACTION MEMO FOR ACTING SECRETARY SHANNON

FROM: CA – Deputy Assistant Secretary (b)(6)

SUBJECT: (SBU) Determination to except (b)(6), (b)(7)(C) from the President’s Executive Order in the national interest

Recommendation

(SBU) That you determine that the granting entry to the United States by the Department of Homeland Security (DHS) to (b)(6), (b)(7)(C) is in the national interest.

Approve ________________ Disapprove ________________

Background

(SBU) The Executive Order “Protecting the Nation from Terrorist Attacks by Foreign Terrorist Entry into the United States” signed Jan. 27, 2017, suspends entry into the United States, as immigrants and nonimmigrants, of aliens from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen pursuant to the President’s authority under section 212(f) of the Immigration and Nationality Act (INA). Subsection 3(g) of the Executive Order authorizes the Secretaries of State and Homeland Security, on a case-by-case basis, and when in the national interest, to issue visas or other immigration benefits to nationals of those countries.

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

(SBU) CA recommends you exercise your authority under subsection 3(g) to determine that it is in the national interest to except (b)(6), (b)(7)(C) from the Executive Order, allowing entry into the United States. Upon your approval of this memo, the Secretary of Homeland Security or his designee will be asked to concur.
Attachment:

Executive Order on Protecting the Nation from Terrorist Attacks by Foreign Nationals
ACTION MEMO FOR ACTING SECRETARY SHANNON

FROM: CA – Assistant Secretary David T. Donahue, Acting

SUBJECT: (SBU) Determination to except Ayman Asfari from the President’s Executive Order in the national interest

Recommendation

(SBU) That you determine that the granting entry to the United States by the Department of Homeland Security (DHS) to Ayman Asfari and Bassma Kodmani is in the national interest.

Approve ________________  Disapprove ________________

Background

(SBU) The Executive Order “Protecting the Nation from Terrorist Attacks by Foreign Terrorist Entry into the United States” signed Jan. 27, 2017, suspends entry into the United States, as immigrants and nonimmigrants, of aliens from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen pursuant to the President’s authority under section 212(f) of the Immigration and Nationality Act (INA). Subsection 3(g) of the Executive Order authorizes the Secretaries of State and Homeland Security, on a case-by-case basis, and when in the national interest, to issue visas or other immigration benefits to nationals of those countries.

(SBU) Ayman Asfari is an American-educated Syrian-UK national (he’s been a UK citizen for 20 years). He is resident in London, and is CEO of Petrofac, an oil-field services company with an international presence. Asfari is active in Syrian opposition politics, though is independent of any of the major opposition groupings. He is a board member of the Carnegie Endowment, and visits Washington frequently in that capacity. Asfari founded the Asfari Foundation, which undertakes humanitarian relief and civil society projects. Asfari is a strong, responsible, and independent voice within the Syrian opposition and is an advocate.
for a peaceful settlement of the Syrian conflict. He is a long-standing contact of the State Department, providing insights into developments in Syria, urging responsible behavior by the Syrian opposition, and supporting humanitarian relief in impoverished Syrian communities. His ability to travel to the United States to consult with U.S. officials, members of Congress, the private sector, and the NGO community, is in the interest of U.S.

(SBU) Bassma Kodmani is a Paris-based Syrian-French dual national. She is a long-time activist in Syrian opposition politics and a member of the negotiating team of the Syrian High Negotiations Committee (HNC). The HNC is the body formed pursuant to a U.S., Russian, and UN effort to start political negotiations between the Syrian government and the opposition. Kodmani is a consistent advocate for a peaceful settlement of the Syrian conflict. She has been a contact of U.S. officials for many years, and her views on the Syrian conflict, the role of opposition politics, and prospects for a political settlement have been important contributions to U.S. thinking. Having Kodmani in the U.S. to consult with U.S. officials and the NGO community is in the national security interest of the U.S.

(SBU) Ayman Asfari and Bassma Kodmani are scheduled to arrive by private aircraft on January 29. CA recommends you exercise your authority under subsection 3(g) to determine that it is in the national interest to except Ayman Asfari and Bassma Kodmani from the Executive Order, allowing entry into the United States. Upon your approval of this memo, the Secretary of Homeland Security or his designee will be asked to concur.

Attachment:

Executive Order on Protecting the Nation from Terrorist Attacks by Foreign Nationals

SENSITIVE BUT UNCLASSIFIED
SENSITIVE BUT UNCLASSIFIED
-3-

Approved: CA – ERamotowski for Acting Assistant Secretary David T. Donahue

Drafted: CA/VO/SAC – JFellows

Cleared:
CA/VO – ERamotowski
CA/VO/SAC - MParker
CA/VO/L – DNewman
NEA - SJones
P –
From: MCALEENAN, KEVIN K
Sent: Sunday, January 29, 2017 1:39 AM
To: Owen, Todd C (AC OFO); WAGNER, JOHN R; HOFFMAN, TODD A; HUTTON, JAMES R; DIRECTORS FIELD OPS
Cc: ALLES, RANDOLPH D; FLANAGAN, PATRICK S
Subject: IMMEDIATE ACTION: Executive Order Implementation and compliance with EDNY Court Order

ALCON:

(b)(7)(E)

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

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

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

Vigilance • Service • Integrity