

From: [Owen, Todd C \(AC OFO\)](#)
To: [HUTTON, JAMES R](#)
Cc: (b) (6), (b) (7)(C); [HOFFMAN, TODD A](#); (b) (6), (b) (7)(C)
Subject: RE: EO 212(f) Exemption Request (b) (6), (b) (7)(C)
Date: Saturday, January 28, 2017 5:22:38 PM
Attachments: [image001.jpg](#)

Approved per C1, 1722 hours.

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

From: HUTTON, JAMES R
Sent: Saturday, January 28, 2017 5:03 PM
To: Owen, Todd C (AC OFO) (b) (6), (b) (7)(C) @CBP.DHS.GOV>
Cc: (b) (6), (b) (7)(C) @CBP.DHS.GOV>; (b) (6), (b) (7)(C) @CBP.DHS.GOV>; HOFFMAN, TODD A (b) (6), (b) (7)(C) @CBP.DHS.GOV>; (b) (6), (b) (7)(C) @cbp.dhs.gov>; (b) (6), (b) (7)(C) @cbp.dhs.gov>
Subject: EO 212(f) Exemption Request (b) (6), (b) (7)(C)
Importance: High

Exemption to Executive Order Request

January 28, 2017

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

Summary: CBP, OFO, Baltimore Field Office recommends that you (b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Details:

- Subject arrived aboard (b) (6), (b) (7)(C) with USC Father:
 - (b) (6), (b) (7)(C)

b6, b7C

- Waiver request is for the accompanying minor child. Child is b6, b7C years old.
 - Child is a first-time immigrant, entering on an IR2 visa.

- b6, b7C, b7E

- b6, b7C

- b6, b7C was out of the country for approximately 10 months.

- (b) (6), (b) (7) went to b6, b7C to get immigrant packet for son.

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

- b6, b7C

- works as a b6, b7C

- b7E

-

b6, b7C, b7E

[Redacted]

Timeline:

- 0815 Subject arrived aboard (b) (6), (b) (7)(C)
- b7E

-

Contacts:

b7E

Area Port contacted at 1230 hours.
Field Office contacted at 1244hours.

J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

(C)
Washington, DC

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

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

(C)



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From: [HUTTON, JAMES R](#)
To: [HOFFMAN, TODD A](#); [DIRECTORS FIELD OPS](#); [EXECUTIVE DIRECTORS HQ](#); [BORDER SECURITY ASST DIRECTORS](#); [ENFORCEMENT PROGRAMS DIVISION](#)
Cc: [Owen, Todd C \(AC OFO\)](#); [WAGNER, JOHN P](#); (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: RE: UPDATED Guidance on Executive Order "Protecting the Nation from Foreign Terrorist Entry into the United States"
Date: Sunday, January 29, 2017 11:49:15 AM
Attachments: [image001.jpg](#)

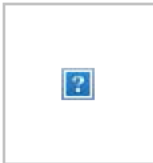
DFO's

Kindly request that you all Enforcement Programs Division (group mailbox) to all waiver requests. This will help 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
(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 9:34 PM
To: HOFFMAN, TODD A <b6, b7C [REDACTED]@CBP.DHS.GOV>; DIRECTORS FIELD OPS (b) (7)(E) [REDACTED]@cbp.dhs.gov>; EXECUTIVE DIRECTORS HQ (b) (7)(E) [REDACTED]@cbp.dhs.gov>; BORDER SECURITY ASST DIRECTORS (b) (7)(E) [REDACTED]@cbp.dhs.gov>
Cc: Owen, Todd C (AC OFO) <b6, b7C [REDACTED]@CBP.DHS.GOV>; WAGNER, JOHN P b6, b7C [REDACTED]@CBP.DHS.GOV>; (b) (6), (b) (7)(C) [REDACTED]@CBP.DHS.GOV>; (b) (6), (b) (7)(C) [REDACTED]@CBP.DHS.GOV>; (b) (6), (b) (7) [REDACTED]@cbp.dhs.gov>; (b) (6), (b) (7)(C) [REDACTED]@cbp.dhs.gov>; (b) (6), (b) (7)(C) [REDACTED]@cbp.dhs.gov>; (b) (6), (b) (7)(C) [REDACTED]@cbp.dhs.gov>; (b) (6), (b) (7) (OCC) [REDACTED]@cbp.dhs.gov>; (b) (6), (b) (7)(C) [REDACTED]

(b) (6), (b) (7)(C) @cbp.dhs.gov; (b) (6), (b) (7)(C) (OCC)

(b) (6), (b) (7)(C) @CBP.DHS.GOV>

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

Importance: High

DFO's

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

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

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

- (b) (6), (b) (7)(C) @cbp.dhs.gov
- (b) (6), (b) (7)(C) @cbp.dhs.gov
- (b) (6), (b) (7)(C) @cbp.dhs.gov
- EAC Owen
- DEAC Wagner
- (b) (6), (b) (7)(C)
- XD Hoffman
- (b) (6), (b) (7)(C)
- DXD Hutton
- OFO Field Liaison

I have also attached some samples that were submitted for approval today.

Sample

Subject Line: EO 212(f) Exemption for LAST NAME, (f/n) First name

Waiver Narrative

(b) (5)



(b) (5)

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

(b) (5)



(b) (5)



J. Ryan Hutton
Deputy Executive Director
Admissibility and Passenger Programs

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

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



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From: HOFFMAN, TODD A

Sent: Saturday, January 28, 2017 1:07 AM

To: DIRECTORS FIELD OPS <(b) (7)(E) @cbp.dhs.gov>; EXECUTIVE DIRECTORS HQ
(b) (7)(E) @cbp.dhs.gov>; BORDER SECURITY ASST DIRECTORS
(b) (7)(E) @cbp.dhs.gov>

Cc: Owen, Todd C (AC OFO) b6, b7C @CBP.DHS.GOV>; WAGNER, JOHN P
b6, b7C @CBP.DHS.GOV>; HUTTON, JAMES R (b) (6), (b) (7)(C) @CBP.DHS.GOV>;
(b) (6), (b) (7)(C) @CBP.DHS.GOV> (b) (6),
(b) (6), (b) (7)(C) @CBP.DHS.GOV>; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @cbp.dhs.gov>; (b) (6), (b) (7)(C) @CBP.DHS.GOV>

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