INFORMATION

MEMORANDUM FOR JOHN KELLY, CHIEF OF STAFF TO THE PRESIDENT

DONALD MCGAHN, WHITE HOUSE COUNSEL

JOHN MICHAEL "MICK" MULVANEY, DIRECTOR, OFFICE OF

MANAGEMENT AND BUDGET

FROM: KIRSTJEN M. NIELSEN, SECRETARY OF HOMELAND SECURITY

SUBJECT: IMPLEMENTATION OF EXECUTIVE ORDER AFFORDING

CONGRESS AN OPPORTUNITY TO ADDRESS FAMILY

SEPARATION

(b)(5)			

FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT 00118305/08/2019

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

MEMORANDUM FOR JOHN KELLY, CHIEF OF STAFF TO THE PRESIDENT

DONALD MCGAHN, WHITE HOUSE COUNSEL

INFORMATION

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MANAGEMENT AND BUDGET

FROM: KIRSTJEN M. NIELSEN, SECRETARY OF HOMELAND SECURITY

SUBJECT: IMPLEMENTATION OF EXECUTIVE ORDER AFFORDING

CONGRESS AN OPPORTUNITY TO ADDRESS FAMILY

SEPARATION

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FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL

— DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT

00118605/08/2019

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

	Mitnick, John (b)(6)		
From:	(b)(6)		
	"McCament, James (b)(6)		
	(b)(6)		
,	"Fulghum, Chip (b)(6)		
	(b)(6)		
	"Shah, Dimple (b)(6)		
	(b)(6)		
To:	"Baroukh, Nader (b)(6)		
10.	(D)(G)		
	"Short, Tracy (b)(6)		
	(b)(6)		
	"Scudder, Ryan (b)(6)		
	(b)(6)		
	"Dougherty, Michael (b)(6)		
	(b)(6)		
	"Petyo, Briana(b)(6)		
	(b)(6)		
	"Neumann, Elizabeth (b)(6)		
cc.	(b)(6) "Bobb. Christina (b)(6)		
CC.	"Bobb. Christina (h)(6)		
	(b)(6)		
	"Swartz, Neal (b)(6)		
	(b)(6)		
Subject:	RE: FOR REVIEW: DRAFT UPDATE MEMO		
Date:	Date: 2018/06/22 17:40:08		
Priority:	Normal		
Туре:	Note		

With additional edits from Neal.

ATTORNEY CLIENT COMMUNICATION

ATTORNEY WORK PRODUCT

DELIBERATIVE

John M. Mitnick

General Counsel U.S. Department of Homeland Security From: Mitnick, John Sent: Friday, June 22, 2018 4:40 PM Fulghum, Chip (b)(6) To: McCament, James (b)(6) Shah, Dimple (b)(6) ; Baroukh, Nader(b)(6) ; Short, Scudder, Ryan (b)(6) Tracy (b)(6) Dougherty, Michael (b)(6) Neumann, Elizabeth (b)(6) Cc: Petyo, Briana (b)(6) Bobb, Christina (b)(6) Subject: RE: FOR REVIEW: DRAFT UPDATE MEMO

00118905/08/2019

Colleagues,	
My edits and comments are attack	ned.
John	
John M. Mitnick General Counsel U.S. Department of Homeland Sec (b)(6)	urity
(b)(6)	; Mitnick, John (b)(6) Shah, Baroukh, Nader (b)(6) Short, Tracy ler, Ryan (b)(6) ; Dougherty, Michael
Cc: Petyo, Briana (b)(6) Bobb, Christina(b)(6)	Neumann, Elizabeth (b)(6)
Subject: FOR REVIEW: DRAFT UPD	ATE MEMO
requested as noted below. Under timing and content, we'll want to and Elizabeth who will assist in fur	<u> </u>
Thanks all for the continued quick James W. McCament Deputy Under Secretary for Strate Department of Homeland Securit (b)(6)	tegy, Policy and Plans
From: McCament, James Sent: Friday, June 22, 2018 9:35 A To: Fulghum, Chip(b)(6) John(b)(6) Cc: MCALEENAN, KEVIN K (b)(6)	Taylor, Miles (b)(6); Mitnick, ; Albence, Matthew Shah, Dimple (b)(6); Hoffman, Jonathan
	; Wolf, Chad ^{(b)(6)} Baroukh, Nader

-	Short, Tracy ^{(b)(6)}
From:	(b)(6)
	"Fulghum, Chip (b)(6)
	(b)(6)
	"McCament, James (h)(6)
To:	(b)(6) "Taylor, Miles (b)(6)
	(b)(6)
	"Mitnick, John (b)(6)
	(b)(6)
	"MCALEENAN, KEVIN K (b)(6)
	(b)(6)
	"Albence, Matthew (b)(6)
	(b)(6) "Shah, Dimple (b)(6)
	(Shan, Dimple (6)
	(b)(6) "Hoffman, Jonathan (b)(6)
CC:	(b)(6)
	"Wolf, Chad (b)(6)
	(b)(6)
	"Baroukh, Nader (b)(6)
	(b)(6)
	"Scudder, Ryan (b)(6)
	(b)(6)
	RE: Options for Principals
Date:	2018/06/22 08:19:29
Priority:	Normal
Туре:	Note

Does this language need to be incorporated into this document?

From: Fulghum, Chip			
Sent: Friday, June 22, 2018 8:15	AM		
To: McCament, James (b)(6)		Taylor, Miles (b)(6)	
Mitnick, John (b)(6)		_	
Cc: MCALEENAN, KEVIN K (b)(6)		Albence, Matthew	
b)(6)	; Shah, Dimple (b)(6)	Hoffman, Jo	onathan
	; Wolf, Chad (b)(6)	Baroukh, Nader	
	Short, Tracy	>; Scudder, Ryan	
Subject: RF: Ontions for Principa	년 c		

In addition, Below for visibility is the input for the memo S1 requested you are working regarding overall implementation status.

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00125505/08/2019

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July 2018



Withheld pursuant to exemption

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10	Report on Ending "Catch and Release" at
11	the Borders of the United States
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14	July 2018
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Withheld pursuant to exemption

(b)(5)

00133005/08/2019

Boulden, Laurie (b)(6)
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"Fulghum, Chip (b)(6)
(b)(6)
RE: FOR REVIEW: DRAFT UPDATE MEMO
2018/06/22 17:58:13
Normal
Note

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	 -	-	-

I know the 1250 is an up-to #.

as a conservative average estimate, right

(b)(5)

From: Fulghum, Chip

Sent: Friday, June 22, 2018 5:54 PM

To: Boulden, Laurie (b)(6)

Subject: FW: FOR REVIEW: DRAFT UPDATE MEMO

I can't see the questions. Please tell me what he asked

From: McCament, James

Sent: Friday, June 22, 2018 5:10:07 PM

To: Mitnick, John; Fulghum, Chip; Shah, Dimple; Baroukh, Nader; Short, Tracy; Scudder, Ryan;

Dougherty, Michael; Smith, Ian

Cc: Petyo, Briana; Neumann, Elizabeth; Bobb, Christina; Barr, MacReadie

Subject: RE: FOR REVIEW: DRAFT UPDATE MEMO

Thank you, John. All, I've incorporated the edits received from Michael and Chip as well into this version. Chip, can you provide answers to John's 2 comments re: bed space calculations? In addition, Tracy/Ryan, do you have any additional edits?

Enomi	Blume, Allen (b)(6) (b)(6)
From:	(b)(6)
	"Fulghum, Chin (b)(6)
	(b)(6)
CC.	"Marcott, Stacy (b)(6)
	(b)(6)
Subject:	RE: FOR REVIEW: DRAFT UPDATE MEMO
Date:	2018/06/22 14:42:22
Priority:	Normal
Туре:	Note

Edits are attached. These were not cleared by the ACFO.

Allen

From: Fulghum, Chip

Sent: Friday, June 22, 2018 2:16 PM

To: Blume, Allen (b)(6)

Cc: Marcott, Stacy (b)(6)

Subject: FW: FOR REVIEW: DRAFT UPDATE MEMO

Please let me know if you have any issues before 3:00

From: McCament, James

Sent: Friday, June 22, 2018 12:49:52 PM

To: Fulghum, Chip; Mitnick, John; Shah, Dimple; Baroukh, Nader; Short, Tracy; Scudder, Ryan;

Dougherty, Michael

Cc: Petyo, Briana; Neumann, Elizabeth; Bobb, Christina

Subject: FOR REVIEW: DRAFT UPDATE MEMO

FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT

All, for review, edit and comment by 3:00 if possible today, attached is the draft of the memo S1 requested as noted below. Understanding that there are continued discussions which may impact timing and content, we'll want to provide this forward soonest through Exec Sec. I'm adding in Briana and Elizabeth who will assist in further tracking while I'm out of the office Monday and Tuesday (personal). Adding Christina for visibility regarding the forthcoming memo through the Exec Sec process.

Thanks all for the continued quick turn around and collaboration,

James W. McCament Deputy Under Secretary for Strategy, Policy and Plans

Withheld pursuant to exemption

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Withheld pursuant to exemption

(b)(5)

Secretary

U.S. Department of Homeland Security Washington, DC 20528



August 28, 2018

Maria Dolores Agüero Lara Secretary of State Embassy of Honduras 3007 Tilden Street, NW Washington, DC 20008

Dear Madam Secretary:

Thank you for your July 12, 2018 letter.

I have reviewed your concerns about the Administration's zero-tolerance efforts and cases of family separation that have resulted from the prosecution of illegal border crossers. The purpose of zero-tolerance is to refer for prosecution all amenable adults who illegally enter the United States in violation of 8 U.S.C. § 1325(a) and to ensure no class is exempt from the law. Our policy has been to enforce this law prohibiting illegal entry by prosecuting those who violate the law, *not* by deliberately separating families. I want to reiterate that the Department of Homeland Security (DHS) has never had a blanket policy of separating families at the border.

On June 20, 2018, President Trump issued Executive Order No. 13841, Affording Congress and Opportunity to Address Family Separation, which directs the Executive Branch to continue to protect the border and to prosecute illegal crossers, while simultaneously avoiding the separation of families to the extent consistent with law. As expressed in the Executive Order, it is the policy of this Administration to maintain family unity by detaining alien families together when appropriate and consistent with the law and available resources. Individual adults or legitimate families applying for admission at a port of entry generally have not violated U.S. law prohibiting illegal entry and will not face prosecution on that basis.

In support of this, DHS, the Department of Health and Human Services (HHS), and the Department of Justice established a coordinated reunification process to ensure that eligible parents are reunited with their children in a safe and efficient manner. The Tri-Department Plan for Stage II of Family Reunification is available at www.hhs.gov/sites/default/files/UAC-Tri-Department-Process.pdf. In the interest of transparency, we have resources dedicated to ensuring accurate public awareness, to include a frequently asked questions webpage (www.dhs.gov/news/2018/06/15/frequently-asked-questions-zero-tolerance-immigration-prosecutions) and periodic reunification progress updates, available at www.dhs.gov/news/2018/07/12/trump-administration-completes-reunification-eligible-children-under-age-5. DHS and HHS have also complied with multiple requests from Members of Congress and state and local officials for tours of detention facilities and to witness reunification efforts firsthand.

www.dhs.gov

Maria Dolores Agüero Lara Page 2

Moving forward, I reiterate my plea to Congress to close the legal loopholes that incentivize criminals, smugglers, and other nefarious actors from exploiting our immigration system to enter the United States illegally.

The Department is continuing to examine a variety of issues in light of ongoing litigation and recent court decisions. Thank you again for your letter and your interest in this important issue.

Best Regards,

Kirsejen M. Nielsen

Secretary

Withheld pursuant to exemption

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From:	Swartz, Neal (b)(6)
Troil.	(0)(0)
	"Baroukh, Nader (b)(6)
	(b)(6)
	"Mitnick, John (b)(6)
	(b)(6)
Subject:	RE: FOR REVIEW: DRAFT UPDATE MEMO
Date:	2018/06/22 17:37:05
Priority:	Normal
Туре:	Note

<u>John</u> , (b)(5)	
(b)(5)	

Thank you, Neal

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***
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From: Baroukh, Nader

Sent: Friday, June 22, 2018 4:54 PM

To: Swartz, Neal (b)(6) **Cc:** Mitnick, John

Subject: FW: FOR REVIEW: DRAFT UPDATE MEMO

Neal,

Can you take a look at the attached.

Nader Baroukh
Associate General Counsel, Immigration

<u>Department of Homeland</u> Security, Office of the General Counsel

(b)(6)

(b)(6)
This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain 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.
From: Mitnick, John Sent: Friday, June 22, 2018 9:39:42 PM To: McCament, James; Fulghum, Chip; Shah, Dimple; Baroukh, Nader; Short, Tracy; Scudder, Ryan; Dougherty, Michael Cc: Petyo, Briana; Neumann, Elizabeth; Bobb, Christina Subject: RE: FOR REVIEW: DRAFT UPDATE MEMO
ATTORNEY CLIENT COMMUNICATION ATTORNEY WORK PRODUCT DELIBERATIVE
Colleagues,
My edits and comments are attached.
John
John M. Mitnick General Counsel U.S. Department of Homeland Security (b)(6)
From: McCament, James Sent: Friday, June 22, 2018 12:50 PM To: Fulghum, Chip(b)(6)

DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT

FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL

From:	Mitnick, John (b)(6)
	(b)(o)
T	"McCament, James (b)(6)
10:	(b)(6)
Subject:	RE: FOR REVIEW: DRAFT UPDATE MEMO
Date:	2018/06/22 15:45:04
Priority:	Normal
Туре:	Note

I am working on this, but it needs editing.

John M. Mitnick General Counsel U.S. Department of Homeland Security (b)(6)

From: McCament, James Sent: Friday, June 22, 2018 12:50 PM Mitnick, John (b)(6) To: Fulghum, Chip (b)(6) Shah, Baroukh, Nader (b)(6) Dimple (b)(6) ; Short, Tracy Scudder, Ryan (b)(6) (b)(6)Dougherty, Michael (b)(6) **Cc:** Petyo, Briana (b)(6) Neumann, Elizabeth (b)(6) Bobb, Christina (b)(6) Subject: FOR REVIEW: DRAFT UPDATE MEMO

FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT

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Thanks all for the continued quick turn around and collaboration,

James W. McCament
Deputy Under Secretary for Strategy, Policy and Plans
Department of Homeland Security
(b)(6)

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Withheld pursuant to exemption

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FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT

INFORMATION

MEMORANDUM FOR JOHN KELLY, CHIEF OF STAFF TO THE PRESIDENT
DONALD MCGAHN, WHITE HOUSE COUNSEL
JOHN MICHAEL "MICK" MULVANEY, DIRECTOR, OFFICE OF
MANAGEMENT AND BUDGET

FROM:

KIRSTJEN M.NIELSEN, SECRETARY OF HOMELAND SECURITY

SUBJECT:

IMPLEMENTATION OF EXECUTIVE ORDER AFFORDING
CONGRESS AN OPPORTUNITY TO ADDRESS FAMILY
SEPARATION

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FOR OFFICIAL USE ONLY INTERNAL PRE-DECISIONAL DELIBERATIVE ATTORNEY-CLIENT WORK PRODUCT 00136305/08/2019

Page 182

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 183

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Question#:	
Topic:	Verifying Relationships
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: Can you please explain the criteria and process CBP personnel are required to use for verifying family relationships?

ъ	(b)(5)
Response	e: [¹ / ¹ / ₁ / ₂
(b)(5)	
Question	: Is this process different for families who present themselves at ports of entry
than for th	hose apprehended by Border Patrol?
tildii ioi ti	mose apprehended by Border Fattor.
	NAMES .
Response	
(b)(5)	· 1
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Question#:	2
Topic:	TEDS Application
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: Can you please explain what CBP does to ensure family units are kept together, per its 2015 National Standards on Transport, Escort, Detention, and Search (TEDS)?

Response: (b)(5)	
(b)(5)	
Question: How does the Administration's zero-tolerance directive for adult border crossers hinder your ability to keep families together?	
Response: (b)(5)	
(b)(5)	
Question: Do your 2015 TEDS still apply to Border Patrol's operations?	
Response: (b)(5)	

Question#:	3
Topic:	GAO Recommendations
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: In July 2015, GAO recommended that CBP revise the methods and questions used by Border Patrol agents and OFO officers to screen unaccompanied alien children. What is the status of CBP's efforts to address these recommendations?

Response: (b)(5	5)		
(b)(5)			

Question: In July 2015, GAO found that CBP personnel were not properly screening all Mexican unaccompanied children who had credible fear of returning to Mexico and who were victims of a severe form of trafficking in persons. The related recommendations remain open. Why has CBP not issued updated guidance per these recommendations?

Response:	(b)(5)	
(b)(5)		

Question: What is the status of CBP's efforts to address these recommendations?

Response:	(b)(5)		
(b)(5)			

Question: In the absence of such guidance, how is CBP ensuring that agents and officers are complying with trafficking preventions requirements and addressing the weaknesses that GAO identified in 2015?

Response: (b)(5)				
(b)(5)				

Question#:	4
Topic:	Filing Asylum Claims
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: The Secretary and other leaders, such as yourself, have been telling people who are seeking asylum to go to our ports of entry. Otherwise, DHS intends to refer these asylum seekers to the Department of Justice for criminal prosecution if they attempt to approach a Border Patrol agent. However, we have heard reports from groups and asylum seekers themselves that CBP in the past improperly turned away or dissuaded people trying to file asylum claims at certain ports of entry. Is CBP preventing people from filing their asylum claims?

Response:	(b)(5)
(b)(5)	

Question: What kind of guidance have you issued to your field directors to make sure this doesn't happen?

Question#:	4
Topic:	Filing Asylum Claims
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

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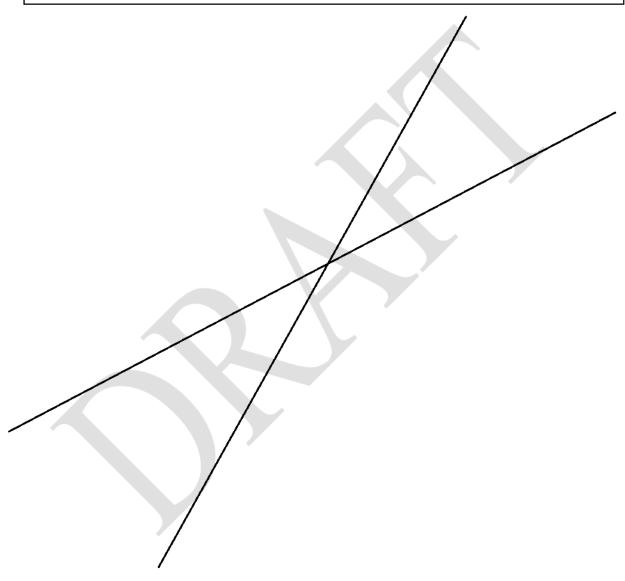
Question#:	5
Topic:	Additional Asylum Seekers
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: In April, CBP noted that capacity issues at San Ysidro Port of Entry slowed down the processing time for asylum seekers. I presume that the persistent CBP officer staffing shortage is one of the factors affecting these capacity issues. How has CBP prepared, if at all, for additional asylum seekers at ports of entry?

Response: ⁽⁰⁾⁽³⁾

Question#:	5
Questionin	
Topic:	Additional Asylum Seekers
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
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	TABLE OF THE OF
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

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Question#:	6
Topic:	Compliance with Refugee Protocol
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: In 2015, the DHS Inspector General reported that:

Border Patrol does not have guidance on whether to refer to Streamline prosecution aliens who express fear of persecution or fear of return to their home countries. As a result, Border Patrol agents sometimes use Streamline to refer aliens expressing such fear to DOJ for prosecution. Using Streamline to refer aliens expressing fear of persecution, prior to determining their refugee status, may violate U.S. obligations under the 1967 United Nations Protocol Relating to the Status of Refugees, which the United States ratified in 1968.

What has the Border Patrol done since 2015 to offer guidance to its agents regarding compliance with this protocol?

Response:	(b)(5)		
(b)(5)			

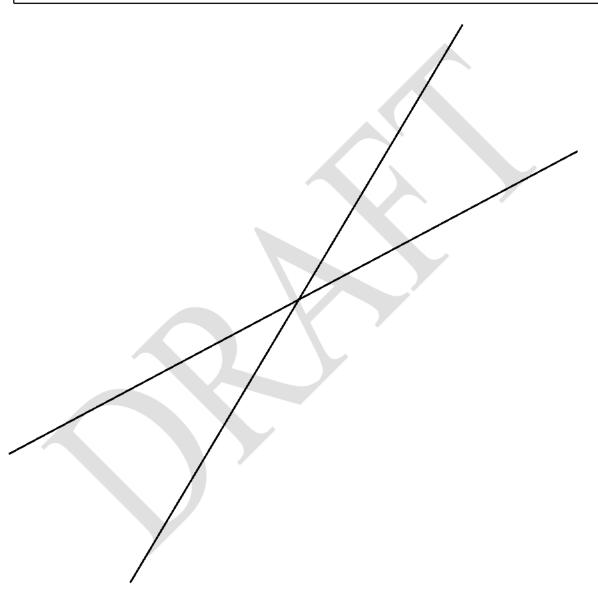
Question#:	7
Topic:	Differences in Processes
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
	, , , ,
Date:	MAY 22, 2018
	, and the second

Question: How do CBP intake and screening processes differ, if at all, for people who arrive at a port of entry and claim fear compared to those who claim fear after being apprehended by Border Patrol agents between ports of entry?

Response:	(b)(5)		
(b)(5)	•		

Question#:	7
Topic:	Differences in Processes
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

(b)(5)			



Question#:	8
Topic:	Referral to DOJ
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
	` ´
Date:	MAY 22, 2018
	, and the second

Question: The Attorney General's April 6, 2018, memorandum directs each United States Attorney's Office, in consultation with DHS, to adopt a zero-tolerance policy for all first-time illegal entrants along the southwest border. How, if at all, are foreign nationals who are apprehended between ports of entry prioritized for referral to DOJ?

Response: [O)(O)	
•	

Question: How does CBP ensure that individuals referred to DOJ and who have articulated fear claims receive access to a credible fear interview by USCIS?

Response: (b)(5)	(5)		
(b)(5)			

Question#:	8
Topic:	Referral to DOJ
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: Under what circumstances is CBP referring foreign nationals to DOJ for prosecution before the individual received a credible fear interview with USCIS?

Response: (b)(5))(5)	
(b)(5)		

Question: What type of information does Border Patrol track regarding individuals that the agency refers to DOJ for immigration-only offense prosecutions, as well as individuals that Border Patrol refers to USCIS for credible fear interviews?

Response: (b)(5)	(b)(5)	
(b)(5)		

Question#:	9
Topic:	Administration Policy
	·
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: Is it now the policy of the Trump Administration to question the citizenship of anyone who is conversing a language other than English?

Response: (b)(5)

Question: What kind of training measures is the Border Patrol providing to its agents so that we do not have a repeat of the Montana incident recorded in mid-May 2018 in which a Border Patrol agent questioned two U.S. citizens after he overheard them speaking in Spanish?

Response: (b)(5)	(b)(5)
(b)(5)	

Question#:	10
Topic:	Detention Facilities
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: This last December, the Inspector General issued a report that found extremely serious problems with the treatment of detainees and conditions at various ICE detention facilities across the country. What are you doing to correct the many violations that facilities are committing?

What, if anything, has been done in the past six months to address the very serious issues raised by the DHS Inspector General?

Response:	(b)(5)	
(b)(5)	•	

Question#:	11
Topic:	Families in Custody
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: How many families does ICE currently have in its custody?

How many of these families have been referred to ICE custody since the beginning of the zero-tolerance policy that took effect in early May 2018?

Response:	(0)(3)
(b)(5)	

¹ ICE FRCs includes Berks County Family Shelter, Karnes County Residential Center, and South Texas Family Residential Center.

Question#:	12
Topic:	Family Reunification
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: When CBP transfers an adult who has been separated from his or her children into ICE custody, what does ICE do to ensure that both the adult and child know of each other's location?

What does ICE do to ensure families can eventually be unified?

Response:	(b)(5)
(b)(5)	

Question#:	12
Topic:	Family Reunification
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

(b)(5)	

Question#:	13
Topic:	Asylum Claims
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
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Date:	MAY 22, 2018
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Question: Operation Streamline has been in effect for some time now. Though I understand that the current zero-tolerance policy is different, what has been the effect of criminal prosecution through Streamline on a person's ability to claim asylum?

Response:	(b)(5)	
(b)(5)		

Question: Have asylum claims been denied because of a criminal illegal entry or reentry charge?

How will claims filed by asylum seekers who are charged with illegal entry or re-entry be affected by these charges?

Response:	(b)(5)
(b)(5)	

Question#:	13
Topic:	Asylum Claims
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

(b)(5)

Question#:	14
Topic:	Credible Fear Interviews
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: How, if at all, does USCIS ensure that illegal entrants apprehended by CBP or ICE are receiving credible fear interviews, as required?

When do foreign nationals who are apprehended by Border Patrol and referred to DOJ for prosecution receive access to a credible fear interview if they have made a fear claim?

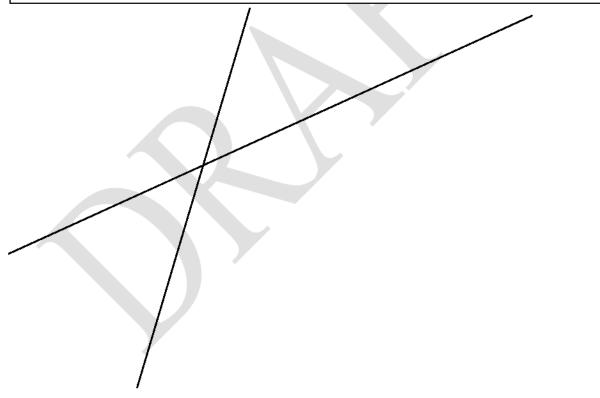
Where and how are individuals detained while awaiting credible fear interviews?

If USCIS determines that an individual has a credible fear of persecution, what are the next steps for that individual?

Response:	(b)(5)
(b)(5)	

Question#:	14
Topic:	Credible Fear Interviews
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

(b)(5)			



² If an individual neither requests nor declines review of the determination, the individual is still referred to the Immigration Judge for review of the credible fear determination.

Question#:	15
Topic:	CAM Program
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Filemon Vela
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: The Central American Minors Refugee program was cancelled abruptly in 2017. There were 4,000 applicants who have legally-present adult family members in the United States whose applications were cancelled when the program was shut down. Can you please tell us why the program was shuttered?

Is it the Trump Administration's position that it is in the best interest of these children to stay in violent countries or risk a dangerous journey through Mexico?

If not, what was the purpose of closing down a legal pathway to refugee status?

Response: (a)(a)	
Response: (b)(5)	

Question#:	16
Topic:	Assistance from Mexican Government
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable J. Luis Correa
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: For the past ten fiscal years, how many asylum-seekers that originally intended to come to the United States are provided asylum and assisted by the Mexican government?

Response:	(b)(5)
(b)(5)	
	How many asylum-seekers actually reach the U.S Mexico border?
Response:	(b)(5)
(b)(5)	
Question	Of those asylum-seekers that reach the U.S Mexico border, what is the
_	d percentage that are granted asylum in the United States?
Response:	(b)(5)
(b)(5)	
_	Can you please describe how Mexico has helped CBP by assisting migrants
along its so	outhern border?
Demonstr	(a.vr.)
Response:	(D)(5)
(b)(5)	

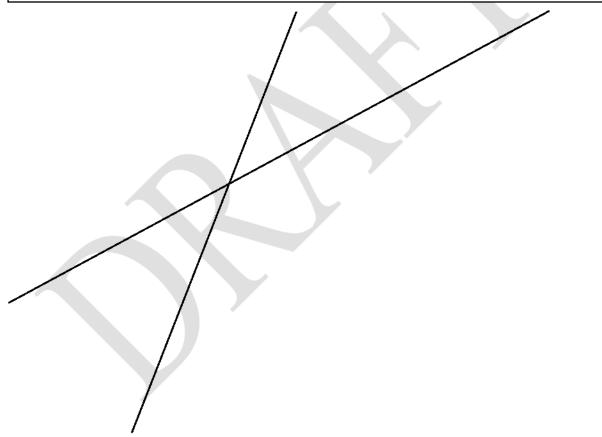
Question#:	16
Topic:	Assistance from Mexican Government
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable J. Luis Correa
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: How has CBP helped the Mexican government in efforts to build up its border management?

Response: (b)(5)
p)(5)

Question#:	16
Topic:	Assistance from Mexican Government
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable J. Luis Correa
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

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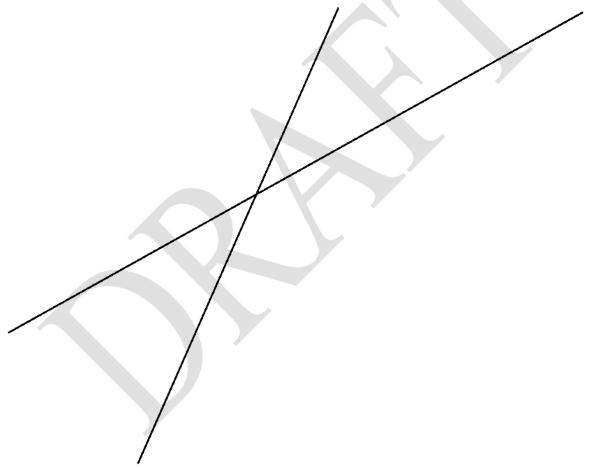
Question#:	17
Topic:	Children Separated
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: According to the New York Times more than 700 children had to be taken from adults claiming to be their parents since October 2017, including more than 100 children under the age of four. Secretary Nielsen disputed this figure at a May 15th Senate Homeland hearing. She said that the 700 children figure was an HHS number and not a DHS figure. What is the DHS figure for the number of children separated from their family member since October 2017, disaggregated by month?

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Response: (b)(5)	

Question#:	17
Topic:	Children Separated
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

(b)(5)		



Question#:	18
Topic:	CBP Verification Process
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
L .	
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: Can you please explain what process CBP personnel are supposed to follow when they unable to verify familial relationships?

Response:	(b)(5)
(b)(5)	

Question: Of the 700 children who were separated from adults claiming familial relationships since October 2017, how many of these instances led to be human trafficking charges?

Response:	(b)(5)		
(b)(5)			

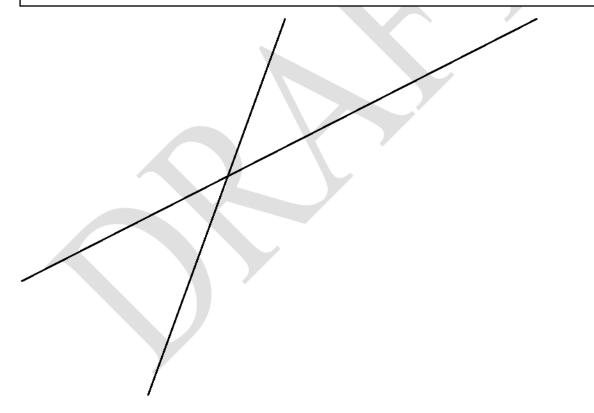
Question#:	19
Topic:	OPR Report
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

Question: In January 2017, CBP's Office of Professional Responsibility publicly released a report on its activities for fiscal year 2015. Has any subsequent reporting occurred?

_	(b)(5)
Response:	(-)(-)

Question: When will reports for fiscal years 2016 and 2017 be released publicly?

Response:	(b)(5)		
(b)(5)			



Question#:	20
Topic:	Defining Asylum Fraud
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
	, , , ,
Date:	MAY 22, 2018

Question: How does USCIS define "fraud" for asylum claims?

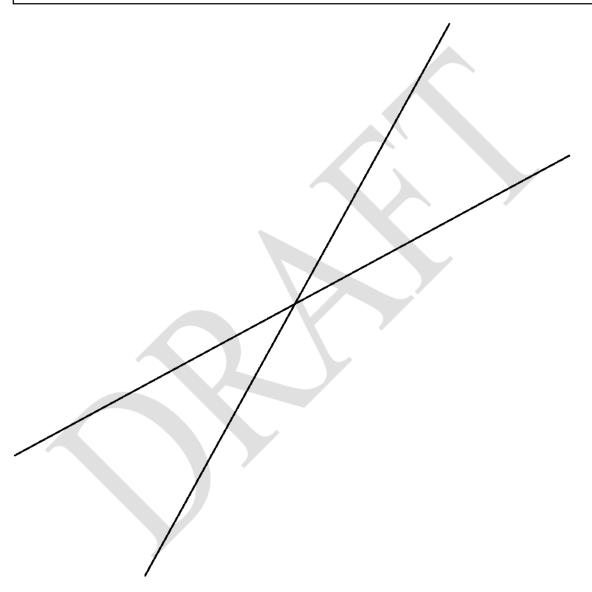
How does USCIS determine a person's asylum claim is fraudulent?

How many of the asylum claims denied by USCIS in the past five fiscal years have led to perjury charges?

Response:	(b)(5)	
(b)(5)	•	

Question#:	20
Topic:	Defining Asylum Fraud
Hearing:	Stopping the Daily Border Caravan: Time to Build a Policy Wall
Primary:	The Honorable Nanette Diaz Barragán
Committee:	HOMELAND SECURITY (HOUSE)
Date:	MAY 22, 2018

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10	Report on Ending "Catch and Release" at
11	the Borders of the United States
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Withheld pursuant to exemption

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