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

With additional edits from Neal.

John M. Mitnick  
General Counsel  
U.S. Department of Homeland Security

(b)(6)

**From:** Mitnick, John

**Sent:** Friday, June 22, 2018 4:40 PM

**To:** McCament, James (b)(6); Fulghum, Chip (b)(6); Shah, Dimple (b)(6); Baroukh, Nader (b)(6); Short, Tracy (b)(6); Scudder, Ryan (b)(6); Dougherty, Michael (b)(6)

**Cc:** Petyo, Briana (b)(6); Neumann, Elizabeth (b)(6); Bobb, Christina (b)(6)

**Subject:** RE: FOR REVIEW: DRAFT UPDATE MEMO

~~ATTORNEY CLIENT COMMUNICATION  
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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); Mitnick, John (b)(6) Shah,  
Dimple (b)(6) Baroukh, Nader (b)(6) Short, Tracy

(b)(6) Scudder, Ryan (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

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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  
Department of Homeland Security

(b)(6)

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**From:** McCament, James

**Sent:** Friday, June 22, 2018 9:35 AM

**To:** Fulghum, Chip (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, Jonathan  
; Wolf, Chad (b)(6) Baroukh, Nader

<b>From:</b>	Short, Tracy (b)(6)
	(b)(6)
	"Fulghum, Chip (b)(6)
	(b)(6)
	"McCament, James (b)(6)
	(b)(6)
<b>To:</b>	"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)
	(b)(6)
<b>CC:</b>	"Hoffman, Jonathan (b)(6)
	(b)(6)
	"Wolf, Chad (b)(6)
	(b)(6)
	"Baroukh, Nader (b)(6)
	(b)(6)
	"Scudder, Ryan (b)(6)
	(b)(6)
<b>Subject:</b>	RE: Options for Principals
<b>Date:</b>	2018/06/22 08:19:29
<b>Priority:</b>	Normal
<b>Type:</b>	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, Jonathan  
; Wolf, Chad (b)(6) Baroukh, Nader  
Short, Tracy (b)(6); Scudder, Ryan  
**Subject:** RE: Options for Principals

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

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*Report on Ending “Catch and Release” at  
the Borders of the United States*

**July 2018**

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~~00125505/08/2019~~

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*Report on Ending “Catch and Release” at  
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**July 2018**

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<b>From:</b>	Boulden, Laurie (b)(6)
	(b)(6)
<b>To:</b>	"Fulghum, Chip (b)(6)
	(b)(6)
<b>Subject:</b>	RE: FOR REVIEW: DRAFT UPDATE MEMO
<b>Date:</b>	2018/06/22 17:58:13
<b>Priority:</b>	Normal
<b>Type:</b>	Note

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I know the 1250 is an up-to #.

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as a conservative average estimate, right

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**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?



<b>From:</b>	Blume, Allen (b)(6)
<b>To:</b>	"Fulghum, Chip (b)(6)
<b>CC:</b>	"Marcott, Stacy (b)(6)
<b>Subject:</b>	RE: FOR REVIEW: DRAFT UPDATE MEMO
<b>Date:</b>	2018/06/22 14:42:22
<b>Priority:</b>	Normal
<b>Type:</b>	Note

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

Allen

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**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

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**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

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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

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Secretary

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

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](http://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](http://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](http://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](http://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,

A handwritten signature in black ink, appearing to read "Kirsten M. Nielsen", is written over the typed name.

Kirsten M. Nielsen  
Secretary

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

John,

(b)(5)

Thank you,  
Neal

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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  
Department of Homeland Security, Office of the General Counsel

(b)(6)

(b)(6)

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**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); Mitnick, John (b)(6); Shah, Dimple (b)(6); Baroukh, Nader (b)(6); Short, Tracy (b)(6); Scudder, Ryan (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

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<b>From:</b>	Mitnick, John (b)(6)
	(b)(6)
<b>To:</b>	"McCament, James (b)(6)
	(b)(6)
<b>Subject:</b>	RE: FOR REVIEW: DRAFT UPDATE MEMO
<b>Date:</b>	2018/06/22 15:45:04
<b>Priority:</b>	Normal
<b>Type:</b>	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

**To:** Fulghum, Chip (b)(6); Mitnick, John (b)(6); Shah, Dimple (b)(6); Baroukh, Nader (b)(6); Short, Tracy (b)(6); Scudder, Ryan (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

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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  
Department of Homeland Security

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## 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)

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<b>Question#:</b>	1
<b>Topic:</b>	Verifying Relationships
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	MAY 22, 2018

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

**Response:**

(b)(5)

(b)(5)

**Question:** Is this process different for families who present themselves at ports of entry than for those apprehended by Border Patrol?

**Response:**

(b)(5)

(b)(5)

<b>Question#:</b>	2
<b>Topic:</b>	TEDS Application
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

<b>Question#:</b>	3
<b>Topic:</b>	GAO Recommendations
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

(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)

<b>Question#:</b>	4
<b>Topic:</b>	Filing Asylum Claims
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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?

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

**Response:**

(b)(5)



<b>Question#:</b>	5
<b>Topic:</b>	Additional Asylum Seekers
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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:** (b)(5)

(b)(5)

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

(b)(5)

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

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

**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)

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

(b)(5)

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

**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:** (b)(5)

(b)(5)

**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)

(b)(5)

<b>Question#:</b>	8
<b>Topic:</b>	Referral to DOJ
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

(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>Question#:</b>	9
<b>Topic:</b>	Administration Policy
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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>Question#:</b>	10
<b>Topic:</b>	Detention Facilities
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

<b>Question#:</b>	11
<b>Topic:</b>	Families in Custody
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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:** (b)(5)

(b)(5)

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

<b>Question#:</b>	12
<b>Topic:</b>	Family Reunification
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

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

(b)(5)

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

**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 re-entry 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)

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

(b)(5)

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

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

(b)(5)



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<sup>2</sup> 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.



<b>Question#:</b>	15
<b>Topic:</b>	CAM Program
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Filemon Vela
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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:** (b)(5)

(b)(5)

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

**Question:** 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 number and percentage that are granted asylum in the United States?

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

(b)(5)

**Question:** Can you please describe how Mexico has helped CBP by assisting migrants along its southern border?

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

(b)(5)

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

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

**Response:**

(b)(5)

(b)(5)

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

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<b>Question#:</b>	17
<b>Topic:</b>	Children Separated
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Nanette Diaz Barragán
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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?

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

(b)(5)

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

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<b>Question#:</b>	18
<b>Topic:</b>	CBP Verification Process
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Nanette Diaz Barragán
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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)

<b>Question#:</b>	19
<b>Topic:</b>	OPR Report
<b>Hearing:</b>	Stopping the Daily Border Caravan: Time to Build a Policy Wall
<b>Primary:</b>	The Honorable Nanette Diaz Barragán
<b>Committee:</b>	HOMELAND SECURITY (HOUSE)
<b>Date:</b>	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?

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

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

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

(b)(5)



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

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

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*Report on Ending “Catch and Release” at  
the Borders of the United States*

**July 2018**

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FOR OFFICIAL USE ONLY  
*Pre-decisional internal working document*  
00147705/08/2019~~

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