**From:** (b)(6), (b)(7)(C)
**Sent:** Tuesday, August 1, 2017 9:35 AM
**To:** (b)(6), (b)(7)(C)
**Subject:** FW: FMUA Criteria and Request Process
**Attachments:** Placement Request - Family Intake.xls; New-Family Unity Space Qustionnaire.docx; KCRC-STFRC Criteria (2).docx

(b)(6), (b)(7)(C)
DPAIC HEB/LRT
(b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Tuesday, August 01, 2017 8:30:00 AM
**To:** LRS SUPS; LRS WATCHCOMMANDER; LRN SUPERVISORS GML; LRN WATCH COMMANDER GML; FRR Watch Commander; FRR-SUPS; LZT Watch Commander; LZT-SBPAS; COT-SUPS; COT-WC; HEB-SUPERVISORS; HEB-WATCH COMMANDER; LRW SUPERVISORS GML; LRW WATCHCOMMANDER GML
**Cc:** (b)(6), (b)(7)(C)
**Subject:** FMUA Criteria and Request Process

ALCON,

Attached is the latest criteria and below are the four steps required for intake. We cannot iterate enough, these steps must be followed.

See attachment for the STFRC/ KCRC intake criteria provided by ERO.

Steps: (read fully before you begin processing)

1. Family units that do meet the daily intake criteria will be processed as ER, ER/CF, or Reinstatements. Intake requests require a FMUA Questionnaire and Placement Request form (attached), I-213 for every subject, and charging docs (legal side I-860, I-296, I-867A/B).

2. All requests have to go through LRD Intake mail box below.

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

**Duty Officer**
(b)(6), (b)(7)(C)
Deportation Officer
DHS/ICE/ERO
(b)(6), (b)(7)(C)
Laredo, Texas 78040
O- (b)(6), (b)(7)(C)
C-
(b)(6), (b)(7)(C)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family member and the questionnaire to both (b)(7)(E) & (b)(7)(E)

5. Please ensure all SBPAs from your station are copied.

   Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

If you have any questions or concerns please call our office at (b)(7)(E) or (b)(7)(E)

**Respectfully,**

(b)(6), (b)(7)(C)
**Supervisory Border Patrol Agent**
**Laredo Sector** (b)(6), (b)(7)(C), (b)(7)(E)
**Office:** (b)(7)(E)
**Mobile:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, October 27, 2017 9:49 AM
**To:** (b)(6), (b)(7)(C)
**Cc:**
**Subject:** RE: FDACA Rescission Guidance
**Attachments:** FW: FDACA Rescission Guidance; DACA Rescission Guidance

Attached is guidance that was sent out internally based on the initial information discussed via teleconference. The other email was the guidance we received the following day.

V/R,

(b)(6), (b)(7)(C)
Patrol Agent in Charge
Hebbronville Station

(b)(6), (b)(7)(C) Office
Cellular

*This message contains information intended only for the addressee named above. If you believe you have received this email in error, please notify the sender immediately.*

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, October 25, 2017 2:59 PM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Cc:** (b)(6), (b)(7)(C)
**Subject:** RE: FDACA Rescission Guidance
**Importance:** High

Station Commanders:

Aside from the DACA guidance provided by sector, please forward additional guidance / relevant information your station may have disseminated by COB 10/31. The RFI is being requested as part of a DACA rescission litigation.

Please let me know if you have any questions.

Thanks!

(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 07, 2017 10:59 AM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Cc:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** FDACA Rescission Guidance

Station Commanders:

As discussed yesterday:

Significant Dates:

- USCIS will no longer accept initial request for DACA applications after September 5, 2017;
- USCIS will reject all request to renew DACA and associated applications for employment authorizations filed after October 5, 2017;
- Individuals who may previously have been eligible for DACA but who, as of September 6, 2017, do not have a DACA application accepted should be processed accordingly.

Encounters: Claims DACA

- If an agent encounters an individual who claims to have deferred action through DACA and its verified, the subject will be released. An (b)(7)(E) will be generated with all pertinent information. **LRT (b)(7)(E) will be tracking these encounters;**
- If its determined that the individual does not have deferred action through DACA, the subject will be processed accordingly. An (b)(7)(E) will also be generated with all pertinent information. **LRT (b)(7)(E) will be tracking these encounters.**

The rescission of DACA does not alter in any way the normal processing requirements for those who are encountered without lawful basis to enter or remain in the United States:

- Credible Fear
- Trafficking Victims Protection Reauthorization Act (TVPRA)
- Flores vs. Reno
- All other legal and policy requirements in place

The Laredo Sector Prosecutions Office is also available to assist with any questions that you may have, and / or assist with conducting additional record checks to obtain a proper disposition. LRT-Pros may be reached at (b)(7)(E)

USCIS may also be contacted for additional guidance:

(b)(6)
USCIS San Antonio
(b)(6)
San Antonio, TX 78329
(b)(6)

Please contact me if you hae additional questions…

**(b)(6), (b)(7)(C)**
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, September 6, 2017 5:38 PM
**To:** HEB-SUPERVISORS; HEB-WATCH COMMANDER
**Cc:** (b)(6), (b)(7)(C)
**Subject:** DACA Rescission Guidance
**Attachments:** DACA Rescission Guidance.pdf

All,

Please review the attached memorandum providing guidance on the rescission of the Deferred Action for Childhood Arrivals (DACA) program.

Highlights:

- USCIS will no longer accept new DACA applications after September 5, 2017
- Documents from current beneficiaries accepted as of September 5, 2017 and from current beneficiaries whose benefits expire between September 5, 2017 and March 5, 2018, that have been accepted as of October 5, 2017 will be processed
- USCIS will reject all requests to renew DACA and associated employment authorizations filed after October 5, 2017
- All individuals who are encountered by USBP and are believed to have entered illegally or out of status will be processed appropriately/accordingly, including all appropriate system checks
- If an agent determines that an individual does have current/valid deferred action through DACA (as described above) and there is no derogatory information indicating other processing is appropriate, the individual should be permitted to depart (memorandum indicates with Chief Patrol Agent or designee approval – authority has been delegated to WCs for approval)
- If derogatory information indicates DACA no longer appropriate, contact USCIS to determine if deferred action can be terminated immediately; even if it cannot be immediately terminated, agent may process the individual for removal
- All other subjects should be processed according to normal procedures
- Rescission of DACA does not alter normal processing requirements (e.g. Credible Fear, TVPRA, etc.)

Reporting Requirements:

- All encounters with subjects claiming DACA, whether valid or invalid, will be documented via (b)(7)(E) and forwarded to the (b)(7)(E) for tracking

LRT (b)(7)(E) can provide further guidance regarding contacted USCIS. Additional guidance will be disseminated as it is received. If you have any questions, please let us know.

V/R,

(b)(6), (b)(7)(C)
Patrol Agent in Charge
Hebbronville Station

(b)(6), (b)(7)(C) Office
Cellular

*This message contains information intended only for the addressee named above. If you believe you have received this email in error, please notify the sender immediately.*



EMAIL-000016615

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 7, 2017 12:34 PM
**To:** HEB-SUPERVISORS; HEB-WATCH COMMANDER
**Cc:** (b)(6), (b)(7)(C)
**Subject:** FW: FDACA Rescission Guidance
**Attachments:** DACA Rescission Guidance.pdf

All,

As a follow up to the email I sent yesterday pertaining to the rescission of DACA, please read below. USCIS contact information is included.

V/R,

(b)(6), (b)(7)(C)
Patrol Agent in Charge
Hebbronville Station

(b)(6), (b)(7)(C) Office
Cellular

*This message contains information intended only for the addressee named above. If you believe you have received this email in error, please notify the sender immediately.*

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 07, 2017 10:59 AM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Cc:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** FDACA Rescission Guidance

Station Commanders:

As discussed yesterday:

Significant Dates:

- USCIS will no longer accept initial request for DACA applications after September 5, 2017;
- USCIS will reject all request to renew DACA and associated applications for employment authorizations filed after October 5, 2017;
- Individuals who may previously have been eligible for DACA but who, as of September 6, 2017, do not have a DACA application accepted should be processed accordingly.

Encounters: Claims DACA

- If an agent encounters an individual who claims to have deferred action through DACA and its verified, the subject will be released. An (b)(7)(E) will be generated with all pertinent information. **LRT BIC will be tracking these encounters;**

- If its determined that the individual does not have deferred action through DACA, the subject will be processed accordingly. An (b)(7)(E) will also be generated with all pertinent information. **LRT BIC will be tracking these encounters.**

The rescission of DACA does not alter in any way the normal processing requirements for those who are encountered without lawful basis to enter or remain in the United States:

- Credible Fear
- Trafficking Victims Protection Reauthorization Act (TVPRA)
- Flores vs. Reno
- All other legal and policy requirements in place

The Laredo Sector Prosecutions Office is also available to assist with any questions that you may have, and / or assist with conducting additional record checks to obtain a proper disposition. LRT-Pros may be reached at (b)(7)(E)

USCIS may also be contacted for additional guidance:

(b)(6), Records Manager
USCIS San Antonio
(b)(6)
San Antonio, TX 78329
(b)(6)

Please contact me if you hae additional questions…

(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C), (b)(7)(E)
**Sent:** Thursday, February 11, 2016 5:37 PM
**To:** LRS WATCHCOMMANDER; LRS SUPS; LRN WATCH COMMANDER GML; LRN SUPERVISORS GML; COT-SUPS; COT-WC; LRW SUPERVISORS GML; LRW WATCHCOMMANDER GML; LZT-SBPAS; LZT Watch Commander; FRR Watch Commander; FRR-SUPS; HEB-WATCH COMMANDER; HEB-SUPERVISORS
**Cc:** (b)(6), (b)(7)(C), (b)(7)(E)
**Subject:** FAMU Criteria and Request Process
**Attachments:** Placement Request - Family Intake.xls; New-Family Unity Space Qustionnaire.docx; KCRC-STFRC Criteria.docx

ALCON,

Attached is the newest criteria and below are the four steps required for intake. We cannot iterate enough, these steps must be followed.
See attachment for the latest daily STFRC/ KCRC intake criteria provided by ERO.

Steps: (read fully before you begin processing)

1. Family units that do meet the daily intake criteria will be processed as ER, ER/CF, or Reinstatements. Intake requests require a FMUA Questionnaire and Placement Request form (attached), I-213 for every subject, and charging docs (legal side I-860, I-296, I-867A/B).

2. All requests have to go through LRD Intake mail box below.

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

   **Duty Officer**
   (b)(6), (b)(7)(C)
   Deportation Officer
   DHS/ICE/ERO
   (b)(6), (b)(7)(C)
   Laredo, Texas 78040
   O- (b)(6), (b)(7)(C)
   C-
   (b)(6), (b)(7)(C)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family member and the questionnaire to both (b)(7)(E)

5. Please ensure all SBPAs from your station are copied.

Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

If you have any questions or concerns please call our office at (b)(7)(E) or (b)(7)(E)

Thank you.

**Respectfully,**

(b)(6), (b)(7)(C)
**Supervisory Border Patrol Agent**
**Laredo Sector** (b)(6), (b)(7)(C)
**Office:** (b)(6), (b)(7)(C)
**Mobile:** (b)(6), (b)(7)(C)

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KCRC (KARNES) CRITERIA:

- **Adult Females-Head of Household**
- **Accepting Final Orders, Credible Fear, and Reasonable Fear cases (Spanish/Portuguese speakers only)**
- **No families whom speak an indigenous language**
- **Low Criminal (No Violent offenders, No Felons, No disciplinary infractions, No drug related convictions, No Terrorist)**
- **No Gang affiliation**
- **No History of escape**
- **No Active warrants**
- **No pregnant females MUST be noted on the I-213**
- **All Medical cases need PRE-APPROVAL by a KCRC Supervisor**
- **Male child age criteria for children is 18 months-16.**
- **Female child age criteria for children is 18 months-17.**
- **No USC children**

STFRC (DILLEY) CRITERIA:

- **Adult Females-Head of Household**
- **No pregnant females MUST be noted on the I-213**
- **Fluent Spanish or English speaking residents MUST be noted on the I-213.**
- **No indigenous languages.**
- **Due to current cabin configuration, there are limitations upon families with children under 2 or over 14.**
- **Fully processed ER (8F), ER/CF (8G), and Reinstatement (16) cases will be considered for acceptance into the facility.**
- **Medical Cases must be screened by the medical department prior to acceptance.**
- **Verified/Vetted family-parental relationships**
- **Non-Criminal, Non-Gang affiliated residents will be accepted. Non-violent Misdemeanors will be considered on a case by case basis.**
- **Male child age criteria for children is 18 months-16.**
- **Female child age criteria for children is 18 months-17**
- **No USC children**

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, March 18, 2016 4:30 PM
**To:** LRS SUPS; LRS WATCHCOMMANDER; LRN SUPERVISORS GML; LRN WATCH COMMANDER GML; FRR Watch Commander; FRR-SUPS; LZT Watch Commander; LZT-SBPAS; COT-SUPS; COT-WC; HEB-SUPERVISORS; HEB-WATCH COMMANDER; LRW SUPERVISORS GML; LRW WATCHCOMMANDER GML
**Cc:** (b)(6), (b)(7)(C)
**Subject:** FMUA Criteria and Request Process
**Attachments:** Placement Request - Family Intake.xls; New-Family Unity Space Qustionnaire.docx; KCRC-STFRC Criteria.docx

ALCON,

Attached is the latest criteria and below are the four steps required for intake. We cannot iterate enough, these steps must be followed.

See attachment for the STFRC/ KCRC intake criteria provided by ERO.

Steps: (read fully before you begin processing)

1. Family units that do meet the daily intake criteria will be processed as ER, ER/CF, or Reinstatements. Intake requests require a FMUA Questionnaire and Placement Request form (attached), I-213 for every subject, and charging docs (legal side I-860, I-296, I-867A/B).

2. All requests have to go through LRD Intake mail box below.

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

   **Duty Officer**
   (b)(6), (b)(7)(C)
   Deportation Officer
   DHS/ICE/ERO
   (b)(6), (b)(7)(C)
   Laredo, Texas 78040
   O- (b)(6), (b)(7)(C)
   C-
   (b)(6), (b)(7)(C)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family member and the questionnaire to both (b)(7)(E)

5. Please ensure all SBPAs from your station are copied.

Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

If you have any questions or concerns please call our office at (b)(7)(E) or (b)(7)(E)

**Respectfully,**

(b)(6), (b)(7)(C)
**Supervisory Border Patrol Agent**
**Laredo Sector** (b)(6), (b)(7)(C)
**Office:** (b)(6), (b)(7)(C)
**Mobile:** (b)(6), (b)(7)(C)

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KCRC (KARNES) CRITERIA:

- **Adult Females-Head of Household**
- **Accepting Final Orders, Credible Fear, and Reasonable Fear cases**
- **No indigenous languages**
- **No pregnant females, MUST be noted on the I-213**
- **Verified/Vetted family-parental relationships**
- **Low Criminal (No Violent offenders, No Felons, No disciplinary infractions, No drug related convictions, No Terrorist)**
- **No Gang affiliation**
- **No History of escape**
- **No Active warrants**
- **All Medical cases need PRE-APPROVAL by a KCRC Supervisor**
- **Male child age criteria for children is 18 months-16.**
- **Female child age criteria for children is 18 months-17.**
- **No USC children**

STFRC (DILLEY) CRITERIA:

- **Adult Females-Head of Household**
- **No pregnant females MUST be noted on the I-213**
- **No indigenous languages.**
- **Due to current cabin configuration, there are limitations upon families with children under 2 or over 14.**
- **Fully processed Final Orders, Reinstatments, and ER/CF or Reasonable Fear cases.**
- **Medical Cases must be screened by the medical department prior to acceptance.**
- **Verified/Vetted family-parental relationships**
- **Non-Criminal, Non-Gang affiliated residents will be accepted. Non-violent Misdemeanors will be considered on a case by case basis.**
- **Male child age criteria for children is 12 months-16.**
- **Female child age criteria for children is 12 months-17**
- **No USC children**

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, August 11, 2016 4:21 PM
**To:** LRS SUPS; LRS WATCHCOMMANDER; LRN SUPERVISORS GML; LRN WATCH COMMANDER GML; FRR Watch Commander; FRR-SUPS; LZT Watch Commander; LZT-SBPAS; COT-SUPS; COT-WC; HEB-SUPERVISORS; HEB-WATCH COMMANDER; LRW SUPERVISORS GML; LRW WATCHCOMMANDER GML
**Cc:** (b)(6), (b)(7)(C)
**Subject:** FMUA Criteria and Request Process
**Attachments:** Placement Request - Family Intake.xls; New-Family Unity Space Qustionnaire.docx; KCRC-STFRC Criteria (2).docx

ALCON,

Attached is the latest criteria and below are the four steps required for intake. We cannot iterate enough, these steps must be followed.

See attachment for the STFRC/ KCRC intake criteria provided by ERO.

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2. All requests have to go through LRD Intake mail box below.

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

   **Duty Officer**
   (b)(6), (b)(7)(C)
   Deportation Officer
   DHS/ICE/ERO
   (b)(6), (b)(7)(C)
   Laredo, Texas 78040
   O- (b)(6), (b)(7)(C)
   C-
   (b)(6), (b)(7)(C)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family member and the questionnaire to both (b)(7)(E)

5. Please ensure all SBPAs from your station are copied.

Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

If you have any questions or concerns please call our office at (b)(6), (b)(7)(C)

**Respectfully,**

(b)(6), (b)(7)(C)
**Supervisory Border Patrol Agent**
**Laredo Sector** (b)(6), (b)(7)(C)
**Office:** (b)(6), (b)(7)(C)
**Mobile**
(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 12, 2018 5:35 PM
**To:** LRT STAFF TASKS
**Subject:** FW: Tracking of ER Conversions to WA/NTA
**Attachments:** USBP ER_NTA Conversions.xlsx; FW: IMPORTANT: Processing Guidance for FMUAs and ERO; FW IMPORTANT UPDATED GUIDANCE Processing Guidance for FMUAs and ERO.msg

FYSA and immediate action

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 12, 2018 4:30 PM
**To:** BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)
**Cc:** PROVOST, CARLA (USBP) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
USBP LEOD Associate Chiefs (b)(7)(E)
**Subject:** Tracking of ER Conversions to WA/NTA

Chiefs / Deputies-

On November 17, 2017, Deputy Chief (b)(6), (b)(7)(C) iterated guidance (see attached) as it relates to processing FMUA's as Expedited Removals (ER) and not Warrant of Arrest/Notice to Appear (WA/NTA). This guidance articulated that FMUA's may be processed as WA/NTAs only when Family Residential Centers (FRC) are at full capacity.

This means all aliens amenable to ER will be processed as an ER unless notified there is no bed space. In addition, USBP will not release illegal aliens from custody without approval from Chief Provost. Requests for release from custody will be transmitted to the respective LEOD Corridor (east or west) and staffed through HQ.

These guidelines are critical. To ensure apprehensions are processed via ER and only those requiring issuance of a NTA/WA receive one, the following actions will occur:

1. Sectors identify a primary and secondary POC to review processing matters with HQ staff. Transmit POCs via email by 12:30 pm January 16, 2017 to respective corridor liaisons.
2. Sectors report the amount of conversions from ER to NTA/WA to the Migration CAT (MCAT) daily by 8:00 am (via attached form)
3. Sectors submit all requests to OR individuals to LEOD for routing to Chief Provost's office for approval

It is critical that your POCs are identified in a timely manner. These individuals will be our initial point of contact for matters involving conversions after departing USBP custody. Additionally, the MCAT and LEOD Ops teams will utilize the identified POCs to de-conflict matters associated with the review of records, bed space, ORs and other matters deemed essential.

To review the processing dispositions, HQ will work with your POCs to sample the dispositions of previously detained illegal aliens. It is critical that we review this matter appropriately and provide Chief Provost with the information necessary to advocate for additional bed space for illegal aliens detained by the Border Patrol.

Thank you for your adherence to this guidance and providing your POCs in a timely manner. I realize that this adds additional work for your teams, we have tried to pull this info electronically, but we are unable to track the conversions accurately. With the numbers of conversions that we believe are taking place, we have to provide accurate justification to fix the issue.

Please call me if you have any questions or concerns.

V/r,

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

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 5:38 PM
**To:** LRT STATION COMMAND GML
**Cc:** LRT SECTOR STAFF GML; LRT-Pross-Management; LRT-CPU MANAGMENT
**Subject:** FW: Executive Order
**Attachments:** Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; Executive_Order_13767.pdf

**Importance:** High

ALCON,

Please review the attached Executive Order 13767 (January 25, 2017) entitled ***Border Security and Immigration Enforcement Improvements***, and memorandum from former Secretary John Kelly (February 20, 2017) entitled ***Implementing the President's Border Security and Immigration Enforcement Improvement Policies***.

Respectfully,


(b)(6), (b)(7)(C)
**Acting Assistant Chief Patrol Agent**
**Laredo Sector**
**Office:** (b)(6), (b)(7)(C)
**GOV Cell:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) **(Secure)**


**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 4:18 PM
**To:** (b)(6), (b)(7)(C)
**Subject:** FW: Executive Order

As discussed… please disseminate.

Thanks!


(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office (b)(6), (b)(7)(C) CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)


**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 4:07 PM
**To:** (b)(7)(E)
**Subject:** FW: Executive Order

Thank you,

(b)(6), (b)(7)(C)
(a) Deputy Chief Patrol Agent
Laredo Sector Border Patrol
(b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 1:45:37 PM
**To:** BP Field Chiefs; BP Field Deputies
**Subject:** FW: Executive Order

Chiefs, Deputies,

EO and path forward will be discussed during the call.

V/r,
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 22, 2016 5:30 PM
**To:** LRW SUPERVISORS GML
**Cc:** (b)(6), (b)(7)(C)
**Subject:** RE: LRW OTM Family Units
**Attachments:** Placement Request - Family Intake.xls; Karnes-Dilley General Requirments.pdf; New-Family Unity Space Qustionnaire.docx

LRW,

This is just a friendly reminder on requesting space for family units. Also please note that the most recent update includes the subject of the email on every request. It should read as follows:

Station FAMU last names of adult/parent
(example: LRS FAMU: (b)(6), (b)(7)(C)

**Daily Criteria & Request Process**

See attachment for the newest criteria and the four steps required for intake. Can't iterate enough that all stations/processing agents have to follow the steps below.

Steps: (read fully before you begin processing)

1. Family units that do meet the daily intake criteria will be processed as ER, ER/CF, or Reinstatements. Intake requests require a FMUA Questionnaire and Placement Request form (attached), I-213 for every subject, and charging docs (legal side I-860, I-296, I-867A/B).

2. All requests have to go through LRD Intake mail box below.

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

   **Duty Officer:**
   (b)(6), (b)(7)(C)
   Deportation Officer
   DHS/ICE/ERO
   (b)(6), (b)(7)(C)
   Laredo, Texas 78040
   (b)(6), (b)(7)(C)

   (If you get no response please call our office – LRT Family Coordination)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family members and the questionnaire to both (b)(7)(E)

5. Please ensure all SBPA from your station are copied.

   Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

V/R,

(b)(6), (b)(7)(C)
Laredo Sector Border Patrol
Field Office of (b)(6), (b)(7)(C)
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

**Sent:** Friday, January 22, 2016 4:03 PM
**To:** LRDINTAKEREQUESTS
**Cc:** LRT FAMILY COORDINATION; (b)(6), (b)(7)(C) LRW SUPERVISORS GML
**Subject:** LRW OTM Family Units

The Laredo West Station apprehended 2 OTMs family units at approximately 11:45 a.m. The processing will be complete at approximately 10:00 p.m.

**Family Unit** (b)(6), (b)(7)(C) (38 year old mother and 5 year old daughter) **does not meet** the criteria for Dilley or Karnes. The mother has tattoos associating her with the (b)(6), (b)(7)(C) Gang. When questioned as to her tattoos, she admitted that she was affiliated with said gang when she was 14 years old. They will be processed as WA/NTA.

**Family Unit** (b)(6), (b)(7)(C) (18 year old mother and 2 year old daughter) **does meet** the criteria for Dilley and Karnes. They will be processed as ER with Credible Fear.

**Attached is the biographical information for both families. Once processing is complete. All charging documents and placement request forms will be submitted for review and approval.**

**(b)(6), (b)(7)(C)**
**Supervisory Border Patrol Agent**
**Laredo West BP Station**
**(b)(6), (b)(7)(C)**

# GENERAL REQUIREMENTS FOR STFRC (DILLEY)

All requirements must be met and noted on the I-213.

- Adult Females-Head of Household
- **No pregnant females** MUST be noted on the I-213
- Fluent Spanish or English speaking residents MUST be noted on the I-213. **No indigenous languages**.
- Due to current cabin configuration, there are limitations upon families with children under 2 or over 14.
    - **Female children between the ages of 18mo. and 17**
    - **Male children between the ages of 18mo. and 14**.
- **Fully processed ER (8F), ER/CF (8G), and Reinstatement (16) cases will be considered for acceptance into the facility**.
- Medical Cases must be screened by the medical department prior to acceptance.
- Verified/Vetted family-parental relationships
- Non-Criminal, Non-Gang affiliated residents will be accepted. Non-violent misdemeanor convictions will be considered on a case by case basis.
- **No USC children**

# GENERAL REQUIREMENTS FOR KCRC (KARNES)

All requirements must be met and noted on the I-213.

- Adult Females-Head of Household
- **No pregnant females** MUST be noted on the I-213
- Fluent Spanish or English speaking residents MUST be noted on the I-213. **No indigenous languages**.
- Due to current cabin configuration, there are limitations upon families with children under 2 or over 14.
    - **Female children between the ages of 18mo. and 17**
    - **Male children between the ages of 18mo. and 16**.
- **Fully processed ER (8F), ER/CF (8G), and Reinstatement (16) cases will be considered for acceptance into the facility**.
- Medical Cases must be screened by the medical department prior to acceptance.
- Verified/Vetted family-parental relationships
- Non-Criminal, Non-Gang affiliated residents will be accepted. Non-violent misdemeanor convictions will be considered on a case by case basis.
- **No USC children**

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 7, 2017 11:59 AM
**To:** LRT STATION COMMAND GML
**Cc:** (b)(6), (b)(7)(C)
**Subject:** FDACA Rescission Guidance
**Attachments:** DACA Rescission Guidance.pdf

Station Commanders:

As discussed yesterday:

Significant Dates:

- USCIS will no longer accept initial request for DACA applications after September 5, 2017;
- USCIS will reject all request to renew DACA and associated applications for employment authorizations filed after October 5, 2017;
- Individuals who may previously have been eligible for DACA but who, as of September 6, 2017, do not have a DACA application accepted should be processed accordingly.

Encounters: Claims DACA

- If an agent encounters an individual who claims to have deferred action through DACA and its verified, the subject will be released. An (b)(7)(E) will be generated with all pertinent information. **LRT BIC will be tracking these encounters.**
- If its determined that the individual does not have deferred action through DACA, the subject will be processed accordingly. An (b)(7)(E) will also be generated with all pertinent information. **LRT BIC will be tracking these encounters.**

The rescission of DACA does not alter in any way the normal processing requirements for those who are encountered without lawful basis to enter or remain in the United States:

- Credible Fear
- Trafficking Victims Protection Reauthorization Act (TVPRA)
- Flores vs. Reno
- All other legal and policy requirements in place

The Laredo Sector Prosecutions Office is also available to assist with any questions that you may have, and / or assist with conducting additional record checks to obtain a proper disposition. LRT-Pros may be reached at (b)(7)(E)

USCIS may also be contacted for additional guidance:

(b)(6), (b)(7)(C)
USCIS San Antonio
(b)(6), (b)(7)(C)
San Antonio, TX 78329

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

Please contact me if you hae additional questions…

(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)



EMAIL-000038413

**From:** (b)(6), (b)(7)(C)
**Sent:** Monday, November 20, 2017 8:01 AM
**To:** LRT STATION COMMAND GML
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

PAIC's,

Please brief out the below temporary change concerning FMUA's.

Thank you,

(b)(6), (b)(7)(C)
(a) Division Chief
Laredo Sector
(b)(6), (b)(7)(C) – Office
- Cell

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 11:11:36 PM
**To:** BP Field Chiefs; BP Field Deputies; (b)(6), (b)(7)(C)
**Cc:** PROVOST, CARLA (USBP); (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

Chief / Deputies: The below is a **temporary change** to Chief Provost' guidance dated November 15, 2017, as it relates to the processing of Family Units (FMUAs) as Expedited Removals (ER) versus Warrant of Arrest / Notice to Appear (WA/NTA).

Historically, this comes at a time when USBP experiences a low seasonal trend in apprehensions; however, due to ERO's current detention challenges, over the past several months we have seen large numbers of family units gather south of the border and an increase of FMUAs apprehended by Border Patrol agents (BPAs). USBP will not release illegal aliens in custody. All USBP apprehensions that require detention will be transferred to ERO for long term holding and processing.

Currently, ERO is at full capacity within their Family Residential Centers (FRCs) which house illegal aliens comprised of family units. In the last few days, USBP has been experiencing significant operational challenges due to the processing and holding of FMUAs as ERs due to ERO's inability to pick up and transfer these FMUAs out of USBP custody. ERO has requested that we process FMUAs as WA/NTAs when they are at full capacity in the FRCs. It is easier for ERO to change their custody status of WA/NTAs under these considerations. As a reminder, USBP will not release illegal aliens from custody. Custody determinations are made by ERO.

**Below are ERO's requirements for notification:**

- The ERO FODs will notify USBP Headquarters and Sectors when ERO is at capacity and USBP will need to process as WA/NTAs;
- Similarly, ERO FODs will make notification when bed space is available and USBP will return to processing as ERs.

To that end, USBP will continue to process as ERs unless notified by the FODs of no bedspace availability. USBP will then process as WA/NTAs as needed. Once we are notified ERO has bed space available, we will process as ERs. We understand that this may create a strain on our processing capabilities; however, we will not let this affect our operations and you will need to adjust accordingly. With that said, CBP will be standing up the Migration CAT once again to assist with monitoring and managing the situation. From this day forward, all Sectors will report daily the numbers of WA/NTA's due to lack of detention space. The CBP Migration CAT will coordinate the tracking and reporting. Please provide the daily numbers to LEOD until the CAT stands up on Monday, 11/20/17. Further direction will be forthcoming from the CAT.

Expedited Removal is the preferred consequence as detention and removal is key to reducing pull factors that have a negative impact on total flow. We stand by the President's Immigration priorities (document attached) and will continue to push forward on these priorities, while mitigating external factors (ERO's detention space) that impact our USBP operations. We will use this current environment to demonstrate to Congress that these are the challenges and issues that require legislative changes that USBP Headquarters has been working to accomplish.

**Instructions for I-213 Narrative for WA/NTA Paperwork:**

- Please have your processing personnel insert the following statement in **ALL** FMUAs I-213s that are processed as WA/NTA "(b)(5) (b)(5) "

If you have any questions, please feel free to contact me.

Thank you!

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

Regards,

(b)(6), (b)(7)(C)
Deputy Chief – LEOD / Operations
U.S. Border Patrol Headquarters
(b)(6), (b)(7)(C) office)
cell)



EMAIL-000039396

**From:** (b)(6), (b)(7)(C)
**Sent:** Tuesday, November 21, 2017 9:43 AM
**To:** LRT STAFF TASKS
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

FYSA and action

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 5:12 PM
**To:** BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)
(b)(6), (b)(7)(C)
**Cc:** PROVOST, CARLA (USBP) (b)(6), (b)(7)(C)

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

**Subject:** IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

Chief / Deputies: The below is a **temporary change** to Chief Provost' guidance dated November 15, 2017, as it relates to the processing of Family Units (FMUAs) as Expedited Removals (ER) versus Warrant of Arrest / Notice to Appear (WA/NTA).

Historically, this comes at a time when USBP experiences a low seasonal trend in apprehensions; however, due to ERO's current detention challenges, over the past several months we have seen large numbers of family units gather south of the border and an increase of FMUAs apprehended by Border Patrol agents (BPAs). USBP will not release illegal aliens in custody. All USBP apprehensions that require detention will be transferred to ERO for long term holding and processing.

Currently, ERO is at full capacity within their Family Residential Centers (FRCs) which house illegal aliens comprised of family units. In the last few days, USBP has been experiencing significant operational challenges due to the processing and holding of FMUAs as ERs due to ERO's inability to pick up and transfer these FMUAs out of USBP custody. ERO has requested that we process FMUAs as WA/NTAs when they are at full capacity in the FRCs. It is easier for ERO to change their custody status of WA/NTAs under these considerations. As a reminder, USBP will not release illegal aliens from custody. Custody determinations are made by ERO.

**Below are ERO's requirements for notification:**

- The ERO FODs will notify USBP Headquarters and Sectors when ERO is at capacity and USBP will need to process as WA/NTAs;
- Similarly, ERO FODs will make notification when bed space is available and USBP will return to processing as ERs.

To that end, USBP will continue to process as ERs unless notified by the FODs of no bedspace availability. USBP will then process as WA/NTAs as needed. Once we are notified ERO has bed space available, we will process as ERs. We understand that this may create a strain on our processing capabilities; however, we will not let this affect our operations and you will need to adjust accordingly. With that said, CBP will be standing up the Migration CAT once again to assist with monitoring and managing the situation. From this day forward, all Sectors will report daily the numbers of WA/NTA's due to lack of detention space. The CBP Migration CAT will coordinate the tracking and reporting. Please provide the daily numbers to LEOD until the CAT stands up on Monday, 11/20/17. Further direction will be forthcoming from the CAT.

Expedited Removal is the preferred consequence as detention and removal is key to reducing pull factors that have a negative impact on total flow. We stand by the President's Immigration priorities (document attached) and will continue to push forward on these priorities, while mitigating external factors (ERO's detention space) that impact our USBP operations. We will use this current environment to demonstrate to Congress that these are the challenges and issues that require legislative changes that USBP Headquarters has been working to accomplish.

**Instructions for I-213 Narrative for WA/NTA Paperwork:**

- Please have your processing personnel insert the following statement in **ALL** FMUAs I-213s that are processed as WA/NTA "(b)(5) (b)(5)"

If you have any questions, please feel free to contact me.

Thank you!
(b)(6), (b)(7)(C)

Regards,
(b)(6), (b)(7)(C)
Deputy Chief – LEOD / Operations
U.S. Border Patrol Headquarters
(b)(6), (b)(7)(C) (office)
(cell)

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 12, 2018 5:38 PM
**To:** LRT STATION COMMAND GML
**Subject:** FW: Tracking of ER Conversions to WA/NTA
**Attachments:** USBP ER_NTA Conversions.xlsx; FW: IMPORTANT: Processing Guidance for FMUAs and ERO; FW IMPORTANT UPDATED GUIDANCE Processing Guidance for FMUAs and ERO.msg

(b)(6), (b)(7)(C)
(a) Division Chief
Laredo Sector
(b)(6), (b)(7)(C) Office
Cell

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 12, 2018 2:34:48 PM
**To:** LRT STAFF TASKS
**Subject:** FW: Tracking of ER Conversions to WA/NTA

FYSA and immediate action

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, January 12, 2018 4:30 PM
**To:** BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)
**Cc:** PROVOST, CARLA (USBP) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C);
USBP LEOD Associate Chiefs (b)(7)(E)
**Subject:** Tracking of ER Conversions to WA/NTA

Chiefs / Deputies-

On November 17, 2017, Deputy Chief (b)(7)(E) iterated guidance (see attached) as it relates to processing FMUA's as Expedited Removals (ER) and not Warrant of Arrest/Notice to Appear (WA/NTA). This guidance articulated that FMUA's may be processed as WA/NTAs only when Family Residential Centers (FRC) are at full capacity.

This means all aliens amenable to ER will be processed as an ER unless notified there is no bed space. In addition, USBP will not release illegal aliens from custody without approval from Chief Provost. Requests for release from custody will be transmitted to the respective LEOD Corridor (east or west) and staffed through HQ.

These guidelines are critical. To ensure apprehensions are processed via ER and only those requiring issuance of a NTA/WA receive one, the following actions will occur:

1. Sectors identify a primary and secondary POC to review processing matters with HQ staff. Transmit POCs via email by 12:30 pm January 16, 2017 to respective corridor liaisons.
2. Sectors report the amount of conversions from ER to NTA/WA to the Migration CAT (MCAT) daily by 8:00 am (via attached form)
3. Sectors submit all requests to OR individuals to LEOD for routing to Chief Provost's office for approval

It is critical that your POCs are identified in a timely manner. These individuals will be our initial point of contact for matters involving conversions after departing USBP custody. Additionally, the MCAT and LEOD Ops teams will utilize the identified POCs to de-conflict matters associated with the review of records, bed space, ORs and other matters deemed essential.

To review the processing dispositions, HQ will work with your POCs to sample the dispositions of previously detained illegal aliens. It is critical that we review this matter appropriately and provide Chief Provost with the information necessary to advocate for additional bed space for illegal aliens detained by the Border Patrol.

Thank you for your adherence to this guidance and providing your POCs in a timely manner. I realize that this adds additional work for your teams, we have tried to pull this info electronically, but we are unable to track the conversions accurately. With the numbers of conversions that we believe are taking place, we have to provide accurate justification to fix the issue.

Please call me if you have any questions or concerns.

V/r,

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

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, June 21, 2018 9:08 AM
**To:** LRW WATCHCOMMANDER GML; LRW SUPERVISORS GML
**Subject:** FW: Executive Order
**Attachments:** Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; Executive_Order_13767.pdf

**Importance:** High

FYI,

(b)(6), (b)(7)(C)
Acting Deputy Patrol Agent in Charge
U.S. Border Patrol
Laredo West Station
(b)(6), (b)(7)(C) Office
Cell

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 4:38 PM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Cc:** LRT SECTOR STAFF GML < (b)(7)(E) LRT-Pross-Management (b)(7)(E) (b)(7)(E) ; LRT-CPU MANAGMENT (b)(7)(E)
**Subject:** FW: Executive Order
**Importance:** High

ALCON,

Please review the attached Executive Order 13767 (January 25, 2017) entitled ***Border Security and Immigration Enforcement Improvements***, and memorandum from former Secretary John Kelly (February 20, 2017) entitled ***Implementing the President's Border Security and Immigration Enforcement Improvement Policies***.

Respectfully,

(b)(6), (b)(7)(C)
**Acting Assistant Chief Patrol Agent**
**Laredo Sector**
**Office:** (b)(6), (b)(7)(C)
**GOV Cell:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) **(Secure)**

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 4:18 PM
**To:** (b)(6), (b)(7)(C)
**Subject:** FW: Executive Order

As discussed… please disseminate.

Thanks!

(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 4:07 PM
**To:** (b)(7)(E)
**Subject:** FW: Executive Order

Thank you,

(b)(6), (b)(7)(C)
(a) Deputy Chief Patrol Agent
Laredo Sector Border Patrol
(b)(7)(E)

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Wednesday, June 20, 2018 1:45:37 PM
**To:** BP Field Chiefs; BP Field Deputies
**Subject:** FW: Executive Order

Chiefs, Deputies,

EO and path forward will be discussed during the call.

V/r,
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Saturday, September 2, 2017 9:32 PM
**To:** LRW ALL AGENTS GML
**Subject:** FW: FMUA Criteria and Request Process
**Attachments:** Placement Request - Family Intake.xls; New-Family Unity Space Qustionnaire.docx; KCRC-STFRC Criteria (2).docx

New information for Family Units

**From:** (b)(6), (b)(7)(C)
**Sent:** Tuesday, August 01, 2017 8:30 AM

**Subject:** FMUA Criteria and Request Process

ALCON,

Attached is the latest criteria and below are the four steps required for intake. We cannot iterate enough, these steps must be followed.

See attachment for the STFRC/ KCRC intake criteria provided by ERO.

Steps: (read fully before you begin processing)

1. Family units that do meet the daily intake criteria will be processed as ER, ER/CF, or Reinstatements. Intake requests require a FMUA Questionnaire and Placement Request form (attached), I-213 for every subject, and charging docs (legal side I-860, I-296, I-867A/B).

2. All requests have to go through LRD Intake mail box below.

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

   **Duty Officer**
   (b)(6), (b)(7)(C)
   Deportation Officer
   DHS/ICE/ERO
   (b)(6), (b)(7)(C)
   Laredo, Texas 78040
   O- (b)(6), (b)(7)(C)
   C- (b)(6), (b)(7)(C)

3. After hours approvals will take time so please be patient. ERO will determine if either facility accepted. Please ensure your FMUA meets all criteria especially the medical portion.

4. For family units that are declined at STFRC / KCRC or that do not meet the daily intake criteria, process as WA/NTAs (I862, I-200, I-286) and send the same forms per family member and the questionnaire to both (b)(7)(E) & (b)(7)(E)

5. Please ensure all SBPAs from your station are copied.

   Note: Do not copy LRT Juvenile Coordinator, not involved in this process.

If you have any questions or concerns please call our office at (b)(7)(E)

**Respectfully,**


(b)(6), (b)(7)(C)
**Supervisory Border Patrol Agent**
**Laredo Sector** (b)(6), (b)(7)(C), (b)(7)(E)
**Office:** (b)(6), (b)(7)(C)
**Mobile:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)



**WARNING:** This document is LAW ENFORCEMENT SENSITIVE and is designated for OFFICIAL USE ONLY. It contains information that may be exempt from public release under the Freedom of Information Act (5 USC 552). This document is to be controlled, 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 personnel who do not have a valid "need-to-know" without prior approval from the Office of Border Patrol, Laredo Sector at (b) (7)(E)

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 7, 2017 12:10 PM
**To:** LRW SUPERVISORS GML
**Cc:** LRW PAIC DPAIC GML
**Subject:** FW: FDACA Rescission Guidance
**Attachments:** DACA Rescission Guidance.pdf

For Clarification and Compliance- Cover this at musters

(b)(6), (b)(7)(C)
Acting Patrol Agent in Charge
Laredo West Station
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Thursday, September 07, 2017 10:59 AM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Cc:** (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** FDACA Rescission Guidance

Station Commanders:

As discussed yesterday:

Significant Dates:

- USCIS will no longer accept initial request for DACA applications after September 5, 2017;
- USCIS will reject all request to renew DACA and associated applications for employment authorizations filed after October 5, 2017;
- Individuals who may previously have been eligible for DACA but who, as of September 6, 2017, do not have a DACA application accepted should be processed accordingly.

Encounters: Claims DACA

- If an agent encounters an individual who claims to have deferred action through DACA and its verified, the subject will be released. An (b)(7)(E) will be generated with all pertinent information. **LRT BIC will be tracking these encounters;**
- If its determined that the individual does not have deferred action through DACA, the subject will be processed accordingly. An (b)(7)(E) will also be generated with all pertinent information. **LRT BIC will be tracking these encounters.**

The rescission of DACA does not alter in any way the normal processing requirements for those who are encountered without lawful basis to enter or remain in the United States:

- Credible Fear
- Trafficking Victims Protection Reauthorization Act (TVPRA)
- Flores vs. Reno
- All other legal and policy requirements in place

The Laredo Sector Prosecutions Office is also available to assist with any questions that you may have, and / or assist with conducting additional record checks to obtain a proper disposition. LRT-Pros may be reached at (b)(7)(E)

USCIS may also be contacted for additional guidance:

(b)(6), (b)(7)(C)
USCIS San Antonio
(b)(6), (b)(7)(C)
San Antonio, TX 78329
(b)(6), (b)(7)(C)

Please contact me if you hae additional questions...

(b)(6), (b)(7)(C)
(a) Assistant Chief Patrol Agent
Laredo Sector
Office: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)



EMAIL-000047970

**From:** (b)(6), (b)(7)(C)
**Sent:** Monday, November 20, 2017 8:21 AM
**To:** LRW SUPERVISORS GML
**Cc:** LRW PAIC DPAIC GML
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

For Compliance.

(b)(6), (b)(7)(C)
Acting Patrol Agent in Charge
Laredo West Station
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Monday, November 20, 2017 7:01 AM
**To:** LRT STATION COMMAND GML (b)(7)(E)
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

PAIC's,

Please brief out the below temporary change concerning FMUA's.

Thank you,

(b)(6), (b)(7)(C)
(a) Division Chief
Laredo Sector
(b)(6), (b)(7)(C) - Office
Cell

---

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 11:11:36 PM
**To:** BP Field Chiefs; BP Field Deputies; (b)(6), (b)(7)(C)
**Cc:** PROVOST, CARLA (USBP); (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

Chief / Deputies: The below is a **temporary change** to Chief Provost' guidance dated November 15, 2017, as it relates to the processing of Family Units (FMUAs) as Expedited Removals (ER) versus Warrant of Arrest / Notice to Appear (WA/NTA).

Historically, this comes at a time when USBP experiences a low seasonal trend in apprehensions; however, due to ERO's current detention challenges, over the past several months we have seen large numbers of family units gather south of the border and an increase of FMUAs apprehended by Border Patrol agents (BPAs). USBP will not release illegal aliens in custody. All USBP apprehensions that require detention will be transferred to ERO for long term holding and processing.

Currently, ERO is at full capacity within their Family Residential Centers (FRCs) which house illegal aliens comprised of family units. In the last few days, USBP has been experiencing significant operational challenges due to the processing and holding of FMUAs as ERs due to ERO's inability to pick up and transfer these FMUAs out of USBP custody. ERO has requested that we process FMUAs as WA/NTAs when they are at full capacity in the FRCs. It is easier for ERO to change their custody status of WA/NTAs under these considerations. As a reminder, USBP will not release illegal aliens from custody. Custody determinations are made by ERO.

**Below are ERO's requirements for notification:**

- The ERO FODs will notify USBP Headquarters and Sectors when ERO is at capacity and USBP will need to process as WA/NTAs;
- Similarly, ERO FODs will make notification when bed space is available and USBP will return to processing as ERs.

To that end, USBP will continue to process as ERs unless notified by the FODs of no bedspace availability. USBP will then process as WA/NTAs as needed. Once we are notified ERO has bed space available, we will process as ERs. We understand that this may create a strain on our processing capabilities; however, we will not let this affect our operations and you will need to adjust accordingly. With that said, CBP will be standing up the Migration CAT once again to assist with monitoring and managing the situation. From this day forward, all Sectors will report daily the numbers of WA/NTA's due to lack of detention space. The CBP Migration CAT will coordinate the tracking and reporting. Please provide the daily numbers to LEOD until the CAT stands up on Monday, 11/20/17. Further direction will be forthcoming from the CAT.

Expedited Removal is the preferred consequence as detention and removal is key to reducing pull factors that have a negative impact on total flow. We stand by the President's Immigration priorities (document attached) and will continue to push forward on these priorities, while mitigating external factors (ERO's detention space) that impact our USBP operations. We will use this current environment to demonstrate to Congress that these are the challenges and issues that require legislative changes that USBP Headquarters has been working to accomplish.

**Instructions for I-213 Narrative for WA/NTA Paperwork:**

- Please have your processing personnel insert the following statement in **ALL** FMUAs I-213s that are processed as WA/NTA "(b)(5) (b)(5)"

If you have any questions, please feel free to contact me.

Thank you!
(b)(6), (b)(7)(C)

Regards,
(b)(6), (b)(7)(C)
Deputy Chief – LEOD / Operations
U.S. Border Patrol Headquarters

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

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 9:54 PM
**To:** CHU-FOS; CHU-SBPA
**Cc:** CHU-COMMAND
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

Please see below guidance on the processing of family units if ERO runs out of space. There will be a data collection portion to this as well which we will have to have a system for.

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**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 6:45:19 PM
**To:** SDC PAIC APAIC
**Cc:** SDC OPSDIV; (b)(6), (b)(7)(C)
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

Good Evening,
The following is simplified and summarized guidance received this afternoon pertaining to recent HQ communications.
As a general reminder request, please reiterate to agents and supervisors that USBP/SDC will not release illegal aliens from custody.

During normal state operations we will continue processing FMUA subjects as we have been to date as ER's, however when ERO is at full capacity within their Family Residential Centers (FRCs) they will notify USBP, and USBP has agreed to process the FMUA's as NTA.

**Below are ERO's requirements for notification:**

- The ERO FODs will notify USBP Headquarters and Sectors when ERO is at capacity and USBP will need to process as WA/NTAs;
- Similarly, ERO FODs will make notification when bed space is available and USBP will return to processing as ERs.

I or SDC Command Staff will notify the field immediately when we receive proper notification to process as NTA or revert back to ER.

CBP will be standing up the Migration CAT once again to assist with monitoring and managing the situation.

**WHEN we must shift to NTA processing due to lack of bed space the following must occur:**

- Your personnel will have to provide a daily AM Report of the number of WA/NTA's processed due to the lack of bed space to OO (b)(6), (b)(7)(C) and I. Additional information for time due with be forthcoming. I anticipate it being similar to past data call requirements.
- **213's will require the following specific language included**: " (b)(5)
  (b)(5)

(NOTE: All personnel should be aware that any request for an OR for humanitarian, medical, or other extenuation circumstances requires SDC leadership notification, who in turn will coordinate with HQ USBP. I remain the POC for such requests.)

At this time as a Sector we are Ops normal and remain steady state. We will continue with ER and for those that inquired about 3rd trimester pregnant female subjects I just received word from HQ that we may continue with our agreed to practice of NTA with ERO.

Have a wonderful weekend.

Thank you.
V/R,
**(b)(6), (b)(7)(C)**

**From:** (b)(6), (b)(7)(C)
**Sent:** Tuesday, December 5, 2017 5:54 PM
**To:** CHU-FOS; CHU-SBPA
**Cc:** CHU-COMMAND
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

Just re-sending this as a reminder, now that we are NTAing FMUs. Please note below what we need to put in the narrative, and that we need a count of how many we do per day. Mid's inside supervisor, please get a count of how many FMU NTAs were done for the day and forward that info to OO (b)(6), (b)(7)(C) and ACPA (b)(6), (b)(7)(C) CCing CHU command and FOS.

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 6:45 PM
**To:** SDC PAIC APAIC (b)(7)(E)
**Cc:** SDC OPSDIV (b)(7)(E) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

Good Evening,
The following is simplified and summarized guidance received this afternoon pertaining to recent HQ communications.
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CBP will be standing up the Migration CAT once again to assist with monitoring and managing the situation.

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- **213's will require the following specific language included**: "Subject will be turned over to ICE – ERO as WA/NTA due to lack of bed space at the FRC."

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Thank you.
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**(b)(6), (b)(7)(C)**

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 6:21 PM
**To:** (b)(6), (b)(7)(C)
**Cc:**
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

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

Please push a follow-up message to the field highlighting/emphasizing the statement below. Remove the senders information and anything else that you deem necessary.

(b)(6), (b)(7)(C)
Division Chief
San Diego Sector
U.S. Border Patrol
Office: (b)(6), (b)(7)(C) | Mobile: (b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 3:12 PM
**To:** BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)
(b)(7)(E)
**Cc:** (b)(6), (b)(7)(C)

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

**Subject:** IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

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If you have any questions, please feel free to contact me.

Thank you!
**(b)(6), (b)(7)(C)**

Regards,
**(b)(6), (b)(7)(C)**
Deputy Chief – LEOD / Operations
U.S. Border Patrol Headquarters
**(b)(6), (b)(7)(C)** (office)
(cell)

**From:** (b)(6), (b)(7)(C)
**Sent:** Friday, November 17, 2017 6:29 PM
**To:** (b)(6), (b)(7)(C)
**Subject:** FW: IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO
**Attachments:** FINAL Immigration Priorities 10.08.17.pdf

Action please.

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**Sent:** Friday, November 17, 2017 11:11:36 PM
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**Cc:** PROVOST, CARLA (USBP); (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
**Subject:** IMPORTANT UPDATED GUIDANCE: Processing Guidance for FMUAs and ERO

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If you have any questions, please feel free to contact me.

Thank you!

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

Regards,

(b)(6), (b)(7)(C)
Deputy Chief – LEOD / Operations
U.S. Border Patrol Headquarters
(b)(6), (b)(7)(C) (office)
(cell)