

Chandler, Matthew

From: Sandweg, John
Sent: Thursday, September 17, 2009 1:18 PM
To: Chandler, Matthew; (b)(6)
Cc: Kudwa, Amy; (b)(6)
Subject: Re: FOR YOUR REVEIW - AP Article -- Ferschke talking points

Uh, that is bizarre. Looking into it now.
John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew
To: Smith, Sean (b)(6); Sandweg, John
Cc: Kudwa, Amy; Kuban, Sara (b)(6)
Sent: Thu Sep 17 13:00:46 2009
Subject: FW: FOR YOUR REVEIW - AP Article -- Ferschke talking points

Sean - FYI.

Sandweg - is there no recourse here?? And is the legal definition of (b)(5)

From: Wright, William G (b)(6)
Sent: Thursday, September 17, 2009 12:56 PM
To: Chandler, Matthew; Kudwa, Amy; Kuban, Sara
Cc: Kielsmeier, Lauren; Humphrey, Buck H; Bentley, Christopher S; Rhatigan, Chris
Subject: FW: FOR YOUR REVEIW - AP Article -- Ferschke talking points

Matt / Amy / Sara - As requested, below is some background regarding the immigration issue as it relates to a 'proxy' wedding (per today's AP story: *Proxy wedding means Marine's widow, baby unwelcome.*

Regards,
Bill

From: Rhatigan, Chris
Sent: Thursday, September 17, 2009 11:52 AM
To: Bentley, Christopher S
Cc: Wright, William G
Subject: FW: AP Article -- Ferschke talking points

The Associated Press today published an article this morning on the proxy wedding of a U.S. Marine, who was killed in Iraq in 2008, and his widow, a Japanese citizen. The Immigration and Nationality Act does not recognize the marriage because the marriage was not consummated after their vows.

The marriage is recognized by Japan and the U.S. military.

The family is being represented by Brent Renison, the same attorney who represented the widows in the class action suit.

The piece has been carried in 220 news outlets, including MSNBC.

Legal "Challenge" (from USCIS Office of Chief Counsel)

(b)(5)

Associated Press

Proxy wedding means Marine's widow, baby unwelcome

By KRISTIN M. HALL (AP) - 2 hours ago

<http://www.buffalonews.com/260/story/798145.html>

MARYVILLE, Tenn. - Hotaru Ferschke just wants to raise her 8-month-old son in his grandparents' Tennessee home, surrounded by photos and memories of the father he'll never meet: a Marine who died in combat a month after marrying her from thousands of miles away.

Sgt. Michael Ferschke was killed in Iraq in 2008, leaving his widow and infant son, both Japanese citizens, in immigration limbo: A 1950s legal standard meant to curb marriage fraud means U.S. authorities do not recognize the marriage, even though the military does.

Ferschke and his bride had been together in Japan for more than a year, and she was pregnant when he deployed. They married by signing their names on separate continents and did not have a chance to meet again in person after the wedding, which a 57-year-old immigration law requires for the union to be considered consummated.

"She is being denied because they are saying her marriage is not valid because it was not consummated - despite the fact that they have a child together," said Brent Renison, an immigration lawyer in Oregon who has advised the family.

Hotaru Ferschke and the baby, Michael "Mikey" Ferschke III, are staying for now on a temporary visa at the home of her parents-in-law, in the Smoky Mountains town of Maryville. Robin and Michael Ferschke Sr., who are fighting for their daughter-in-law to stay, have emblazoned their son's picture on everything from a blanket draped on the back of the couch to a waving banner on the fence outside.

The 22-year-old Marine radio operator met the young Japanese woman at a party while he was stationed in Okinawa. Though neither knew much of the other's language, something clicked.

"He called me after they met and he goes, 'Mom, I am in love,'" Robin Ferschke said.

The couple were together about 13 months before he left for Iraq in April 2008. He had proposed and they were trying to conceive a baby before he deployed, Hotaru Ferschke said.

About two weeks after he left, she found she was pregnant. He wanted to get married quickly so she could start getting health benefits as the spouse of an American soldier, she said.

They agreed on a proxy wedding, which has a long history in the military and in some other cases where bride and groom can't be in the same place for a ceremony.

Procedures for a proxy marriage vary by country. Some take place by phone while others require a proxy to physically stand in for the absent partner during a ceremony.

Japan doesn't require a wedding ceremony, and couples getting married only have to complete sworn affidavits proving they are legally free to marry and register at a Japanese municipal government office, according to the U.S. Embassy. Hotaru Ferschke said she and her husband got their proxy marriage simply by completing the paperwork and their marriage was final on July 10, one month before he was shot during a house search.

The U.S. military recognizes proxy marriages for couples separated by war and helps facilitate them. The Marines are paying survivor benefits to Ferschke and her baby.

Proxy marriages are legal in at least four U.S. states. One of the most famous proxy weddings in recent history was that between Ekaterina Dmitriev in Texas to Russian cosmonaut Yuri Malenchenko in 2003 as he was floating in the international space station.

Pregnant and alone in Japan, Ferschke tried to apply for permanent residency in the United States and was denied.

Kenneth Sherman, a field office director for U.S. Citizenship and Immigration Services who handled the Ferschke case, declined to answer questions from The Associated Press about it. In a letter to the widow, Sherman said he believed that U.S. law required the denial, although he found the situation "personally distressing."

"You have already sacrificed so much for your country and your soon-to-be born son has lost a father," Sherman wrote.

Renison, who advocates for foreign spouses of American citizens, said the widow ran into a complicated and confusing set of immigration rules regarding marriage to foreigners.

The Immigration & Nationality Act says that, for the purposes of

immigration law, the definition of spouse does not include a "wife or husband by reason of any marriage ceremony where the contracting parties thereto are not physically present in the presence of each other, unless the marriage shall have been consummated."

A number of immigration laws passed in the 1940s made it easier for brides of American GIs to immigrate, but a consummation requirement passed in 1952 for proxy weddings was designed to curb marriage fraud.

"It's supposed to prevent people from marrying somebody they are not really intending to have a life with. The law essentially requires them to have met after the marriage," said Margaret Stock, a lawyer who assists military families through the American Immigration Lawyers Association.

"What's odd about this case is that it appears the consummation part of the law was already met, but it was prior to the marriage."

There's no mention of consummation prior to the wedding in the statute, which Renison considers outdated and in need of reform.

"Well, 1952 was a different time," Renison said. "And back then, I'm sure they considered having sexual intercourse out of wedlock to be just fornication."

Historian Nancy Cott, who wrote a book called "Public Vows: A History of Marriage and the Nation," said proxy marriages have been commonly used by Japanese and Korean immigrants to America. But Cott said U.S. immigration authorities have never liked this type of marriage "because it is inconsistent with Western Christian ideas of how marriage takes place."

The Ferschke family is hoping a private bill introduced by U.S. Rep. John Duncan this summer will allow Hotaru to stay in the U.S., but each setback has become a reminder of their loss. A private bill affects the case of just one person, rather than changing the law as a whole.

"We still have a hard time accepting this," Robin Ferschke said. "We're trying to go forward, celebrate his life, but then every time we turn around we get a constant reminder."

The private bill was referred to a subcommittee of the House Judiciary Committee in July but will likely need a Senate co-sponsor to move forward. With Congress facing a massive health care reform package as it goes back into session this month, there may not be enough time to get the legislation passed before Hotaru Ferschke leaves in January.

"She's like my daughter," Robin Ferschke said. "I know my child chose the perfect wife and mother of his child."

Copyright (c) 2009 The Associated Press. All rights reserved.

Chandler, Matthew

From: Sandweg, John
Sent: Friday, September 18, 2009 7:00 PM
To: Chandler, Matthew
Subject: Re: follow up

Yeah, I now I need to consummate my weekend.
John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew
To: Sandweg, John
Sent: Fri Sep 18 18:53:04 2009
Subject: Re: follow up

Awesome. Thanks man

From: Sandweg, John
To: Chandler, Matthew
Sent: Fri Sep 18 18:47:52 2009
Subject: Fw: follow up

Fyi;

They will (b)(5) on that case.
John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Carpenter, Dea D (b)(6)
To: Sandweg, John (b)(6) >; Davis, Virginia (b)(6)
Sent: Fri Sep 18 18:02:46 2009
Subject: follow up

(b)(5)

*Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services*

Re: Worksite

Page 1 of 4

Chandler, Matthew

From: Nantel, Kelly A (b)(6)
Sent: Wednesday, April 08, 2009 6:50 PM
To: Chandler, Matthew; Gonzalez, Barbara; Smith, Sean; Kudwa, Amy; Kuban, Sara
Subject: Re: AP and CQ

Sounds great Matt. I'll give you a buzz in the morning.

Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6) >
To: Nantel, Kelly A (b)(6) >; Chandler, Matthew; Gonzalez, Barbara (b)(6) >; Smith, Sean; Kudwa, Amy; Kuban, Sara
Cc: Nantel, Kelly A (b)(6) >
Sent: Wed Apr 08 18:48:43 2009
Subject: RE: AP and CQ

(b)(5)

Thanks Kelly!

Matt Chandler
 Assistant Press Secretary
 Office of Public Affairs
 U.S. Department of Homeland Security

(b)(6)

From: Nantel, Kelly A (b)(6)
Sent: Wednesday, April 08, 2009 6:44 PM
To: Chandler, Matthew; Gonzalez, Barbara; Smith, Sean; Kudwa, Amy; Kuban, Sara
Cc: Nantel, Kelly A
Subject: Re: AP and CQ

(b)(5)

Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6) >
To: Gonzalez, Barbara (b)(6) >; Chandler, Matthew; Smith, Sean; Kudwa, Amy; Kuban, Sara
Cc: Nantel, Kelly A (b)(6)

8/3/2010

Re: Worksite

Page 2 of 4

Sent: Wed Apr 08 18:38:24 2009

Subject: RE: AP and CQ

Hello all –

Our feeling here is that it would be better to put them in touch with Marcy on background only on this topic. The talkers (b)(5)

Thx

Matt Chandler

Assistant Press Secretary

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6)

From: Gonzalez, Barbara (b)(6)

Sent: Wednesday, April 08, 2009 4:36 PM

To: Chandler, Matthew; Smith, Sean; Kudwa, Amy; Kuban, Sara

Cc: Nantel, Kelly A

Subject: AP and CQ

Matt, Sarah:

(b)(5)

Thanks,
Barbara

Talkers:

(b)(5)

8/3/2010

(b)(5)

-----Original Message-----

From: Sullivan, Eileen
Sent: Thursday, April 02, 2009 09:10 AM Eastern Standard Time
To: Alvarez-Montgomery, Brandon A
Subject: Worksite

Hi, Brandon.

I'm putting together some background in case the worksite policy changes pop. Do you know if ICE has ever given illegal workers temporary permits before like what happened recently in Bellingham?

And if ICE has done this before, could you give me some examples?

See you soon!

Thanks!

E

Many of the 28 workers arrested by immigration agents last month in a northwest Washington raid have been released and given permission to work, in another sign of how the Obama administration is handling illegal immigration differently than its predecessor.

¶ The raid at a Yamato Engine Specialists plant in Bellingham was the first mass arrest of immigrants since President Barack Obama took office and appeared to contradict his policy that federal agents focus more on employers who hire undocumented workers than on the workers themselves. Shortly after the arrests, Homeland Security Secretary Janet Napolitano ordered a review of the raid.

¶ The Bellingham Herald reported that U.S. Immigration and Customs Enforcement gave the immigrants work permits or the option of returning to their native country.

¶ Immigrants were released with documents advising them "that per the assistant United States attorney assigned to this case, all persons involved with the Yamato Engine Specialists ... should be afforded the benefit of deferred action and an employment authorization document, valid for the duration of this case."

¶ ICE spokeswoman Lorie Dankers said the workers were released pending further investigation of the engine company and were given the option of work permits. She declined to comment further.

¶ Rosalinda Guillen, executive director of the Bellingham-based immigration advocacy group Community to Community Development, said most of the workers are remaining in the area with their families, and that two were deported.

¶ The workers were released Thursday, she said.

¶ Guillen said workers are expecting more questioning from ICE agents, and may seek legal help.

¶ (b)(6), Yamato's administrative manager, declined to comment.

¶ Workplace raids involving the arrests of hundreds of illegal immigrants at a time became almost routine in the last years of the Bush administration.

Eileen Sullivan
Homeland Security Reporter
Associated Press

(b)(6)



(b)(6)

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this e-mail. Thank you.

[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this e-mail. Thank you.

[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Chandler, Matthew

From: Chandler, Matthew
Sent: Wednesday, June 03, 2009 2:34 PM
To: Kielsmeier, Lauren; Smith, Sean; Shlossman, Amy; Kroloff, Noah
Cc: Barr, Suzanne E; Kielsmeier, Lauren
Subject: RE: DRAFT Statement for 60 Minutes

Got it, thanks Lauren. Sending momentarily.

-----Original Message-----

From: Kielsmeier, Lauren (b)(6)
Sent: Wednesday, June 03, 2009 2:32 PM
To: Chandler, Matthew; Smith, Sean; Shlossman, Amy; Kroloff, Noah
Cc: Barr, Suzanne E; Kielsmeier, Lauren
Subject: RE: DRAFT Statement for 60 Minutes

(b)(5)

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 2:30 PM
To: Kielsmeier, Lauren; Chandler, Matthew; Smith, Sean; Shlossman, Amy; Kroloff, Noah
Cc: Barr, Suzanne E; Kielsmeier, Lauren
Subject: RE: DRAFT Statement for 60 Minutes

Thanks Lauren - sending in 5.....

-----Original Message-----

From: Kielsmeier, Lauren (b)(6)
Sent: Wednesday, June 03, 2009 2:25 PM
To: Chandler, Matthew; Smith, Sean; Shlossman, Amy; Chandler, Matthew; Kroloff, Noah
Cc: Barr, Suzanne E; Kielsmeier, Lauren
Subject: RE: DRAFT Statement for 60 Minutes

(b)(5)

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 2:06 PM
To: Smith, Sean; Shlossman, Amy; Chandler, Matthew; Kroloff, Noah
Cc: Barr, Suzanne E; Kielsmeier, Lauren
Subject: RE: DRAFT Statement for 60 Minutes

Great - adding Lauren and Suzie again for any last minute. If S1 is good, I assume we're good to go, will send in 15 minutes barring objection from Noah/ICE/USCIS.

-----Original Message-----

From: Smith, Sean (b)(6)
Sent: Wednesday, June 03, 2009 1:53 PM
To: Shlossman, Amy; Chandler, Matthew M; Kroloff, Noah; Smith, Sean
Subject: Re: DRAFT Statement for 60 Minutes

Took the chance to show S1 and she's good.

----- Original Message -----

From: Shlossman, Amy (b)(6) >
To: Chandler, Matthew (b)(6); Kroloff, Noah (b)(6);
Smith, Sean (b)(6)
Sent: Wed Jun 03 13:45:14 2009
Subject: RE: DRAFT Statement for 60 Minutes

Take out the "a" before legislative action.

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 1:44 PM
To: Kroloff, Noah; Smith, Sean; Shlossman, Amy
Subject: RE: DRAFT Statement for 60 Minutes

Ok - here is the version with everyone's updates:

(b)(5)

-----Original Message-----Original Message-----

From: Kroloff, Noah (b)(6)
Sent: Wednesday, June 03, 2009 1:30 PM
To: Chandler, Matthew; Smith, Sean; Shlossman, Amy; Kroloff, Noah
Subject: RE: DRAFT Statement for 60 Minutes

Can you send me the cleanest and latest

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 1:07 PM
To: Smith, Sean; Shlossman, Amy; Chandler, Matthew M; Kroloff, Noah

Subject: Re: DRAFT Statement for 60 Minutes

Agreed. Noah, just waiting on your (b)(5)

Matt Chandler
U.S. Department of Homeland Security

(b)(6)

----- Original Message -----

From: Smith, Sean (b)(6)
To: Shlossman, Amy (b)(6); Chandler, Matthew M
(b)(6); Kroloff, Noah (b)(6) >
Sent: Wed Jun 03 13:03:49 2009
Subject: Re: DRAFT Statement for 60 Minutes

No.

----- Original Message -----

From: Shlossman, Amy
To: Chandler, Matthew (b)(6); Smith, Sean; Kroloff, Noah
(b)(6)
Sent: Wed Jun 03 12:56:50 2009
Subject: RE: DRAFT Statement for 60 Minutes

(b)(5)

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 12:54 PM
To: Olavarria, Esther; Martin, David A; Wiggins, Chani Winn; Smith, Sean; Chandler, Matthew M; Shlossman, Amy; Kroloff, Noah; Kuban, Sara A; Kudwa, Amy; Grossman, Jordan; Barr, Suzanne E; Kielsmeier, Lauren
Subject: Re: DRAFT Statement for 60 Minutes

Adding Suzie and Lauren for clearance. Please forward any edits ASAP.

Thanks!

Matt Chandler
U.S. Department of Homeland Security

(b)(6)

----- Original Message -----

From: Olavarria, Esther (b)(6) >
To: Martin, David A (b)(6); Wiggins, Chani (b)(6)
Smith, Sean (b)(6); Chandler, Matthew (b)(6); Shlossman, Amy (b)(6) >
(b)(6); Kroloff, Noah (b)(6); Olavarria, Esther (b)(6); Kuban, Sara A (b)(6); Kudwa, Amy (b)(6) >
(b)(6); Grossman, Jordan (b)(6) >
Sent: Wed Jun 03 11:04:52 2009
Subject: RE: DRAFT Statement for 60 Minutes

Fine with all below -- But can (b)(5)

See caps below.

-----Original Message-----

From: Martin, David A (b)(6)
Sent: Wednesday, June 03, 2009 10:49 AM
To: Wiggins, Chani; Smith, Sean; Chandler, Matthew; Martin, David A; Shlossman, Amy; Kroloff, Noah; Olavarria, Esther; Kuban, Sara A; Kudwa, Amy; Grossman, Jordan
Subject: RE: DRAFT Statement for 60 Minutes
Importance: High

(b)(5)

See amended statement below.

David A. Martin
Principal Deputy General Counsel
Department of Homeland Security
(b)(6)

-----Original Message-----

From: Wiggins, Chani (b)(6)
Sent: Wednesday, June 03, 2009 9:46 AM
To: Smith, Sean; Chandler, Matthew; Martin, David A; Shlossman, Amy; Kroloff, Noah; Olavarria, Esther; Kuban, Sara A; Kudwa, Amy; Wiggins, Chani Winn; Grossman, Jordan
Subject: RE: DRAFT Statement for 60 Minutes

ditto

-----Original Message-----

From: Smith, Sean (b)(6)
Sent: Wednesday, June 03, 2009 9:38 AM
To: Chandler, Matthew; Martin, David A; Shlossman, Amy; Kroloff, Noah; Olavarria, Esther; Kuban, Sara A; Kudwa, Amy; Wiggins, Chani Winn; Smith, Sean; Grossman, Jordan
Subject: RE: DRAFT Statement for 60 Minutes

(b)(5)

-----Original Message-----

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 9:33 AM
To: Martin, David A; Shlossman, Amy; Chandler, Matthew M; Kroloff, Noah; Olavarria, Esther; Kuban, Sara A; Kudwa, Amy; Wiggins, Chani Winn; Smith, Sean; Grossman, Jordan
Subject: RE: DRAFT Statement for 60 Minutes

Ok - here is the version with everyone's updates, please forward edits/clearance ASAP-

(b)(5)

(b)(5)

-----Original Message-----

From: Martin, David A [(b)(6)]
Sent: Wednesday, June 03, 2009 6:52 AM
To: Shlossman, Amy; Chandler, Matthew M; Kroloff, Noah; Martin, David A; Olavarria, Esther; Kuban, Sara A; Kudwa, Amy; Wiggins, Chani Winn; Smith, Sean; Grossman, Jordan
Subject: Re: DRAFT Statement for 60 Minutes

(b)(5)

David A. Martin
Principal Deputy General Counsel
Department of Homeland Security

(b)(6)

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

----- Original Message -----

From: Martin, David A
To: Shlossman, Amy (b)(6); Chandler, Matthew (b)(6)
Kroloff, Noah (b)(6); Martin, David A (b)(6); Olavarria, Esther (b)(6); Kuban, Sara (b)(6); Kudwa, Amy (b)(6); Wiggins, Chani (b)(6); Smith, Sean (b)(6); Grossman, Jordan (b)(6)
Sent: Tue Jun 02 21:12:57 2009
Subject: RE: DRAFT Statement for 60 Minutes

(b)(5)

David A. Martin
Principal Deputy General Counsel
Department of Homeland Security

(b)(6)

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged

information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

-----Original Message-----

From: Shlossman, Amy (b)(6)
Sent: Tue 6/2/2009 8:38 PM
To: Chandler, Matthew; Kroloff, Noah; Martin, David A; Olavarria, Esther; Kuban, Sara; Kudwa, Amy; Wiggins, Chani; Smith, Sean; Grossman, Jordan
Subject: RE: DRAFT Statement for 60 Minutes

Revised. I don't love common-sense, practical "solutions", but couldn't come up with anything else. I think it's really important to describe these individuals as widows/widowers of U.S. citizens.

(b)(5)

From: Chandler, Matthew
Sent: Tuesday, June 02, 2009 6:37 PM
To: Kroloff, Noah; Martin, David A; Olavarria, Esther; Shlossman, Amy; 'Kuban, Sara'; 'Kudwa, Amy'; Wiggins, Chani; 'Smith, Sean'
Subject: DRAFT Statement for 60 Minutes

Hello all -

As promised, here is a draft statement from S1 for 60 minutes. Please forward edits by noon tomorrow so that we can get it to them on time:

(b)(5)

On background:

(b)(5)

(b)(5)

Chandler, Matthew

From: Chandler, Matthew
Sent: Wednesday, June 03, 2009 2:47 PM
To: Ruetenik, Daniel
Subject: RE: 60 Minutes

Hi Dan –

Per our agreement on embargo:

EMBARGOED UNTIL PUBLIC ANNOUNCEMENT:

"Smart immigration policy balances strong enforcement practices with common-sense, practical solutions to complicated issues. That is why recently, I granted deferred action for two years to many widows and widowers of U.S. citizens who otherwise would have been denied the right to remain in the United States. This action allows these individuals, as well as their eligible children, an opportunity to stay in the country that has become their home while their legal status is resolved. In the long term, this issue will ultimately require legislative action, and I support efforts underway in Congress to address it." – DHS Secretary Janet Napolitano

ON BACKGROUND (NOT FOR ATTRIBUTION):

DHS will provide deferred action to undocumented widow(er)s of U.S. citizens who are in the United States and whose U.S. citizen spouses died before the marriage had lasted two years, regardless of whether the citizen filed a petition for the alien spouse prior to death; and (2) the widow(er)s' unmarried children who are in the United States and who meet the age requirements. This deferred action policy will be in effect for two years. Those granted deferred action can obtain full work authorization for the duration and also documents that will allow them to leave and re-enter the United States.

DHS will defer initiating or continuing removal proceedings, or executing final removal orders against widow(er)s, or their eligible children. Only widow(er)s whose citizen spouses died before the second anniversary of the marriage will be covered by this policy since existing law provides immigration benefits to widow(er)s whose citizen spouses lived beyond that two-year mark. Persons excluded from deferred action would be: (1) aliens whose visa petition was denied or revoked for any reason other than or in addition to the death of the petitioning citizen spouse; (2) widow(er)s who have remarried; and (3) aliens who are clearly inadmissible for criminal reasons, such as persons convicted of an aggravated felony, alien smugglers, drug traffickers, terrorists, or habitual immigration violators. DHS preserves its discretion to deny deferred action for other serious adverse factors, such as national security concerns, significant immigration fraud, commission of other crimes, or public safety reasons.

Thanks and let me know if you need anything else.

Thanks!

Matt

Matt Chandler
Assistant Press Secretary
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

From: (b)(6)
Sent: Wednesday, June 03, 2009 10:25 AM

8/3/2010

To: Chandler, Matthew M
Subject: 60 Minutes

Good Morning Matt,

Just got your message. Our deadline is mid-afternoon today. Let me know if that is going to be a problem.

Also, in regards to an interview with the Secretary, we really appreciate the offer, but because of the fact this is a summer re-run we are updating it's just not feasible for us. We are not opening up the piece at all, and will be updating it only in the on-camera. The change in the rule, and the fact that the new administration made the change will be featured prominently.

I will be in my office all day if you want to speak further.

Regards,

Dan

Daniel Ruetenik
CBS News
60 Minutes

(b)(6)

8/3/2010

Chandler, Matthew

From: Bentley, Christopher S (b)(6)
Sent: Friday, June 05, 2009 7:40 AM
To: Chandler, Matthew
Subject: RE: DRAFT Statement for 60 Minutes

Matt – Could you share the final version of the statement provided to 60 Minutes? Thanks, Chris

Christopher S. Bentley

Acting Chief
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Tuesday, June 02, 2009 6:38 PM
To: Bentley, Christopher S
Subject: DRAFT Statement for 60 Minutes

Here is the draft statement from S1 for 60 minutes.

(b)(5)

Chandler, Matthew

From: Fetcher, Adam (b)(6)
Sent: Tuesday, June 09, 2009 2:03 PM
To: Wiggins, Chani; Baronof, Kim; Peacock, Nelson; Ramanathan, Sue; Kayyem, Juliette; Tennyson, Stephanie L; Greene, Katie
Cc: Kuban, Sara; Smith, Sean; Shlossman, Amy; Chandler, Matthew
Subject: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS
Attachments: 09-2904 Action Directive 5 27 09.pdf

OLA/IGP: Please make all notifications now on the release below, and confirm when complete. We will send to media at 3:30. Please also see Decision Memo attached for strictly internal usage.

Thank you!

Adam

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

(b)(5)

(b) (5)

###

Chandler, Matthew

From: Fetcher, Adam
Sent: Tuesday, June 09, 2009 2:44 PM
To: Olavarria, Esther
Cc: Chandler, Matthew; Hartman, Alexander
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Thanks Esther—

I just sent the latest E-Verify draft—please send any final comments when you get a chance.

From: Olavarria, Esther
Sent: Tuesday, June 09, 2009 2:41 PM
To: Fetcher, Adam
Cc: Chandler, Matthew; Hartman, Alexander
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Good with this.

From: Fetcher, Adam
Sent: Tuesday, June 09, 2009 2:36 PM
To: Olavarria, Esther
Cc: Chandler, Matthew
Subject: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Esther-- here's the final Widows release, which will be sent from OPA in approximately one hour.

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

(b)(5)

(b)(5)



Chandler, Matthew

From: Hartman, Alexander
Sent: Tuesday, June 09, 2009 2:47 PM
To: Fetcher, Adam; Chandler, Matthew
Cc: Olavarria, Esther; Hartman, Alexander
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Adam and Matt,

Have you also received FAQs or the guidance to the field from ICE or USCIS? We are trying to track down those materials to review, as well. If you have, we'd love to see them. If you haven't, could you ask if ICE and USCIS will send them to you? We're trying separately through the Policy offices.

Thank you,

-Alex

From: Olavarria, Esther
Sent: Tuesday, June 09, 2009 2:41 PM
To: Fetcher, Adam
Cc: Chandler, Matthew; Hartman, Alexander
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Good with this.

From: Fetcher, Adam
Sent: Tuesday, June 09, 2009 2:36 PM
To: Olavarria, Esther
Cc: Chandler, Matthew
Subject: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Esther-- here's the final Widows release, which will be sent from OPA in approximately one hour.

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

(b)(5)



Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, June 09, 2009 3:41 PM
To: Gamboa, Suzanne
Subject: RE: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Hey –

You've got about 20 minutes or so until it goes out. Generally when we provide the AP with material on embargo or ahead of time, we expect you guys to abide by the fact that this is not yet public information and write from the materials we pass along...

Thanks!

From: (b)(6) **Behalf Of** Gamboa, Suzanne
Sent: Tuesday, June 09, 2009 3:37 PM
To: Chandler, Matthew
Subject: RE: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

(b)(5)

From: Chandler, Matthew (b)(6)
Sent: Tuesday, June 09, 2009 3:30 PM
To: Gamboa, Suzanne
Subject: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Hey Suzanne,

As promised, see below.

Thanks!

Matt

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

8/3/2010

(b)(5)

Chandler, Matthew

From: Chandler, Matthew
Sent: Wednesday, June 10, 2009 9:32 AM
To: Ruetenik, Daniel
Subject: RE: 60 Minutes

Hey Dan –

Just wanted to give you a heads up that this release went out last night from the Department –

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

WASHINGTON—U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano today granted deferred action for two years to widows and widowers of U.S. citizens—as well as their unmarried children under 18 years old—who reside in the United States and who were married for less than two years prior to their spouse's death.

“Smart immigration policy balances strong enforcement practices with common-sense, practical solutions to complicated issues,” said Secretary Napolitano. “Granting deferred action to the widows and widowers of U.S. citizens who otherwise would have been denied the right to remain in the United States allows these individuals, and their children, an opportunity to stay in the country that has become their home while their legal status is resolved.”

Secretary Napolitano also directed U.S. Citizenship and Immigration Services (USCIS) to suspend adjudication of visa petitions and adjustment applications filed for widow(er)s where the sole reason for reassessment of immigration status was the death of a U.S. citizen spouse prior to the second anniversary of the marriage.

Additionally, U.S. Immigration and Customs Enforcement (ICE) will defer initiating or continuing removal proceedings, or executing final orders of removal against qualified widow(er)s and their eligible children.

USCIS will also consider favorably requests for humanitarian reinstatement where previously approved petitions for widow(er)s had been revoked because of the law. DHS will soon issue guidance instructing the public on how to apply for this relief.

These directives apply regardless of whether the citizen filed a petition for the alien spouse before death. Deferred action is generally an act of prosecutorial discretion to suspend removal proceedings against a particular individual or group of individuals for a specific timeframe; it cannot resolve an individual's underlying immigration status. Individuals granted deferred action may apply for work authorization if they can demonstrate economic necessity.

While Secretary Napolitano's directive provides a short-term arrangement for widow(er)s of deceased U.S. citizens, legislation is required to amend the definition of "immediate relatives" in the Immigration and Nationality Act to permit surviving spouses to remain indefinitely after the U.S. citizen spouse dies, enabling them to seek permanent resident status.

###

Matt Chandler
Assistant Press Secretary
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

From: Ruetenik, Daniel [mailto:RuetenikD@cbsnews.com]
Sent: Wednesday, June 03, 2009 4:05 PM
To: Chandler, Matthew
Subject: RE: 60 Minutes

Great thanks.

So just to make sure I understand this correctly, the actual rule hasn't been changed but the Secretary gave temporary clemency to the widows until congress can pass a law changing it?

From: Chandler, Matthew (b)(6)
Sent: Wednesday, June 03, 2009 2:47 PM
To: Ruetenik, Daniel
Subject: RE: 60 Minutes

Hi Dan -

Per our agreement on embargo:

(b)(5)

(b)(5)

Thanks and let me know if you need anything else.

Thanks!

Matt

Matt Chandler
Assistant Press Secretary
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

From: Ruetenik, Daniel [mailto:RuetenikD@cbsnews.com]
Sent: Wednesday, June 03, 2009 10:25 AM
To: Chandler, Matthew M
Subject: 60 Minutes

Good Morning Matt,

Just got your message. Our deadline is mid-afternoon today. Let me know if that is going to be a problem.

Also, in regards to an interview with the Secretary, we really appreciate the offer, but because of the fact this is a summer re-run we are updating it's just not feasible for us. We are not opening up the piece at all, and will be updating it only in the on-camera. The change in the rule, and the fact that the new administration made the change will be featured prominently.

I will be in my office all day if you want to speak further.

Regards,

Dan

Daniel Ruetenik
CBS News
60 Minutes
ruetenikd@cbsnews.com

8/3/2010

(b)(6)

A black rectangular redaction box covers the text in this block.

Chandler, Matthew

From: Hartman, Alexander
Sent: Friday, June 12, 2009 9:23 AM
To: Fetcher, Adam
Cc: Chandler, Matthew; Olavarria, Esther; Kudwa, Amy
Subject: Re: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS - correction

Thank you, Adam. We appreciate you making the fix so quickly once we spotted it. Best,

-Alex

From: Fetcher, Adam
To: Hartman, Alexander
Cc: Chandler, Matthew; Olavarria, Esther; Kudwa, Amy
Sent: Fri Jun 12 09:02:58 2009
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS - correction

Alex—

The age is changed on the website as of last night. Thanks for the catch—

Adam

From: Hartman, Alexander
Sent: Thursday, June 11, 2009 6:55 PM
To: Fetcher, Adam
Cc: Chandler, Matthew; Olavarria, Esther; Kudwa, Amy; (b)(6)
Subject: Re: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS - correction

Yes, that is correct. The age for unmarried children should be "under 21." Thanks!

-Alex

From: Fetcher, Adam
To: Hartman, Alexander
Cc: Chandler, Matthew; Olavarria, Esther; Kudwa, Amy
Sent: Thu Jun 11 18:28:02 2009
Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS - correction
Alex,

Please confirm that the age should be 21, not 18. We will make the correction on the release posted on the website.

Thank you,

Adam

From: Hartman, Alexander

8/3/2010

Sent: Thursday, June 11, 2009 5:25 PM

To: Fetcher, Adam

Cc: Chandler, Matthew; Olavarria, Esther; Hartman, Alexander

Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS - correction

Adam,

Today, when reviewing the USCIS guidance documents associated with deferred action for widows, I spotted a mistake in the below press release that will need to be corrected. In the first paragraph, it should refer to "unmarried children under age **21**." This is because in most cases immigration law defines children as under 21, not 18. I know this press release already has gone out and has been posted on the web, but can you please go ahead and make the fix before we start getting inquiries from the public?

Just let me know if you need to discuss. Thanks,

-Alex

From: Olavarria, Esther

Sent: Tuesday, June 09, 2009 2:41 PM

To: Fetcher, Adam

Cc: Chandler, Matthew; Hartman, Alexander

Subject: RE: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Good with this.

From: Fetcher, Adam

Sent: Tuesday, June 09, 2009 2:36 PM

To: Olavarria, Esther

Cc: Chandler, Matthew

Subject: Final: DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

Esther-- here's the final Widows release, which will be sent from OPA in approximately one hour.

Press Office
U.S. Department of Homeland Security

Press Release

June 9, 2009

Contact: DHS Press Office, 202-282-8010

DHS ESTABLISHES INTERIM RELIEF FOR WIDOWS OF U.S. CITIZENS

WASHINGTON—U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano today granted deferred action for two years to widows and widowers of U.S. citizens—as well as their unmarried children under 18 years old—who reside in the United States and who were married for less

than two years prior to their spouse's death.

"Smart immigration policy balances strong enforcement practices with common-sense, practical solutions to complicated issues," said Secretary Napolitano. "Granting deferred action to the widows and widowers of U.S. citizens who otherwise would have been denied the right to remain in the United States allows these individuals, and their children, an opportunity to stay in the country that has become their home while their legal status is resolved."

Secretary Napolitano also directed U.S. Citizenship and Immigration Services (USCIS) to suspend adjudication of visa petitions and adjustment applications filed for widow(er)s where the sole reason for reassessment of immigration status was the death of a U.S. citizen spouse prior to the second anniversary of the marriage.

Additionally, U.S. Immigration and Customs Enforcement (ICE) will defer initiating or continuing removal proceedings, or executing final orders of removal against qualified widow(er)s and their eligible children.

USCIS will also consider favorably requests for humanitarian reinstatement where previously approved petitions for widow(er)s had been revoked because of the law. DHS will soon issue guidance instructing the public on how to apply for this relief.

These directives apply regardless of whether the citizen filed a petition for the alien spouse before death. Deferred action is generally an act of prosecutorial discretion to suspend removal proceedings against a particular individual or group of individuals for a specific timeframe; it cannot resolve an individual's underlying immigration status. Individuals granted deferred action may apply for work authorization if they can demonstrate economic necessity.

While Secretary Napolitano's directive provides a short-term arrangement for widow(er)s of deceased U.S. citizens, legislation is required to amend the definition of "immediate relatives" in the Immigration and Nationality Act to permit surviving spouses to remain indefinitely after the U.S. citizen spouse dies, enabling them to seek permanent resident status.

###

Chandler, Matthew

From: Rocha, Richard A (b)(6)
Sent: Thursday, July 02, 2009 2:57 PM
To: Chandler, Matthew
Cc: Nantel, Kelly A
Subject: RE: Lara case -- update

As they call. Miami Herald so far.

Richard Rocha
Public Affairs Officer
U.S. Immigration and Customs Enforcement (ICE)

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, July 02, 2009 2:56 PM
To: Rocha, Richard A
Cc: Nantel, Kelly A
Subject: RE: Lara case -- update

Thanks. How are you notifying press?

Matt Chandler
Assistant Press Secretary
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

From: Rocha, Richard A (b)(6)
Sent: Thursday, July 02, 2009 2:54 PM
To: Chandler, Matthew
Cc: Nantel, Kelly A
Subject: RE: Lara case -- update

Matt,

An update regarding Lara. We granted him deferred action for one year.
This is what we're saying:
"ICE exercised its authorized discretion and granted Mr. Lara deferred action for one year."

Richard Rocha
Public Affairs Officer
U.S. Immigration and Customs Enforcement (ICE)

(b)(6)

From: Rocha, Richard A
Sent: Wednesday, July 01, 2009 3:47 PM
To: Chandler, Matthew
Cc: Nantel, Kelly A
Subject: Lara case

Matt,

Here is what we told our PAO to say to respond to the Miami Herald and Orlando Sun Sentinel regarding Lara's case.

The detainee signed a privacy waiver, so we are able to provide the case info we have to the media.
If I hear anymore about a decision I'll keep you posted.

Statement regarding next step for Lara case

"U.S. Immigration and Customs Enforcement (ICE) is reviewing the case of Walter Enrique Lara and as soon as a determination has been made, ICE will make the proper notifications."

Case information:

ICE was referred the case of Mr. Walter Enrique Lara after he was arrested by U.S. Customs and Border Protection (CBP) at the Miami Seaport on February 17, 2009 after he tried to gain access to the seaport and was asked to provide identification. He admitted to being in the U.S. illegally and was charged with being in violation of U.S. immigration law. Mr. Lara was afforded due process and appeared before an immigration judge and requested voluntary departure. He was granted a voluntary departure on March 6, 2009 by an immigration judge, which terminates on July 6, 2009.

An alien granted voluntary departure (V/D) by an immigration judge has requested and received the privilege of voluntarily departing the United States, has asserted his or her willingness to depart as granted, and has demonstrated that he or she has the means and manner in which to depart the United States. If the alien then fails to depart within the time period specified for departure, that grant of voluntary departure automatically converts to an order of removal which may be executed by ICE. Further, the alien who fails to voluntarily depart as granted is subject to civil penalties and is ineligible for certain benefits under the INA. See INA § 240B.

Richard Rocha
Public Affairs Officer
U.S. Immigration and Customs Enforcement (ICE)

(b)(6)

Chandler, Matthew

From: Gordner, David (b)(6)
Sent: Friday, August 21, 2009 10:05 AM
To: Rogers, Andrea R; Baroukh, Nader; Perry, Nicholas; Prelogar, Brandon; Wiggins, Chani Winn; Chandler, Matthew M; Davis, Virginia S
Cc: Baronof, Kim; Dietch, Sarah; Ramanathan, Sue; Gibson, Beth N; Loiselle, Mary F; Moore, Marc J; Rogers, Judy C; Williams, Elliot C; Rusnok, Carl; Rocha, Richard A; (b)(6) Barr, Suzanne E; Andrews, Kelli A; Palmer, David P; Contardo, Christian C; Joh, Joseph; O'Melinn, Barry C; Vincent, Peter S; Scardaville, Michael; Koumans, Mark; Prisco, Patrick
Subject: Re: ICE Removal Package - Pol Brennan

Congrats to all! Greatly appreciate all the help in keeping our Irish colleagues informed throughout this long, long process!

Best regards, Dave

Dave Gordner
 Senior Policy Advisor
 Office of International Affairs

(b)(6)

From: Rogers, Andrea R
To: Baroukh, Nader ; Perry, Nicholas ; Prelogar, Brandon ; Gordner, David ; Wiggins, Chani ; Chandler, Matthew ; Davis, Virginia
Cc: Baronof, Kim ; Dietch, Sarah ; Ramanathan, Sue ; Gibson, Beth N; Loiselle, Mary F; Moore, Marc J; Rogers, Judy C; Williams, Elliot C; Rusnok, Carl; Rocha, Richard A; Nantel, Kelly ; Barr, Suzanne E; Andrews, Kelli A; Palmer, David P; Contardo, Christian C; Joh, Joseph ; O'Melinn, Barry C; Vincent, Peter S
Sent: Fri Aug 21 09:17:22 2009
Subject: RE: ICE Removal Package - Pol Brennan

Good morning everyone!

Terrific news – we've received confirmation that Pol Brennan has been successfully repatriated to Ireland without incident (boarding photo attached). OPA, OLA and OCR may proceed with the press and remaining congressional notifications – please remain mindful of the previously approved notification content, which has undergone the needed privacy and confidentiality reviews. ICE-OPLA is available to assist you if new questions arise. As of this writing, there is no indication that federal litigation has been filed on Mr. Brennan's behalf.

And for all of you who assisted in (b)(5) thank you on behalf of all of us in the National Security Law Division, and congratulations!!!

Best regards, -Andrea

From: Rogers, Andrea R
Sent: Tuesday, August 18, 2009 4:01 PM
To: Baroukh, Nader; Perry, Nicholas; Prelogar, Brandon; Gordner, David; Wiggins, Chani; Chandler, Matthew; Davis, Virginia
Cc: Baronof, Kim; Dietch, Sarah; Ramanathan, Sue; 'Gibson, Beth N'; 'Loiselle, Mary F'; Moore, Marc J; 'Rogers, Judy C'; 'Williams, Elliot C'; Rusnok, Carl; Rocha, Richard A; Nantel, Kelly; Barr, Suzanne E; O'Melinn, Barry C; Vincent, Peter S; Andrews, Kelli A; Palmer, David P; Contardo, Christian C; Joh, Joseph
Subject: ICE Removal Package - Pol Brennan

Hello all,

We have confirmed that the stay denial notification letter has been delivered to the offices of (b)(6) (b)(6) Mr. Brennan's attorney. We can now proceed with these next steps as discussed:

(b)(5)

I will continue using this e-mail distribution list for significant Brennan removal updates and instructions. If you would like to be dropped or if others ought to be added, please e-mail me separately and so request.

Thank you, -Andrea

From: Rogers, Andrea R

Sent: Monday, August 17, 2009 3:35 PM

To: Rogers, Andrea R; 'Baroukh, Nader'; 'Perry, Nicholas'; 'Prelogar, Brandon'; 'Gordner, David'; Wiggins, Chani; Chandler, Matthew

Cc: Baronof, Kim; Dietch, Sarah; Ramanathan, Sue; 'Gibson, Beth N'; 'Loiselle, Mary F'; Moore, Marc J; 'Rogers, Judy C'; 'Williams, Elliot C'; Rusnok, Carl; Rocha, Richard A; Nantel, Kelly; Barr, Suzanne E; O'Melinn, Barry C; Vincent, Peter S; Andrews, Kelli A; Palmer, David P; Contardo, Christian C; Joh, Joseph

Subject: RE: ICE Removal Package - Pol Brennan

Hello all,

As discussed on our con call we are proceeding with this removal with the agreed-upon timetable for events as follows:

(b)(5)

AS A REMINDER, THE DATES OF THE REMOVAL AND OPERATIONAL PLAN ARE LAW-ENFORCEMENT SENSITIVE. NO ADVANCE NOTIFICATIONS DESCRIBED ABOVE ARE TO RELAY THE DATES OR DETAILS OF REMOVAL ABSENT ICE or DHS LEADERSHIP-LEVEL CLEARANCE.

8/3/2010

ICE/OPLA and DHS/OGC will continue to coordinate with DOJ to prepare for anticipated federal litigation.

Thanks all, -Andrea (b)(6)

From: Rogers, Andrea R

Sent: Wednesday, August 12, 2009 4:53 PM

To: Baroukh, Nader; Perry, Nicholas; Prelogar, Brandon; Gordner, David; Wiggins, Chani; Chandler, Matthew

Cc: Baronof, Kim; Dietch, Sarah; Ramanathan, Sue; Gibson, Beth N; Loïselle, Mary F; Moore, Marc J; Rogers, Judy C; Williams, Elliot C; Rusnok, Carl; Rocha, Richard A; Nantel, Kelly; Barr, Suzanne E; O'Melinn, Barry C; Vincent, Peter S; Andrews, Kelli A; Palmer, David P; Contardo, Christian C

Subject: ICE Removal Package - Pol Brennan

Importance: High

Hello everyone,

You are receiving this message because of your past involvement in, or future anticipated involvement in, the Pol Brennan removal to Ireland. In light of the Secretary's decision (attached) to proceed with Mr. Brennan's removal and our subsequent implementation meeting, please find ICE's Brennan Removal Plan package materials, attached. These materials, prepared by multiple ICE components (OPLA, OCR, OPA, DRO) have been reviewed and cleared by the ICE OAS. The ICE OAS will be convening a teleconference next **Monday, August 17**, and you will receive a separate invitation to participate. Please review the attached materials. We will discuss any concerns your respective offices may have with this proposed removal process. Please note that the proposed removal is scheduled for next **Thursday, August 20**.

o This package includes:

(b)(5)

(b)(5)

As events unfold, OPLA and OGC will coordinate as needed with USDOJ in anticipation of emergency federal court actions.

We look forward to our Monday discussion. If anyone has questions to be addressed in advance, I may be reached at (b)(6)

Thank you, -Andrea

Andrea R. Rogers

Chief, National Security Law Division
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement

(b)(6)

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

Chandler, Matthew

From: Kudwa, Amy (b)(6)
Sent: Friday, August 28, 2009 7:01 PM
To: Shlossman, Amy
Cc: Chandler, Matthew; Fetcher, Adam
Subject: FW: Press Package for Deferred Action
Attachments: USCIS FAQ Deferred Action for Certain Surviving Spouses and Children of U.S. Citizens 20090827.doc; USCIS Fact Sheet - Surviving Spouse 20000827.doc; UPDATE USCIS Issues Guidance for Surviving Spouses of Citizens 20090827.doc

Amy:

FYI, I told USCIS to go ahead and post these – they're finally posting guidance on the widow penalty.

From: Rhatigan, Chris (b)(6)
Sent: Thursday, August 27, 2009 2:50 PM
To: Kudwa, Amy
Cc: Chandler, Matthew; Kudwa, Amy; Bentley, Christopher S; Wright, William G; Humphrey, Hubert H
Subject: FW: Press Package for Deferred Action

Amy –
 USCIS would like to disseminate the attached Update tomorrow. Also attached are accompanying fact sheet and FAQ.s
 Could you please review and let us know of any edits, comments.
 These have all been cleared internally within USCIS.

/r
 ChrisR

From: Rhatigan, Chris
Sent: Thursday, August 27, 2009 11:20 AM
To: Brown, Katherine HS; Rodriguez, Miguel E
Cc: Cox, Sophia; McCament, James W
Subject: FW: Press Package for Deferred Action

Congressional – we need your review on these three documents. As you know, we need to send these to DHS Public Affairs for their review before posting – and they require one day advance notice...

From: Cox, Sophia
Sent: Thursday, August 27, 2009 6:54 AM
To: Rhatigan, Chris
Subject: RE: Press Package for Deferred Action

Chris – Phil is tied up in the OCC conference all this week. (b) (5)
 then please don't let me be the hold up and send this forward to DHS Public Affairs. I can live with the deleted language and would like to keep this moving. Please let me know where we go from here. Thanks. --Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 9:46 AM

To: Cox, Sophia; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Also – please do not forget that once we have the final draft – we must shoot this up to DHS Public Affairs for their edits and approval (that's the new SOP)

From: Cox, Sophia
Sent: Wednesday, August 26, 2009 9:31 AM
To: Rhatigan, Chris; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Thanks. If it needs to stay out, I can live with it. Just wanted everyone to know why we put it there. --Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 9:29 AM
To: Cox, Sophia; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Adding Phil Busch on this since he made the original edit removing the information from the Update.

From: Cox, Sophia
Sent: Wednesday, August 26, 2009 9:15 AM
To: Rhatigan, Chris; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce
Subject: RE: Press Package for Deferred Action

Thanks, Chris. Once you have all the final edits from OCOMM and Congressional, I'm assuming we will need to run this by OCC one last time.

I'm OK with the changes, except for one deletion on the Update – (b)(5)



--Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 8:43 AM
To: Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; Brown, Katherine HS; McCament, James W
Cc: Bentley, Christopher S; Cox, Sophia; Dickson, Bruce
Subject: FW: Press Package for Deferred Action

OComm –

8/3/2010

Attached please find Media edits to a press package originally prepared by SCOPS and edited by OCC prior to it being sent to OCOMM.

I have made generous edits to the Update, and retained the legal language in the Fact Sheet and FAQ...

Sophia, Bruce – we need to run final check within OCOMM and Congressional before sending back our final edits.

/r

Chris Rhatigan

From: Cox, Sophia
Sent: Monday, August 24, 2009 5:21 PM
To: Rhatigan, Chris
Cc: Wright, William G; Dickson, Bruce
Subject: FW: Press Package for Deferred Action
Importance: High

Chris – Since Bill copied you in last week on this, I am forwarding to you so you will be aware of OCC's comments, as I did not see you in the message. I will be out tomorrow. Bruce will be acting for me. Please work directly with him. I will be checking bb intermittently. Thanks. --Sophia

From: Busch, Philip B
Sent: Monday, August 24, 2009 3:09 PM
To: Cox, Sophia; Wright, William G
Cc: Dickson, Bruce; Evelyn, Heather; Simpson, Erica; Alonso, Roxanne R; Arroyo, Susan K; Richardson, Gregory A; Clark, Matthew J; Posey, Deborah; Johnson, David P; Carpenter, Dea D
Subject: RE: Press Package for Deferred Action

Here are our suggestions on these, minor except that we recommend including a q and a about the cases affected by the three circuit decisions. Thanks,

Philip B. Busch
 Acting Deputy Chief Counsel
 Office of the Chief Counsel
 U.S. Citizenship and Immigration Services
 U.S. Department of Homeland Security

(b)(6)

From: Cox, Sophia
Sent: Friday, August 21, 2009 1:10 PM
To: Busch, Philip B; Wright, William G
Cc: Dickson, Bruce; Evelyn, Heather; Simpson, Erica; Alonso, Roxanne R; Arroyo, Susan K; Richardson, Gregory A; Clark, Matthew J; Posey, Deborah; Johnson, David P
Subject: Press Package for Deferred Action
Importance: High

Phil and Bill – I am attaching the latest versions of the QA and Fact Sheet which OCC and OCOMM had cleared, but which have since required some additional editing to reflect the subsequent changes. We initially prepared a USCIS Update as well and were told it was not needed; however, since the Secretary issued the press release in May and we are now at September just about, (b) (5)

Please let us know if you clear on these revised documents. For ease of reading I deleted all the track changes, so please review as fresh documents.

8/3/2010

(b)(5)

I have cc'd the working group for visibility. Feel free to comment.

Many thanks to all.

—Sophia

8/3/2010

Chandler, Matthew

From: Humphrey, Hubert H (b)(6)
Sent: Friday, August 28, 2009 8:12 PM
To: Kudwa, Amy; Rhatigan, Chris
Cc: Chandler, Matthew; Bentley, Christopher S; Wright, William G; Humphrey, Hubert H
Subject: Re: Press Package for Deferred Action

Sounds good. Have a good weekend.

----- Original Message -----

From: Kudwa, Amy (b)(6)
To: Rhatigan, Chris (b)(6)
Cc: Chandler, Matthew; Bentley, Christopher S (b)(6); Wright, William G (b)(6); Humphrey, Hubert H (b)(6)
Sent: Fri Aug 28 20:11:20 2009
Subject: Re: Press Package for Deferred Action

Please post first thing Monday. Thanks!

From: Rhatigan, Chris
To: Kudwa, Amy ; Rhatigan, Chris
Cc: Chandler, Matthew ; Bentley, Christopher S; Wright, William G; Humphrey, Hubert H
Sent: Fri Aug 28 19:56:11 2009
Subject: Re: Press Package for Deferred Action

No - holding to hear from you all - esp. W/widows issues...

----- Original Message -----

From: Kudwa, Amy (b)(6)
To: Rhatigan, Chris (b)(6)
Cc: Chandler, Matthew; Bentley, Christopher S (b)(6); Wright, William G (b)(6); Humphrey, Hubert H (b)(6)
Sent: Fri Aug 28 19:00:04 2009
Subject: RE: Press Package for Deferred Action

Sorry, Chris - digging out of email from travel this week. Did this go up yet? Products look fine.

From: Rhatigan, Chris (b)(6)
Sent: Thursday, August 27, 2009 2:50 PM
To: Kudwa, Amy
Cc: Chandler, Matthew; Kudwa, Amy; Bentley, Christopher S; Wright, William G; Humphrey, Hubert H
Subject: FW: Press Package for Deferred Action

Amy -

USCIS would like to disseminate the attached Update tomorrow. Also attached are accompanying fact sheet and FAQ.s

Could you please review and let us know of any edits, comments.

Re: Press Package for Deferred Action

Page 2 of 5

These have all been cleared internally within USCIS.

/r

ChrisR

From: Rhatigan, Chris
Sent: Thursday, August 27, 2009 11:20 AM
To: Brown, Katherine HS; Rodriguez, Miguel E
Cc: Cox, Sophia; McCament, James W
Subject: FW: Press Package for Deferred Action

Congressional – we need your review on these three documents. As you know, we need to send these to DHS Public Affairs for their review before posting – and they require one day advance notice...

From: Cox, Sophia
Sent: Thursday, August 27, 2009 6:54 AM
To: Rhatigan, Chris
Subject: RE: Press Package for Deferred Action

Chris – Phil is tied up in the OCC conference all this week. (b) (5)
(b) (5) then please don't let me be the hold up and send this forward to DHS Public Affairs. (b)(5)
(b) (5) and would like to keep this moving. Please let me know where we go from here. Thanks. --
Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 9:46 AM
To: Cox, Sophia; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Also – please do not forget that once we have the final draft – we must shoot this up to DHS Public Affairs for their edits and approval (that's the new SOP)

From: Cox, Sophia
Sent: Wednesday, August 26, 2009 9:31 AM

8/3/2010

Re: Press Package for Deferred Action

Page 3 of 5

To: Rhatigan, Chris; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Thanks. (b)(5) Just wanted everyone to know why we put it there. --Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 9:29 AM
To: Cox, Sophia; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce; Busch, Philip B
Subject: RE: Press Package for Deferred Action

Adding Phil Busch on this since he made the original edit removing the information from the Update.

From: Cox, Sophia
Sent: Wednesday, August 26, 2009 9:15 AM
To: Rhatigan, Chris; Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; 'Brown, Katherine HS'; McCament, James W
Cc: Bentley, Christopher S; Dickson, Bruce
Subject: RE: Press Package for Deferred Action

Thanks, Chris. Once you have all the final edits from OCOMM and Congressional, I'm assuming we will need to run this by OCC one last time.

I'm OK with the changes, except for one deletion on the Update --(b)(5)

[REDACTED]

--Sophia

From: Rhatigan, Chris
Sent: Wednesday, August 26, 2009 8:43 AM

8/3/2010

Re: Press Package for Deferred Action

Page 4 of 5

To: Alfonso-Royals, Angelica M; Blauvelt, Sally; Ash, Matthew L; Brown, Katherine HS; McCament, James W
Cc: Bentley, Christopher S; Cox, Sophia; Dickson, Bruce
Subject: FW: Press Package for Deferred Action

OComm -

Attached please find Media edits to a press package originally prepared by SCOPS and edited by OCC prior to it being sent to OCOMM.

I have made generous edits to the Update, and retained the legal language in the Fact Sheet and FAQ...

Sophia, Bruce -- we need to run final check within OCOMM and Congressional before sending back our final edits.

/r

Chris Rhatigan

From: Cox, Sophia
Sent: Monday, August 24, 2009 5:21 PM
To: Rhatigan, Chris
Cc: Wright, William G; Dickson, Bruce
Subject: FW: Press Package for Deferred Action
Importance: High

Chris -- Since Bill copied you in last week on this, I am forwarding to you so you will be aware of OCC's comments, as I did not see you in the message. I will be out tomorrow. Bruce will be acting for me. Please work directly with him. I will be checking bb intermittently. Thanks. --Sophia

From: Busch, Philip B
Sent: Monday, August 24, 2009 3:09 PM
To: Cox, Sophia; Wright, William G
Cc: Dickson, Bruce; Evelyn, Heather; Simpson, Erica; Alonso, Roxanne R; Arroyo, Susan K; Richardson, Gregory A; Clark, Matthew J; Posey, Deborah; Johnson, David P; Carpenter, Dea D
Subject: RE: Press Package for Deferred Action

Here are our suggestions on these, minor except that we recommend including (b)(5)
Thanks,

Philip B. Busch

Acting Deputy Chief Counsel

8/3/2010

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

(b)(6)

From: Cox, Sophia

Sent: Friday, August 21, 2009 1:10 PM

To: Busch, Philip B; Wright, William G

Cc: Dickson, Bruce; Evelyn, Heather; Simpson, Erica; Alonso, Roxanne R; Arroyo, Susan K; Richardson, Gregory A; Clark, Matthew J; Posey, Deborah; Johnson, David P

Subject: Press Package for Deferred Action

Importance: High

Phil and Bill - I am attaching the latest versions of the QA and Fact Sheet which OCC and OCOMM had cleared, but which have since required some additional editing to reflect the subsequent changes. We initially prepared a USCIS Update as well and were told it was not needed; however, since the Secretary issued the press release in May and we are now at September just about, (b) (5)

Please let us know if you clear on these revised documents. For ease of reading I deleted all the track changes, so please review as fresh documents.

(b)(5)

I have cc'd the working group for visibility. Feel free to comment.

Many thanks to all.

--Sophia

8/3/2010

Chandler, Matthew

From: Gonzalez, Barbara (b)(6)
Sent: Tuesday, April 14, 2009 2:58 PM
To: Chandler, Matthew
Subject: FW: AP and CQ

Fyi

Talkers:

When developing cases, ICE may grant temporary immigration relief and request that employment authorization documents be issued while the individuals assist ICE with the investigation.

There are many forms of temporary relief which ICE has at its disposal including continued presence, parole and deferred action.

Some individuals may be eligible for different forms of temporary relief depending on the circumstances surrounding the investigation. For instance, ICE uses continued presence in cases involving victims of human trafficking.

All cases are worked closely with the U.S. Attorney's Office to determine the most appropriate form of temporary relief.

Once an investigation has been completed, individuals who were granted temporary relief are either placed in removal proceedings or revert to what their status was prior to having been afforded the temporary benefit.

Again, this investigative tool is used frequently to support the development of cases. The cases are not limited to worksite investigations; in fact, they include the wide array of investigations that ICE conducts.

In coordination with ICE, this law enforcement tool has been frequently used by local, state and federal law enforcement agencies in the development of their cases.

- DHS announced that it will **grant deferred action for two years to qualified widows of U.S. citizens**, and their unmarried children.
- USCIS announced \$1.2M competitive grant program, providing **funding to U.S. community-based organizations** that serve priority immigrant groups.

From: Ramanathan, Sue (b)(6)

Sent: Monday, July 13, 2009 4:15 PM

To: Kroloff, Noah; Wiggins, Chani Winn; Peacock, Nelson; Baronof, Kim; Shlossman, Amy; De Vallance, Brian; Olavarria, Esther

Cc: Dietch, Sarah; McCullough, Victoria M; Phadke, Shilpa D

Subject: Follow Up - Durbin meeting

We have a few things for follow up:

Info on the poll on imm that was done

We need to get to Durbin in time for the policy lunch information on what we have done re enforcement - durbin wanted us to make clear what we've done on enforcement - specifically Durbin asked for info on the fence - what's been built, what needs to be done, plus progress on what's been happening since post sessions call for more security and enforcement - are we dealing with security in a sensible way - the secretart promised durbin a 1-2 pager early tomorrow

Chandler, Matthew

From: Wright, William G (b)(6)
Sent: Friday, July 24, 2009 7:54 AM
To: Rogers, Debra A; Tintary, Ruth E; Neufeld, Donald; McCament, James W; Busch, Philip B
Cc: Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela; Bulger, Jack M; Renaud, Tracy L; Quarantillo, Andrea J; Burden, Shyconia; Borgen, Michael R; Bunce, Dennis; MacPherson, Gwynne K
Subject: RE: 9/11 immigrants
Attachments: re: 9/11 immigrants release

re: 9/11 immigrants
release

Thank you.

Attached is what I provided AP last night.

W

-----Original Message-----

From: Rogers, Debra A
Sent: Friday, July 24, 2009 7:52 AM
To: Tintary, Ruth E; Wright, William G; Neufeld, Donald; McCament, James W; Busch, Philip B
Cc: Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela; (b)(6); Renaud, Tracy L
Subject: Re: 9/11 immigrants

Sorry to respond so late. We gave parole/deferred action to these individuals last year. 3 or 4 of the applicants had U visa applications, which were approved. The decisions were coordinated with DHS Policy. When I get into the office I will send you the letter from Stewart Baker sent to the atty. We are in the process of extending their Parole right now. Tracy and Jack have the details on each applicant. I am copying them. Debbie

----- Original Message -----

From: Tintary, Ruth E
To: Wright, William G; Neufeld, Donald; McCament, James W; Busch, Philip B
Cc: Rogers, Debra A; Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela
Sent: Thu Jul 23 15:26:59 2009
Subject: RE: 9/11 immigrants

Also, when the bill was first introduced in 2007, the authors claimed that it would only affect 19 individuals.

Debbie and Phil, do you remember if that was ever verified?

Quite frankly, not sure why the members didn't simply introduce a private relief bill for these folks since the number is supposedly so small...

From: Wright, William G
Sent: Thursday, July 23, 2009 3:14 PM
To: Tintary, Ruth E; Neufeld, Donald; McCament, James W; Busch, Philip B
Cc: Rogers, Debra A; Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela
Subject: RE: 9/11 immigrants

...sorry, just pasted what the reporter asked me (I'm working too many issues at once).....

From: Tintary, Ruth E
Sent: Thursday, July 23, 2009 3:12 PM
To: Wright, William G; Neufeld, Donald; McCament, James W; Busch, Philip B
Cc: Rogers, Debra A; Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela
Subject: RE: 9/11 immigrants

Phil, is this the last views (Sept. 11, 2007 attached) that DHS has had on this.

Bill, what and the world do you mean "temporary citizenship"? This bill would make them LPRs.

Ruth E. Tintary
Assistant Chief
Legislative Branch
HQ Office of Congressional Relations
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

=====
=====

This e-mail (including any attachments) is intended solely for the use of the addressee(s) and may contain information that is sensitive or otherwise protected by applicable law. If you are not the intended recipient, your disclosure, copying, distribution or other use of (or reliance upon) the information contained in this email is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies.

From: Wright, William G
Sent: Thursday, July 23, 2009 3:00 PM
To: Neufeld, Donald; McCament, James W
Cc: Rogers, Debra A; Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela; Tintary, Ruth E
Subject: RE: 9/11 immigrants

Importance: High

ALL - Below is the release from the Hill put out today regarding immigration relief for 9/11 families. AP asked for some very basic background on this; did we already grant 9/11 victims' families temporary citizenship? Is there an estimate on the number of families or individuals that fall under this?

Appreciate whatever assist you can provide; obviously, deadline is this afternoon - this is Associated Press.

r/
Bill

From: Soldevere, Joe (b)(6)
Sent: Thursday, July 23, 2009 2:45 PM
To: Hefling, Kimberly
Subject: RE: 9/11 immigrants release

Here's our final release...

News Release: July 23, 2009

Contacts:

(b)(6) (b)(6) (b)(6)
(b)(6) (b)(6) (b)(6)
(b)(6) (b)(6) (b)(6)
(b)(6) (b)(6) (b)(6)

Bill Granting Relief to Bereaved 9/11 Immigrants

Clears House Panel

Washington, D.C. - Bipartisan legislation to provide humanitarian relief to immigrants who lost a spouse or parent in the 9/11 terrorist attacks was approved today by the House Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law. The bill will now move forward for a vote in the full House Judiciary Committee.

The September 11th Family Humanitarian Relief and Patriotism Act (H.R. 3290), which was sponsored and reintroduced yesterday by New York Reps. Carolyn B. Maloney, Peter King, Jerrold Nadler, and Anthony Weiner, would allow a small number of undocumented spouses and children of 9/11 victims to become legal permanent residents. The bill would allow these family members to remain in the United States provided they abide by all rules and regulations governing legal permanent resident status.

"This bill would prevent a very small number of immigrants who lost loved ones in the 9/11 attacks from suffering the additional tragedy of being removed from the country they call home," said Rep. Maloney. "We can't undo the pain these families have had to endure, but we can offer them hope and the opportunity to move forward with their lives. I want to thank Chairman Conyers and especially Subcommittee Chairwoman Lofgren for their tireless support of this important legislation. I also want to thank Congressman Lamar Smith for working with us to resolve some concerns the minority had about the legislation."

"Many of those lost in 9/11 left behind wives, husbands, and children," said King. "While we cannot bring back their loved ones or caregivers, we can offer them the hope and opportunity that comes with being an American citizen."

"Immigrant families who lost loved ones on 9/11 should not be forced to endure the additional pain of being uprooted from their lives here in the United States," said Nadler. "The least we can do for these families is to allow them to stay where they have built their lives and invested in local communities, both before and after the tragedy. The progress of this legislation is encouraging, and I thank Congresswoman Maloney, Chairman Conyers and Chairwoman Lofgren for their important work on this issue."

"This is a matter of fairness and a matter of compassion. This small group of family members of 9/11 victims have been in legal limbo since that horrible day. This law won't heal the wounds, but it will help," said Rep. Anthony Weiner.

The legislation is co-sponsored by Reps. Gary Ackerman, Yvette Clarke, Eliot Engel, and Steve Israel of New York; Reps. Rush Holt and Albio Sires of New Jersey; and Rep. Raúl Grijalva of Arizona.

Maloney, King, and Nadler introduced a previous version of the legislation (H.R. 1071) in 2007. Senators Frank Lautenberg (D-NJ), Sam Brownback (R-KS), and Robert Menendez (D-NJ) also introduced similar legislation (S. 615) in the Senate in the last Congress.

###

From: Wright, William G
Sent: Thursday, July 23, 2009 2:45 PM
To: Neufeld, Donald; McCament, James W
Cc: Rogers, Debra A; Bentley, Christopher S; Chandler, Matthew; Kielsmeier, Lauren; Melero, Mariela; Tintary, Ruth E
Subject: RE: 9/11 immigrants

Don / James - Know anything about this?

Matt - FYI.

r/
Bill

From: (b)(6) [REDACTED] On Behalf Of
Hefling, Kimberly
Sent: Thursday, July 23, 2009 2:22 PM
To: Wright, William G
Subject: 9/11 immigrants

Hi Bill,

This is Kim Hefling with the AP. Eileen Sullivan passed along your contact info. I have a couple quick questions related to the passage in a House judiciary subcommittee of legislation that has to do with citizenship for 9/11 victim families. Do you by chance have a couple minutes to answer some questions about the issue?

Thanks,

Kim

Kimberly Hefling

Reporter

The Associated Press

(b)(6)

khefling@ap.org

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this e-mail. Thank you.

[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Chandler, Matthew

From: Shlossman, Amy (b)(6)
Sent: Sunday, July 26, 2009 1:18 AM
To: Smith, Sean; Chandler, Matthew
Subject: FW: Bellingham
Attachments: (b)(6) Update 07252009.doc

FYI- in case you get any questions about this.

From: Shlossman, Amy
Sent: Sunday, July 26, 2009 1:16 AM
To: Lutz, Arthur; Sibley, Matthew
Subject: FW: Bellingham

Art- no rush, but can you print this for the Secretary at some point tomorrow. Matt- we can give this to her on Sunday or Monday with her intel book. Update on Bellingham that she asked for today. Thanks.

The USAO and ICE have completed a draft indictment charging (b)(6) with violations of 18 USC 1001 (False Statements), 42 USC 408 (Misuse of Social Security Number), 8 USC 1324[Inducement of Alien to Stay or Remain in the US] and 18 USC 982 [Criminal Forfeiture]. A Grand Jury date has not been scheduled.

On July 13, 2009, a draft plea offer was provided to YES defense counsel. As of the week of the week of July 21, 2009, negotiations between the USAO and YES attorneys continue.

Of the 28 individuals arrested on February 24, 2009, one voluntary returned to Mexico and the remaining 27 were placed in Deferred Action and provided an Employment Authorization Document (EAD). Each of the 27 individuals continues to report to the ASAC Blain office twice a month as ordered. Although all 27 individuals provided valuable information during debriefs, it is anticipate that approximately 9-10 will be used as witnesses if testimony is deemed necessary.

An updated summary of the (b)(6) investigation is attached.

Chandler, Matthew

From: Chandler, Matthew
Sent: Wednesday, August 19, 2009 5:49 PM
To: Nantel, Kelly A; Bentley, Christopher S
Cc: Rocha, Richard A
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Got it. We are sticking with original statement with CIS and ICE approval already.

From: Nantel, Kelly A (b)(6)
Sent: Wednesday, August 19, 2009 5:42 PM
To: Chandler, Matthew; Bentley, Christopher S
Cc: Rocha, Richard A
Subject: Fw: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Matt - looks like our attys (b)(5)
Thanks.

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Bassett, Cori W (b)(6)
To: Nantel, Kelly A (b)(6); Rocha, Richard A (b)(6)
Sent: Wed Aug 19 17:38:11 2009
Subject: Fw: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Please see the chain below.

I have reiterated the approved statement is all that ICE is saying to those concerned.

Cori

Cori Bassett, Public Affairs Officer
U.S. Immigration and Customs Enforcement

From: Choi, Raphael
To: Bassett, Cori W
Cc: Falcone, Michael; Sanchez, Raphael
Sent: Wed Aug 19 17:33:14 2009
Subject: Fw: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Cori, pls see below discussion raising concern over (b)(5)
Pls convey up your chain. Thanks.

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor

8/3/2010

U.S. Department of Homeland Security

(b)(6)

From: Davis, Mike P

To: Choi, Raphael; Landau, David A; Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Brukiewa, Melody A; Downer, Matthew M; Ardinger, Jo Ellen; Hansen, Kyle; Ramlogan, Riah; Celaya, Gracian A

Cc: Martin, George R; Falcone, Michael

Sent: Wed Aug 19 17:25:35 2009

Subject: Re: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)(b)(6)

Sent via BlackBerry by:

Mike P. Davis

DHS-ICE-OPLA-APLD

(b)(6)

From: Choi, Raphael

To: Landau, David A; Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Brukiewa, Melody A; Davis, Mike P; Downer, Matthew M; Ardinger, Jo Ellen; Hansen, Kyle; Ramlogan, Riah; Celaya, Gracian A

Cc: Martin, George R; Falcone, Michael

Sent: Wed Aug 19 17:20:15 2009

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO
Cori Bassett from PAO just confirmed the following:

From: Bassett, Cori W

Sent: Wednesday, August 19, 2009 5:01 PM

To: Falcone, Michael

Cc: Choi, Raphael; Sanchez, Raphael

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

The only statement that is being used and was approved is

(b)(6)(b)(7)(c) is no longer in ICE custody. Due to confidentiality policies ICE generally refrains from public comment on the status of individuals or their cases."

(b)(5)(b)(6)

Raphael Choi, Chief Counsel

Washington AOR/ Arlington, VA

Office of the Principal Legal Advisor

U.S. Department of Homeland Security/ ICE

8/3/2010

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Landau, David A

Sent: Wednesday, August 19, 2009 4:51 PM

To: Choi, Raphael; Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Brukiewa, Melody A; Davis, Mike P; Downer, Matthew M; Ardinger, Jo Ellen; Hansen, Kyle; Ramlogan, Riah; Celaya, Gracian A

Cc: Martin, George R; Falcone, Michael

Subject: RE: Preliminary Parole Legal Guidance or (b)(6)(b)(7)(c) to WAS DRO

All,

Ron Whitney at USCIS just called. (b)(5)(b)(6)(b)(7)(c)

I hadn't seen any e-mail traffic after the message directly below, so don't know what subsequent developments there may be.

Thanks.

David

From: Choi, Raphael

Sent: Wednesday, August 19, 2009 2:07 PM

To: Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Ramlogan, Riah; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A

Cc: Falcone, Michael; Landau, David A

Subject: RE: Preliminary Parole Legal Guidance or (b)(6)(b)(7)(c) to WAS DRO

From Cori Bassett, PAO:

From: Bassett, Cori W

Sent: Wednesday, August 19, 2009 2:09 PM

To: Choi, Raphael; Desanti, Leonard V; Madonia, Regan; Strickland, Kenneth R

Subject: RE: (b)(6)(b)(7)(c)

Here is the ICE statement we will give to inquiring media. It has been sent to the front office and CIS has approved this statement.

(b)(6)(b)(7)(c) is no longer in ICE custody. Due to confidentiality policies ICE generally refrains from public comment on the status of individuals or their cases."

8/3/2010

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Choi, Raphael
Sent: Wednesday, August 19, 2009 2:01 PM
To: Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Ramlogan, Riah; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A
Cc: Falcone, Michael; Landau, David A
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO
Importance: High

He's out of ICE custody OREC. I'll get a copy of the NTA soon.

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Choi, Raphael
Sent: Wednesday, August 19, 2009 1:37 PM
To: Sanchez, Raphael; Lapid, Ronald; Stolley, Jim; Ramlogan, Riah; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A
Cc: Falcone, Michael; Landau, David A
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

As of 10 min

8/3/2010

ago, DRO was serving (b)(6)(b)(7)(c) the OREC paperwork and about to walk him out. I'm waiting for DRO to send an update.

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Sanchez, Raphael

Sent: Wednesday, August 19, 2009 1:26 PM

To: Lapid, Ronald; Stolley, Jim; Ramlogan, Riah; Choi, Raphael; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A

Cc: Falcone, Michael; Landau, David A

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

Raphael A. Sanchez
Deputy Chief Counsel
WAS / AOR, Arlington Chief Counsel's Office
Department of Homeland Security / ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic

communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Lapid, Ronald

Sent: Wednesday, August 19, 2009 1:08 PM

To: Stolley, Jim; Sanchez, Raphael; Ramlogan, Riah; Choi, Raphael; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A

Cc: Falcone, Michael; Landau, David A

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

All,

(b)(5)

Ronald Lapid
Deputy Chief
Appellate and Protection Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement

(b)(6)

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

From: Stolley, Jim

Sent: Wednesday, August 19, 2009 12:02 PM

To: Sanchez, Raphael; Ramlogan, Riah; Choi, Raphael; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A

Cc: Falcone, Michael; Lapid, Ronald; Landau, David A

Subject: Re: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

8/3/2010

From: Sanchez, Raphael
To: Ramlogan, Riah; Choi, Raphael; Stolley, Jim; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A
Cc: Falcone, Michael; Lapid, Ronald; Landau, David A
Sent: Wed Aug 19 08:12:56 2009
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

Thanks,

Raphael A. Sánchez
 Deputy Chief Counsel
 WAS / AOR, Arlington Chief Counsel's Office
 Department of Homeland Security / ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Ramlogan, Riah
Sent: Wednesday, August 19, 2009 10:47 AM
To: Choi, Raphael; Stolley, Jim; Hansen, Kyle; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P; Celaya, Gracian A
Cc: Sanchez, Raphael; Falcone, Michael; Lapid, Ronald; Landau, David A
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Adding also Gracian Celaya who is the Miami DCC in charge of Krome here on detail to HQ this week.

From: Choi, Raphael
Sent: Wednesday, August 19, 2009 10:43 AM
To: Stolley, Jim; Hansen, Kyle; Ramlogan, Riah; Ardinger, Jo Ellen; Brukiewa, Melody A; Davis, Mike P
Cc: Sanchez, Raphael; Falcone, Michael

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Adding Mike Davis.

Mike, I know you must be busy and I'm sorry to ask for your time to review this, but APLD's opinion would be very much appreciated. (b)(5)

(b)(5)

Thanks again.

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Stolley, Jim

Sent: Wednesday, August 19, 2009 10:29 AM

To: Choi, Raphael; Hansen, Kyle; Ramlogan, Riah; Ardinger, Jo Ellen; Brukiewa, Melody A

Cc: Sanchez, Raphael; Falcone, Michael

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

I'll throw my two cents in and then let greater minds decide:

(b)(5)

Jim

From: Choi, Raphael

Sent: Wednesday, August 19, 2009 9:46 AM

8/3/2010

To: Stolley, Jim; Hansen, Kyle; Ramlogan, Riah; Ardinger, Jo Ellen; Brukiewa, Melody A
Cc: Sanchez, Raphael; Falcone, Michael
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

Practically speaking, (b)(6)(b)(7)(c) will be out of ICE detention today regardless, and I'll await Virtue's call to discuss the next steps. I'll keep everyone informed of events and hopefully get this case out of DRO's hair.

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Stolley, Jim
Sent: Tuesday, August 18, 2009 4:54 PM
To: Hansen, Kyle
Cc: Choi, Raphael; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Raphael,
Kyle and I will give you a buzz.
Jim

From: Hansen, Kyle
Sent: Tuesday, August 18, 2009 4:25 PM
To: Stolley, Jim
Cc: Choi, Raphael; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

Adding Jim.

From: Choi, Raphael
Sent: Tuesday, August 18, 2009 4:15 PM
To: Hansen, Kyle; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen
Cc: Downer, Matthew M
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Hansen, Kyle
Sent: Tuesday, August 18, 2009 3:35 PM
To: Stolley, Jim; Choi, Raphael; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen
Cc: Downer, Matthew M
Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

From: Stolley, Jim
Sent: Tuesday, August 18, 2009 3:24 PM
To: Hansen, Kyle; Choi, Raphael; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen
Cc: Downer, Matthew M

Subject: Re: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

He's not going to be paroled; he's going to be released.

From: Hansen, Kyle

To: Choi, Raphael; Stolley, Jim; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen

Cc: Downer, Matthew M

Sent: Tue Aug 18 12:18:36 2009

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO
8 C.F.R. 274a.12(c)(11)—

§ 274a.12 Classes of aliens authorized to accept employment.

...

(b)(5)

From: Choi, Raphael

Sent: Tuesday, August 18, 2009 2:48 PM

To: Stolley, Jim; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen; Hansen, Kyle

Cc: Downer, Matthew M

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

8/3/2010

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Stolley, Jim

Sent: Tuesday, August 18, 2009 2:40 PM

To: Choi, Raphael; Ramlogan, Riah; Brukiewa, Melody A; Ardinger, Jo Ellen; Hansen, Kyle

Cc: Downer, Matthew M

Subject: RE: Preliminary Parole Legal Guidance on (b)(6)(b)(7)(c) to WAS DRO

(b)(5)

From: Choi, Raphael

Sent: Tuesday, August 18, 2009 2:06 PM

To: Ramlogan, Riah; Stolley, Jim; Brukiewa, Melody A; Ardinger, Jo Ellen; Hansen, Kyle

Subject: Preliminary Parole Legal Guidance on (b)(6) (b)(7)(C) to WAS DRO

Importance: High

No word yet on CF Interview, other than it started approximately 1:00. FYI—OCC will provide WAS DRO the following preliminary legal guidance on parole:

(b)(5)

Raphael Choi, Chief Counsel
Washington AOR/ Arlington, VA
Office of the Principal Legal Advisor
U.S. Department of Homeland Security/ ICE

(b)(6)

Confidentiality Notice and Warning:

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

Chandler, Matthew

From: Rhatigan, Chris (b)(6)

Sent: Monday, August 31, 2009 11:03 AM

To: Rhatigan, Chris; Alfonso-Royals, Angelica M; Ash, Matthew L; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Cabrera, Marilu; Carpenter, Dea D; Carson, Rebecca S; Carter, Constance L; Chandler, Matthew; Chang, Carrol; Chung, Jane; Clark, Matthew J; Ellis, Rachel; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gitomer, Mariana; Herrmann, Mary K; Humphrey, Hubert H; Irazabal, Luz; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; Mayorkas, Alejandro N; McCament, James W; McGee, Ramona L; Melero, Mariela; Metellus, Harry SJ; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Onyango, Paul O; Ostapowich, Stephanie A; Prince, Lillian L; Rodriguez, Miguel E; Roles, Rebecca J; Rummary, Sharon; Santiago, Ana E; Santos, David M; Scarborough, Sarah Frances; Scheidhauer, Sharon E; Sebrechts, Marie T; Tichacek, Katherine; Tintary, Ruth E; USCIS Web Publishing; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Wright, William G

Subject: RE:Please resume distribution, posting of the Update, FAQ and Fact Sheet on deferred action relief to surviving spouses

Attachments: UPDATE USCIS Issues Guidance for Surviving Spouses of Citizens 20090831.doc; USCIS FAQ Deferred Action for Certain Surviving Spouses and Children of U.S. Citizens 20090831.doc; USCIS Fact Sheet - Surviving Spouse 20000831.doc

On June 9, 2009, Secretary Napolitano announced that DHS would grant deferred action relief to surviving spouses of U.S. citizens who died before the second anniversary of their marriage. Based on the Secretary's decision, USCIS will temporarily suspend adjudication of visa petitions and adjustment applications filed for widow(er)s where the sole reason for an adverse decision from USCIS would be the death of a U.S. citizen spouse before the second anniversary of their marriage.

Please find three documents to distribute and post today:

Documents: USCIS Update, USCIS Fact Sheet, USCIS Questions and Answers

Date for Release: Monday, August 31, 2009

Guidance:

- Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- Internal – For your information and your use as appropriate.
- Customer Service – For your information.
- New Media – Please post on the home page and in the press room. Also – please link in the Update (last paragraph) to the Fact Sheet and FAQ.

Chris Rhatigan

Chandler, Matthew

From: Fetcher, Adam (b)(6)
Sent: Monday, December 07, 2009 11:57 AM
To: Martin, David A; Kelliher, Brian
Cc: Chandler, Matthew
Subject: RE: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

Hey David/ Brian,

Any update on your review of the Q&A?

Thanks,

Adam

From: Martin, David A
Sent: Friday, December 04, 2009 2:00 PM
To: Fetcher, Adam; Rhatigan, Chris; 'Sandweg, John'; 'Shlossman, Amy'; 'Grossman, Jordan'; 'Smith, Sean'; 'Kudwa, Amy'; 'Kuban, Sara'; 'Chandler, Matthew'; 'Ortman, Chris'; Kielsmeier, Lauren; 'Baronof, Kim'; 'Peacock, Nelson'; Olavarria, Esther
Cc: Wheeler, Shannon L; Bentley, Christopher S; Wright, William G; Humphrey, Buck H; Baran, Amanda; Kelliher, Brian; Baroukh, Nader
Subject: RE: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

Adam –

(b)(5)
 Brian Kelliher of OGC is the key POC for this work.

David A. Martin
 Principal Deputy General Counsel
 Department of Homeland Security

(b)(6)

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

From: Fetcher, Adam
Sent: Thursday, December 03, 2009 12:36 PM
To: Rhatigan, Chris; Sandweg, John; Shlossman, Amy; Grossman, Jordan; Smith, Sean; Kudwa, Amy; Kuban, Sara; Chandler, Matthew; Ortman, Chris; Kielsmeier, Lauren; Baronof, Kim; Peacock, Nelson; Olavarria, Esther; Martin, David A
Cc: Wheeler, Shannon L; Bentley, Christopher S; Wright, William G; Humphrey, Buck H; Baran, Amanda
Subject: RE: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

Latest Widows press release attached, along with the most recent Q&A I've seen. I'm not sure where in DHS Policy the Q&A would be (Esther, do you know by any chance?). The press release has cleared DHS front office, OPA, USCIS and OGC, but please send any final substantive edits today. Please also review the Q&A attached, unless someone can produce a more recent version. I'd like to run these both up to the WH at the end of today if at all possible so we can push this out the door soonest.

Apologies for the number of go-arounds this has generated. Thanks very much.

Adam

From: Rhatigan, Chris (b)(6)
Sent: Tuesday, December 01, 2009 10:51 AM
To: Fetcher, Adam; Sandweg, John; Shlossman, Amy; Grossman, Jordan; Smith, Sean; Kudwa, Amy; Kuban, Sara; Chandler, Matthew; Ortman, Chris; Kielsmeier, Lauren; Baronof, Kim; Peacock, Nelson
Cc: Wheeler, Shannon L; Bentley, Christopher S; Wright, William G; Humphrey, Buck H
Subject: RE: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

All –

Attached is the most recent version of the widow's fact sheet/Q&A. From our understanding, it is with DHS Policy. We would like to post this concurrently with the release of the DHS news release (below).
 Adding back Shannon Wheeler, USCIS Strategic Communications

8/3/2010

Chris Rhatigan
USCIS Media

From: Martin, David A (b)(6)
Sent: Tuesday, December 01, 2009 10:22 AM
To: Fetcher, Adam; Sandweg, John; Shlossman, Amy; Grossman, Jordan; Smith, Sean; Kudwa, Amy; Kuban, Sara; Chandler, Matthew; Ortman, Chris; Kielsmeier, Lauren; Humphrey, Buck H; Wright, William G; Bentley, Christopher S; Baronof, Kim; Peacock, Nelson
Cc: Sheehy, Kathleen; Kelliher, Brian; Baroukh, Nader
Subject: RE: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

OGC is fine with this.

David A. Martin
Principal Deputy General Counsel
Department of Homeland Security
(b)(6)

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

From: Fetcher, Adam
Sent: Monday, November 30, 2009 7:38 PM
To: Sandweg, John; Shlossman, Amy; Grossman, Jordan; Smith, Sean; Kudwa, Amy; Kuban, Sara; Chandler, Matthew; Ortman, Chris; Kielsmeier, Lauren; Humphrey, Buck H; Wright, William G; Bentley, Christopher S; Baronof, Kim; Peacock, Nelson; Martin, David A
Cc: Sheehy, Kathleen
Subject: RE: Draft: SECRETARY NAPOLITANO AND USCIS DIRECTOR MAYORKAS ANNOUNCE FULL IMPLEMENTATION OF NEW LAW PROVIDING RELIEF FOR SURVIVING SPOUSES OF DECEASED U.S. CITIZENS

Here's the latest on the widow's release, which incorporates edits from USCIS and OGC. Let's aim to get this out either tomorrow or Wednesday (not really time sensitive)-- please provide any final input/edits no later than 10 a.m. tomorrow. Thanks very much.

Press Office
U.S. Department of Homeland Security

Press Release

November XX, 2009

Contact: DHS Press Office, (202) 282-8010

(b)(5)

(b)(5)



Chandler, Matthew

From: Vincent, Peter S (b)(6)
Sent: Thursday, December 10, 2009 2:45 PM
To: Chandler, Matthew; Barr, Suzanne E; Gibson, Beth N; Sandweg, John
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Matt:

(b)(5)

Best regards,

Peter

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 2:41 PM
To: Barr, Suzanne E; Gibson, Beth N; Sandweg, John; Vincent, Peter S
Subject: FW: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Guys – need the details on this ASAP.

Thanks!

From: Preston, Julia [mailto:(b)(6)]
Sent: Thursday, December 10, 2009 2:40 PM
To: 'Chandler, Matthew'
Subject: FW: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Matt: FYI This is the case that is the news element in my Dream Act story for tomorrow...

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

From: Catherine Salgado (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: (b)(6)
Subject: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
 December 10, 2009

For more information contact:
 Joshua Hoyt, (b)(6)
 Catherine Salgado, (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank

Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform."

-END-

Catherine Salgado
Director of Communications
Illinois Coalition for Immigrant and Refugee Rights
55 E. Jackson Blvd. Suite 2075
Chicago, IL 60604
312.332.7360 ext. (b)(6)
312.332.7044 (fax)
www.icirr.org

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 2:46 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

That's the case Preston is writing about today – please refer calls on this to me as S1 has a stake in the CIR argument here. I have been pinging Beth/Suzie/Peter Vincent for details on the deferred action – do you guys know?

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:44 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Fw: DREAM Act - NY Times (b)(6)(b)(7)(c)

Okay for us to use this language in connection to the (b)(6)(b)(7)(c) case too? We will confirm his status but want to be consistent with your messaging here.

Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Gibson, Beth N
To: Martin, David A; Chandler, Matthew; 'Nicholas_S._Shapiro (b)(6)
 <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara;
 (b)(6) Olavarria,
 Esther; Kroloff, Noah; Shlossman, Amy (b)(6)
Cc: Nantel, Kelly A
Sent: Thu Dec 10 14:29:29 2009
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6)
To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg,
 John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6); Barr, Suzanne E
 (b)(6); Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
 (b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin
 Principal Deputy General Counsel
 Department of Homeland Security
 (b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 2:47 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Also see this press release:

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
December 10, 2009

For more information contact:

Joshua Hoyt (b)(6)
Catherine Salgado, 312.332.7360 x 235 or (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and

own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. . During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform."

-END-

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 2:46 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times, (b)(6)(b)(7)(c)

That's the case Preston is writing about today – please refer calls on this to me as S1 has a stake in the CIR argument here. I have been pinging Beth/Suzie/Peter Vincent for details on the deferred action – do you guys know?

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:44 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Fw: DREAM Act - NY Times, (b)(6)(b)(7)(c)

Okay for us to use this language in connection to the (b)(6)(b)(7)(c) case too? We will confirm his status but want to be consistent with your messaging here.

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement

8/3/2010

Sent using BlackBerry

From: Gibson, Beth N
To: Martin, David A; Chandler, Matthew; 'Nicholas_S.' (b)(6)
 <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara;
 (b)(6) Olavarria,
 Esther; Kroloff, Noah; Shlossman, Amy; (b)(6)
Cc: Nantel, Kelly A
Sent: Thu Dec 10 14:29:29 2009
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6) >
To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg,
 John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6); Barr, Suzanne E
 (b)(6) >; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
 (b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin
 Principal Deputy General Counsel
 Department of Homeland Security
 (b)(6)

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

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6) On Behalf Of Shapiro, Nicholas S.
Sent: Thursday, December 10, 2009 1:22 PM
To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

8/3/2010

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 11:43 AM
To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

(b)(5)

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 11:26 AM
To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas S. Shapiro (b)(6) Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)will draft a statement and send for review.

Thanks

From: Sandweg, John (b)(6)
Sent: Thursday, December 10, 2009 11:13 AM
To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas S. Shapiro (b)(6) Sandweg, John; Hale, Brian P
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt-

This case came up recently. (b)(5)

R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)
To: Smith, Sean (b)(6) > Kuban, Sara (b)(6) > Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6) > Olavarria, Esther (b)(6) > Kroloff, Noah (b)(6) > Shlossman, Amy (b)(6) > Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6) Sandweg, John <(b)(6) > Hale, Brian P
Sent: Thu Dec 10 11:10:31 2009
Subject: DREAM Act - NY Times (b)(6)(b)(7)(c)

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning

8/3/2010

with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that her story, with the (b)(6)(b)(7)(C) verdict either way, will include that (b)(6)(b)(7)(C) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS' hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is – any indication of ICE's action on this case at this point?

Thanks,

Matt

Matt Chandler

Deputy Press Secretary (Acting)

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:51 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt - do you want all the calls our PAO is fielding to be sent your way?

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6)
To: Gibson, Beth N (b)(6); Martin, David A; Nicholas_S._Shapiro (b)(6)
 <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth
 N (b)(6); Barr, Suzanne E (b)(6); Olavarria, Esther; Kroloff, Noah;
 Shlossman, Amy; Hale, Brian P (b)(6)
Cc: Nantel, Kelly A (b)(6)
Sent: Thu Dec 10 14:47:54 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Ok – thanks. Looks like a press release just went out on this case from a group in IL. I will use the cleared language below. Thanks

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
 December 10, 2009

For more information contact:

Joshua Hoyt, (b)(6)
 Catherine Salgado, 312.332.7360 x 235 or (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University

of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform."

-END-

From: Gibson, Beth N (b)(6)

Sent: Thursday, December 10, 2009 2:29 PM

To: Martin, David A; Chandler, Matthew; Nicholas_S_Shapiro(b)(6); Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N; Barr, Suzanne E; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy;

8/3/2010

Hale, Brian P

Cc: Nantel, Kelly A

Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6)

To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro(b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6) Barr, Suzanne E

(b)(6) >; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

(b)(6)

Sent: Thu Dec 10 14:00:44 2009

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin

Principal Deputy General Counsel

Department of Homeland Security

(b)(6)

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

From: Chandler, Matthew (b)(6)

Sent: Thursday, December 10, 2009 1:49 PM

To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6)

(b)(6)

On Behalf Of Shapiro, Nicholas S.

Sent: Thursday, December 10, 2009 1:22 PM

To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Chandler, Matthew (b)(6)

Sent: Thursday, December 10, 2009 11:43 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

8/3/2010

(b)(5)

From: Chandler, Matthew

Sent: Thursday, December 10, 2009 11:26 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

To complicate this even further – (b)(5)

.....will draft a statement and send for review.

Thanks

From: Sandweg, John (b)(6)

Sent: Thursday, December 10, 2009 11:13 AM

To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Sandweg, John; Hale, Brian P

Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt-

This case came up recently: (b)(5)

John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)

To: Smith, Sean (b)(6); Kuban, Sara (b)(6); Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6); Olavarria, Esther (b)(6); Kroloff, Noah (b)(6); Shlossman, Amy (b)(6); Shapiro, Nicholas S.

<Nicholas_S._Shapiro (b)(6)>; Sandweg, John (b)(6); Hale, Brian P

Sent: Thu Dec 10 11:10:31 2009

Subject: DREAM Act - NY Times (b)(6)(b)(7)(c)

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that her story, with the (b)(6)(b)(7)(c) verdict either way, will include that (b)(6)(b)(7)(c) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS'

8/3/2010

hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is – (b)(5)

Thanks,

Matt

Matt Chandler

Deputy Press Secretary (Acting)

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6)

8/3/2010

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 2:51 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:48 PM
To: Chandler, Matthew; Hale, Brian P
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

He was granted a one year stay today though we are waiting for OPLA to confirm. Our PAO in Chicago has a laundry list of calls. Do you want them all??

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Chandler, Matthew (b)(6) >
To: Nantel, Kelly A (b)(6); Hale, Brian P (b)(6)
Cc: Rocha, Richard A (b)(6)
Sent: Thu Dec 10 14:46:01 2009
Subject: RE: DREAM Act - NY (b)(6)(b)(7)(c)

That's the case Preston is writing about today – please refer calls on this to me as S1 has a stake in the CIR argument here. I have been pingping Beth/Suzie/Peter Vincent for details on the deferred action – do you guys know?

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:44 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Fw: DREAM Act - NY Times (b)(6)(b)(7)(c)

Okay for us to use this language in connection to the (b)(6)(b)(7)(c) case too? We will confirm his status but want to be consistent with your messaging here.

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Gibson, Beth N
To: Martin, David A; Chandler, Matthew; 'Nicholas_S._Shapiro' (b)(6)
<Nicholas_S._Shapiro (b)(6)> Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara;

8/3/2010

(b)(6) Olavarria,
Esther; Kroloff, Noah; Shlossman, Amy; (b)(6)
Cc: Nantel, Kelly A
Sent: Thu Dec 10 14:29:29 2009
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6)
To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro(b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6) Barr, Suzanne E
(b)(6); Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
(b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin
Principal Deputy General Counsel
Department of Homeland Security

(b)(6)

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

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6)
(b)(6) On Behalf Of Shapiro, Nicholas S.
Sent: Thursday, December 10, 2009 1:22 PM
To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 11:43 AM
To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

(b)(5)

From: Chandler, Matthew

Sent: Thursday, December 10, 2009 11:26 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

To complicate this even further – (b)(5)

.....will draft a statement and send for review.

Thanks

From: Sandweg, John (b)(6)

Sent: Thursday, December 10, 2009 11:13 AM

To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Sandweg, John; Hale, Brian P

Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt-

This case came up recently. (b)(5)

John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)

To: Smith, Sean (b)(6); Kuban, Sara (b)(6); Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6); Olavarria, Esther (b)(6); Kroloff, Noah (b)(6); Shlossman, Amy (b)(6); Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)>; Sandweg, John (b)(6); Hale, Brian P

Sent: Thu Dec 10 11:10:31 2009

Subject: DREAM Act - NY Times (b)(6)(b)(7)(c)

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that

8/3/2010

her story, with the (b)(6)(b)(7)(c) verdict either way, will include that (b)(6)(b)(7)(c) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS' hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is – (b)(5)

Thanks,

Matt

Matt Chandler
Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

8/3/2010

Chandler, Matthew

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 3:03 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Fw: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks to Rich - here it is without the strike thru and red. Thanks rich.

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Rocha, Richard A
To: Nantel, Kelly A
Sent: Thu Dec 10 14:59:03 2009
Subject: FW: DREAM Act - NY Times (b)(6)(b)(7)(c)

Btw

This is the statement that came back from OPLA. I incorporated their suggested edits.

(b)(5)

Richard Rocha
Deputy Press Secretary
U.S. Immigration and Customs Enforcement (ICE)

(b)(6)

From: Nantel, Kelly A
Sent: Thursday, December 10, 2009 2:58 PM
To: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

I'm stepping out.

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Rocha, Richard A
To: Nantel, Kelly A
Sent: Thu Dec 10 14:56:38 2009

8/3/2010

Subject: FW: DREAM Act - NY Times (b)(6)(b)(7)(c)

Let me know if you want me to call him ..

Richard Rocha
Deputy Press Secretary
U.S. Immigration and Customs Enforcement (ICE)

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 2:56 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Please give me a ring.....thanks!

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:54 PM
To: Chandler, Matthew; Hale, Brian P
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Here is what I was going to have our PAO respond with....and the CIR to you. Thoughts?

(b)(5)

Kelly A. Nantel, Press Secretary
U.S. Immigration and Customs Enforcement
Sent using BlackBerry

From: Chandler, Matthew (b)(6)
To: Nantel, Kelly A (b)(6) > Hale, Brian P (b)(6)
Cc: Rocha, Richard A (b)(6) >
Sent: Thu Dec 10 14:50:52 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:48 PM
To: Chandler, Matthew; Hale, Brian P
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

8/3/2010

He was granted a one year stay today though we are waiting for OPLA to confirm. Our PAO in Chicago has a laundry list of calls. Do you want them all??

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6)
To: Nantel, Kelly A (b)(6); Hale, Brian P (b)(6)
Cc: Rocha, Richard A (b)(6)
Sent: Thu Dec 10 14:46:01 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

That's the case Preston is writing about today – please refer calls on this to me as S1 has a stake in the CIR argument here. I have been pinged Beth/Suzie/Peter Vincent for details on the deferred action – do you guys know?

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:44 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Fw: DREAM Act - NY Times (b)(6)(b)(7)(c)

Okay for us to use this language in connection to the (b)(6)(b)(7)(c) case too? We will confirm his status but want to be consistent with your messaging here.

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Gibson, Beth N
To: Martin, David A; Chandler, Matthew; 'Nicholas_S._Shapiro' (b)(6)
 (b)(6) >; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara;
 (b)(6); Olavarria,
 Esther; Kroloff, Noah; Shlossman, Amy; (b)(6)
Cc: Nantel, Kelly A
Sent: Thu Dec 10 14:29:29 2009
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6)
To: Chandler, Matthew; Shapiro, Nicholas S. (b)(6); Fetcher, Adam; Sandweg,
 John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6); Barr, Suzanne E
 (b)(6); Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
 (b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin

8/3/2010

Principal Deputy General Counsel
Department of Homeland Security

(b)(6)

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

From: Chandler, Matthew (b)(6)

Sent: Thursday, December 10, 2009 1:49 PM

To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6)

(b)(6)

On Behalf Of Shapiro, Nicholas S.

Sent: Thursday, December 10, 2009 1:22 PM

To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Chandler, Matthew (b)(6)

Sent: Thursday, December 10, 2009 11:43 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

(b)(5)

From: Chandler, Matthew

Sent: Thursday, December 10, 2009 11:26 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas S. Shapiro (b)(6) Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

To complicate this even further – (b)(5)

.....will draft a statement and send for review.

Thanks

8/3/2010

From: Sandweg, John (b)(6)
Sent: Thursday, December 10, 2009 11:13 AM
To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6); Sandweg, John; Hale, Brian P
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt-

This case came up recently. (b)(5)

John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)
To: Smith, Sean (b)(6); Kuban, Sara (b)(6); Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6); Olavarria, Esther (b)(6); Kroloff, Noah (b)(6); Shlossman, Amy (b)(6); Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)> Sandweg, John (b)(6); Hale, Brian P
Sent: Thu Dec 10 11:10:31 2009
Subject: DREAM Act - NY Times (b)(6)(b)(7)(c)

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that her story, with the (b)(6)(b)(7)(c) verdict either way, will include that (b)(6)(b)(7)(c) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS' hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is – any indication of ICE's action on this case at this point?

Thanks,

Matt

Matt Chandler
Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 3:29 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Kelly –

We'll take the calls here. I'm really looking forward to it ☺.

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:51 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times/Rigoberto Padilla

Matt - do you want all the calls our PAO is fielding to be sent your way?

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6)
To: Gibson, Beth N (b)(6); Martin, David A; Nicholas_S._Shapiro (b)(6)
 <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth
 N (b)(6); Barr, Suzanne E (b)(6); Olavarria, Esther; Kroloff, Noah;
 Shlossman, Amy; Hale, Brian P (b)(6)
Cc: Nantel, Kelly A (b)(6)
Sent: Thu Dec 10 14:47:54 2009
Subject: RE: DREAM Act - NY Times/Rigoberto Padilla

Ok – thanks. Looks like a press release just went out on this case from a group in IL. I will use the cleared language below. Thanks

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
 December 10, 2009

For more information contact:
 Joshua Hoyt, (b)(6)
 Catherine Salgado, 312.332.7360 x 235 or (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's

deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform.

-END-

From: Gibson, Beth N (b)(6)
Sent: Thursday, December 10, 2009 2:29 PM
To: Martin, David A; Chandler, Matthew; Nicholas_S._Shapiro (b)(6); Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N; Barr, Suzanne E; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Cc: Nantel, Kelly A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Me too.

From: Martin, David A (b)(6)
To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6); Barr, Suzanne E
 (b)(6); Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
 (b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin
 Principal Deputy General Counsel
 Department of Homeland Security

(b)(6)

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

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6)
 (b)(6) On Behalf Of Shapiro, Nicholas S.
Sent: Thursday, December 10, 2009 1:22 PM
To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P

8/3/2010

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Chandler, Matthew (b)(6)

Sent: Thursday, December 10, 2009 11:43 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

(b)(5)

From: Chandler, Matthew

Sent: Thursday, December 10, 2009 11:26 AM

To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Hale, Brian P

Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

To complicate this even further – (b)(5)

.....will draft a statement and send for review.

Thanks

From: Sandweg, John (b)(6)

Sent: Thursday, December 10, 2009 11:13 AM

To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6) Sandweg, John; Hale, Brian P

Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt-

This case came up recently. (b)(5)

John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)

To: Smith, Sean (b)(6) > Kuban, Sara (b)(6) > Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6) > Olavarria, Esther (b)(6) > Kroloff, Noah

(b)(6) ; Shlossman, Amy (b)(6) ; Shapiro, Nicholas S.

<Nicholas_S._Shapiro (b)(6) ; Sandweg, John (b)(6) ; Hale, Brian P

Sent: Thu Dec 10 11:10:31 2009

Subject: DREAM Act - NY Times (b)(6)(b)(7)(c)

8/3/2010

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that her story, with the (b)(6)(b)(7)(c) verdict either way, will include that (b)(6)(b)(7)(c) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS' hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is – any indication of ICE's action on this case at this point?

Thanks,

Matt

Matt Chandler

Deputy Press Secretary (Acting)

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 3:43 PM
To: Bazar, Emily
Subject: RE: Need comment

Correct.

From: Bazar, Emily (b)(6)
Sent: Thursday, December 10, 2009 3:41 PM
To: Chandler, Matthew
Subject: RE: Need comment

OK, thank you. And it is for one year, right?

Emily Bazar
Immigration and General Assignment Reporter
USA TODAY

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 3:31 PM
To: Bazar, Emily
Subject: RE: Need comment

And I can confirm (b)(6)(b)(7)(c) deferred action.....

From: Bazar, Emily (b)(6)
Sent: Thursday, December 10, 2009 3:28 PM
To: Chandler, Matthew
Subject: Need comment

Hey Matt, I just heard (b)(6)(b)(7)(c) deportation was delayed by a year. I'll need some comment on that and the broader issue.

Thanks.

Emily Bazar
Immigration and General Assignment Reporter
USA TODAY

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 3:35 PM
To: Nantel, Kelly A; Hale, Brian P
Cc: Rocha, Richard A
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks!

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 3:31 PM
To: Chandler, Matthew; Hale, Brian P
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Poor guy!! We'll send them your way.

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6) >
To: Nantel, Kelly A (b)(6); Hale, Brian P (b)(6)
Cc: Rocha, Richard A (b)(6)
Sent: Thu Dec 10 15:28:37 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Kelly –

We'll take the calls here. I'm really looking forward to it ☺.

From: Nantel, Kelly A (b)(6)
Sent: Thursday, December 10, 2009 2:51 PM
To: Chandler, Matthew
Cc: Rocha, Richard A
Subject: Re: DREAM Act - NY Times (b)(6)(b)(7)(c)

Matt - do you want all the calls our PAO is fielding to be sent your way?

 Kelly A. Nantel, Press Secretary
 U.S. Immigration and Customs Enforcement
 Sent using BlackBerry

From: Chandler, Matthew (b)(6) >
To: Gibson, Beth N (b)(6); Martin, David A; Nicholas_S. (b)(6)
 <Nicholas_S._Shapiro (b)(6) Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth
 N (b)(6) >; Barr, Suzanne E (b)(6) >; Olavarria, Esther; Kroloff, Noah;

Shlossman, Amy; Hale, Brian P (b)(6) >
 Cc: Nantel, Kelly A (b)(6) >
 Sent: Thu Dec 10 14:47:54 2009
 Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Ok – thanks. Looks like a press release just went out on this case from a group in IL. I will use the cleared language below. Thanks

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
 December 10, 2009

For more information contact:

Joshua Hoyt, (b)(6) >
 Catherine Salgado, 312.332.7360 x 235 or (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform."

-END-

From: Gibson, Beth N (b)(6)
Sent: Thursday, December 10, 2009 2:29 PM
To: Martin, David A; Chandler, Matthew; Nicholas_S._Shapiro(b)(6); Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N; Barr, Suzanne E; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Cc: Nantel, Kelly A
Subject: Re: DREAM Act - NY Times/Rigoberto Padilla

Me too.

From: Martin, David A (b)(6)
To: Chandler, Matthew; Shapiro, Nicholas S. <Nicholas_S._Shapiro(b)(6)>; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara; Gibson, Beth N (b)(6); Barr, Suzanne E
 (b)(6); Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
 (b)(6)
Sent: Thu Dec 10 14:00:44 2009
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

David A. Martin
 Principal Deputy General Counsel
 Department of Homeland Security
 (b)(6)

8/3/2010

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

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: Shapiro, Nicholas S.; Fetcher, Adam; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Thanks Nick – David/Shloss/Sean – any edits or additions?

Thanks!

From: (b)(6)
(b)(6) **On Behalf Of** Shapiro, Nicholas S.
Sent: Thursday, December 10, 2009 1:22 PM
To: Chandler, Matthew; Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

(b)(5)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 11:43 AM
To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Shapiro, Nicholas S.; Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

Based on what we have said previously:

(b)(5)

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 11:26 AM
To: Sandweg, John; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A; Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas S. Shapiro (b)(6) Hale, Brian P
Subject: RE: DREAM Act - NY Times (b)(6)(b)(7)(c)

To complicate this even further – (b)(5)will draft a statement and send for review.

Thanks

From: Sandweg, John (b)(6)
Sent: Thursday, December 10, 2009 11:13 AM
To: Chandler, Matthew M; Smith, Sean; Kuban, Sara A; Gibson, Beth N; Barr, Suzanne E; Martin, David A;

Olavarria, Esther; Kroloff, Noah; Shlossman, Amy; Nicholas_S._Shapiro (b)(6); Sandweg, John; Hale, Brian P

Subject: Re: DREAM Act - NY Times/(b)(6)(b)(7)(c)

Matt-

This case came up recently. (b)(5)

John R. Sandweg

Sent from my Blackberry Wireless Device.

From: Chandler, Matthew (b)(6)
To: Smith, Sean (b)(6); Kuban, Sara (b)(6); Gibson, Beth N; Barr, Suzanne E; Martin, David A (b)(6); Olavarria, Esther (b)(6); Kroloff, Noah (b)(6); Shlossman, Amy (b)(6); Shapiro, Nicholas S. <Nicholas_S._Shapiro (b)(6)>; Sandweg, John (b)(6); Hale, Brian P
Sent: Thu Dec 10 11:10:31 2009
Subject: DREAM Act - NY Times/Rigoberto Padilla

Good morning all -

Julia Preston at the NY Times is writing a story about the recent activism of individuals who would be allowed to remain in the U.S. under the DREAM Act and how there have been an "increase" in stays of deportation. She will be focusing her story on (b)(6)(b)(7)(c), who is has filed for a stay of deportation and is meeting this morning with ICE in Chicago to resolve the issue. She is asking DHS for a statement in regards to our view of the policy here and why the administration continues to deport individuals who would be allowed to stay under the Act even though the Secretary and POTUS have voiced support for the Act.

We have said in the past that we continue to view these cases on a case by case basis, applying what we view as the best reading of current immigration law, and can use this opportunity to again push for CIR. She also said that her story, with the (b)(6)(b)(7)(c) verdict either way, will include that (b)(6)(b)(7)(c) has the support of Rep. Jan Schakowsky, a unanimous resolution in the Chicago City Council, other local politicians, and that the kid is from POTUS' hometown and that POTUS has said he supports the DREAM Act.

I suppose the first question is (b)(5)

Thanks,

Matt

Matt Chandler
Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, December 10, 2009 3:45 PM
To: Schultz, John A; Vincent, Peter S; Nantel, Kelly A; Barr, Suzanne E; Gibson, Beth N; Sandweg, John; Venturella, David; Loiselle, Mary F; Schultz, John A
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Thank you

From: Schultz, John A (b)(6)
Sent: Thursday, December 10, 2009 3:42 PM
To: Vincent, Peter S; Chandler, Matthew; Nantel, Kelly A; Barr, Suzanne E; Gibson, Beth N; Sandweg, John; Venturella, David; Loiselle, Mary F; Schultz, John A
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

1 year

John Schultz
Acting Chief of Staff
Office of the Director
Detention & Removal Operations

(b)(6)

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.

From: Vincent, Peter S (b)(6)
Sent: Thursday, December 10, 2009 3:39 PM
To: Chandler, Matthew; Nantel, Kelly A; Barr, Suzanne E; Gibson, Beth N; Sandweg, John; Venturella, David; Loiselle, Mary F; Schultz, John A
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Adding DRO.

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 2:52 PM
To: Vincent, Peter S; Nantel, Kelly A; Barr, Suzanne E; Gibson, Beth N; Sandweg, John
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

How long is the stay ICE granted?

From: Vincent, Peter S (b)(6)
Sent: Thursday, December 10, 2009 2:45 PM

8/3/2010

To: Chandler, Matthew; Barr, Suzanne E; Gibson, Beth N; Sandweg, John
Subject: RE: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Matt:

(b)(5)

Best regards,

Peter

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY
(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Thursday, December 10, 2009 2:41 PM
To: Barr, Suzanne E; Gibson, Beth N; Sandweg, John; Vincent, Peter S
Subject: FW: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Guys – need the details on this ASAP,

Thanks!

From: Preston, Julia (b)(6)
Sent: Thursday, December 10, 2009 2:40 PM
To: 'Chandler, Matthew'
Subject: FW: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

Matt: FYI This is the case that is the news element in my Dream Act story for tomorrow...

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

Fax: 646-428-2172

From: Catherine Salgado (b)(6)
Sent: Thursday, December 10, 2009 1:49 PM
To: (b)(6)
Subject: Breaking News - (b)(6)(b)(7)(c) deportation gets deferred for 1 year!

8/3/2010

Illinois Coalition for Immigrant and Refugee Rights

For Immediate Release – Statement
December 10, 2009

For more information contact:

Joshua Hoyt (b)(6)

Catherine Salgado, 312.332.7360 x 235 or (b)(6)

Media Availability today now until 3pm at ICIRR conference room: 55 E Jackson Blvd. Suite 2075, Chicago, Illinois

UIC Honors Student Rigo Padilla's Deportation Halted!

Chicago support effective in moving Obama administration

Chicago, Illinois – Today, the Department of Homeland Security notified Rigoberto Padilla's attorney that his deportation has been deferred. Rigoberto Padilla, a junior at the University of Illinois in Chicago has been fighting to stay in this country since he was placed in deportation proceedings last January, due to a misdemeanor driving violation.

Given Padilla's academic record, deep community involvement, and apology for his mistake, a broad coalition of organizations, youth, professors, and elected officials came together to ask that this deportation be deferred. Elected officials supporting Mr. Padilla included a private bill HR 4212 introduced by U.S. Representative Jan Schakowsky (IL-9), and active support from U.S. Representatives Luis Gutierrez (IL-4), Mike Quigley (IL-5), Danny Davis (IL-7), and Bobby Rush (IL-1). Mr. Padilla also enjoys the support of a Chicago City Council resolution and a Berwyn City Council resolution; two Trustees, Chancellor, faculty, and students of the University of Illinois at Chicago; over 1,000 university professors across the nation; the Rev. Jesse Jackson; numerous local elected officials including Alderman George Cardenas and State Representative Greg Harris; over 13,500 letters of support; and Erie Neighborhood House where Rigo participated in programs and later served as a volunteer.

The following is a statement by ICIRR:

The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) celebrates the halt of the deportation of UIC outstanding student Rigoberto ("Rigo") Padilla, and thanks the Obama administration for taking this step towards a humane immigration reform.

This victory is due to the unified support for Rigo by Chicago municipal, state, and federal elected officials; the University of Illinois at Chicago community; youth, immigrant advocates, community and faith leaders. People across Chicago, the hometown of President Barack Obama, lifted their voices to end this senseless deportation and move towards a just and humane immigration reform.

The case of Rigo Padilla illustrates what is wrong with current immigration laws. Deportations have increased by 18% under the Obama administration. Most deportations are for minor immigration violations without regard for the circumstances surrounding each case. Lack of discretion has led to senseless deportation of hundreds of thousands of immigrants who have been contributing members of this society: people who work, pay taxes, and own homes... Most appalling are the deportations of young people who have lived a significant portion of the lives in the United States. Rigo is such an example. He was brought to Chicago by his parents at age 6, and has lived in Chicago for the past 15 years. During this time, Rigo has been deeply involved in the community, volunteering, studying, working and in general making Chicago a better place.

"I am very pleased and grateful for this news," said Rigo Padilla. "I thank the Obama administration for giving me another chance to show my full potential and contribute more to the country I call home. I also thank Congresswoman Schakowsky and the Congressmen that believed in me and all the people and youth that were with me during these tough times."

"The case of Rigo Padilla shows why we need to reform current immigration laws and implement a path through which immigrants like Rigo can earn their legal status," said Joshua Hoyt, Executive Director of the Illinois Coalition for Immigrant and Refugee Rights (ICIRR). "The U.S. is on pace to deport more than 400,000 immigrants this year. Families are destroyed, the labor market is churned, homes are foreclosed, and

communities are damaged. We cannot fix the broken immigration system in a case by case basis. We will continue to push for comprehensive solutions that will end family separation and will provide a path to citizenship for those that work hard and contribute to this country."

"The youth movement for immigration reform is growing, and becoming more visible" said Tania Unzueta, immigration youth leader. "The youth of Chicago turned out in large numbers to rally for Rigo, and have mobilized in college and school campuses, and through Facebook. We are inspired to work together towards solutions to fix the broken immigration system and for the thousands of other youth like Rigo that are studying hard and working hard to achieve their dreams."

"In a matter of days over 1,000 university professors from across the U.S. petitioned to stop Rigo's deportation," said Dr. Nilda Flores-Gonzalez, Associate Professor of Sociology and Latin American & Latino Studies at the University of Illinois at Chicago, and a mentor to Rigo. "University professors across the country oppose Rigo's deportation, and stand united to demand that this administration stop these senseless deportations and passes a sensible, just and humane comprehensive immigration reform."

-END-

Catherine Salgado
Director of Communications
Illinois Coalition for Immigrant and Refugee Rights
55 E. Jackson Blvd. Suite 2075
Chicago, IL 60604
312.332.7360 ext. 235
312.332.7044 (fax)
www.icirr.org

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Monday, December 14, 2009 5:45 PM
To: Barr, Suzanne E
Subject: RE: (b)(6)(b)(7)(c)

I need to remember you forward these things on before putting things like "woooooord" in there.

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 5:43 PM
To: Chandler, Matthew
Subject: Fw: (b)(6)(b)(7)(c)

From: Schultz, John A
To: Barr, Suzanne E
Cc: Loiselle, Mary F
Sent: Mon Dec 14 17:38:15 2009
Subject: RE: (b)(6)(b)(7)(c)

Suzie-

She has been granted a stay of removal for six months and has been released from custody on an Order of Supervision.

John Schultz
 Acting Chief of Staff
 Office of the Director
 Detention & Removal Operations
 (b)(6)
 Fax (202) 732-3115

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.

From: Barr, Suzanne E
Sent: Monday, December 14, 2009 5:31 PM
To: Schultz, John A
Subject: Fw: Andrea Huerfano

?

From: Chandler, Matthew (b)(6)
To: Barr, Suzanne E (b)(6)
Sent: Mon Dec 14 16:58:29 2009
Subject: RE: (b)(6)(b)(7)(c)

(b)(5) ? Woooooord?

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 2:20 PM
To: Chandler, Matthew
Subject: Fw: (b)(6)(b)(7)(c)

From: Downer, Matthew M (b)(6)
To: Schultz, John A (b)(6); Vincent, Peter S (b)(6); Gibson, Beth N (b)(6); Barr, Suzanne L (b)(6); Hale, Brian P (b)(6);
 Loiselle, Mary F (b)(6)
Sent: Mon Dec 14 14:17:09 2009
Subject: RE: (b)(6)(b)(7)(c)

Additionally, while the Board dismissed (b)(6)(b)(7)(c) appeal on May 15, 2008, it did remand the case of her mother and younger brother to the IJ for adjustment eligibility. The hearing is scheduled for April 21, 2010.

From: Schultz, John A (b)(6)
Sent: Monday, December 14, 2009 2:01 PM
To: Vincent, Peter S; Gibson, Beth N; Barr, Suzanne L; Hale, Brian P; Schultz, John A; Loiselle, Mary F
Cc: Downer, Matthew M
Subject: RE: (b)(6)(b)(7)(c)

Attached is the executive summary for the case. Today DRO Miami is going to grant her a six-month stay and release her on an order of supervision.

John Schultz
 Acting Chief of Staff
 Office of the Director
 Detention & Removal Operations

(b)(6)

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.

From: Vincent, Peter S (b)(6)
Sent: Monday, December 14, 2009 1:53 PM
To: Gibson, Beth N; Vincent, Peter S; Barr, Suzanne L; Hale, Brian P; Schultz, John A; Loiselle, Mary F
Cc: Downer, Matthew M
Subject: Re: (b)(6)(b)(7)(c)

BTW, the alien's last name just happens to mean (b)(6)(b)(7)(c)

Peter S. Vincent
 Principal Legal Advisor

8/3/2010

From: Gibson, Beth N (b)(6)
To: Vincent, Peter S (b)(6); Barr, Suzanne L (b)(6); Gibson, Beth N (b)(6); Hale, Brian P (b)(6); Schultz, John A (b)(6)
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 12:07:55 2009
Subject: Re: (b)(6)(b)(7)(c)

Adding DRO, who can see how the FOD is viewing it.

From: Vincent, Peter S (b)(6)
To: Barr, Suzanne E (b)(6); Gibson, Beth N (b)(6); Hale, Brian P (b)(6)
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 11:59:06 2009
Subject: RE: (b)(6)(b)(7)(c)

Copying Matt Downer on this.

PETER S. VINCENT
 PRINCIPAL LEGAL ADVISOR
 OFFICE OF THE PRINCIPAL LEGAL ADVISOR
 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
 U.S. DEPARTMENT OF HOMELAND SECURITY
 (b)(6)

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 11:59 AM
To: Gibson, Beth N; Hale, Brian P; Vincent, Peter S
Subject: FW: (b)(6)(b)(7)(c)

What do we do with this one?

From: Chandler, Matthew (b)(6)
Sent: Monday, December 14, 2009 8:43 AM
To: Barr, Suzanne E; Hale, Brian P; Sandweg, John
Cc: Smith, Sean; Shlossman, Amy; Kuban, Sara
Subject: (b)(6)(b)(7)(c)

Good morning folks –

Got an email over the weekend about an individual – (b)(6)(b)(7)(c) currently being detained in Miami, pending removal. As relayed to me, she is one of the DREAM kids and is asking for a deferred action. As expected, this may garner media attention. Wanted to see where ICE was on this individual and propose the following if ICE is going to grant a stay in this case:

(b)(5)

Thanks,

Matt

Matt Chandler

8/3/2010

Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Monday, December 14, 2009 2:21 PM
To: Barr, Suzanne E
Subject: RE: (b)(6) (b)(7)(C)

(b)(5)

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 2:20 PM
To: Chandler, Matthew
Subject: Fw: (b)(6) (b)(7)(C)

From: Downer, Matthew M (b)(6)
To: Schultz, John A (b)(6); Vincent, Peter S (b)(6) Gibson, Beth N
(b)(6); Barr, Suzanne L (b)(6); Hale, Brian P (b)(6)
Loiselle, Mary F (b)(6)
Sent: Mon Dec 14 14:17:09 2009
Subject: RE: (b)(6)

Additionally, while the Board dismissed (b)(6)(b)(7)(c) appeal on May 15, 2008, it did remand the case of her mother and younger brother to the IJ for adjustment eligibility. The hearing is scheduled for April 21, 2010.

From: Schultz, John A (b)(6)
Sent: Monday, December 14, 2009 2:01 PM
To: Vincent, Peter S; Gibson, Beth N; Barr, Suzanne L; Hale, Brian P; Schultz, John A; Loiselle, Mary F
Cc: Downer, Matthew M
Subject: RE: (b)(6) (b)(7)(C)

Attached is the executive summary for the case. Today DRO Miami is going to grant her a six-month stay and release her on an order of supervision.

John Schultz
Acting Chief of Staff
Office of the Director
Detention & Removal Operations
(b)(6)
Fax (202) 732-3115

Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.

From: Vincent, Peter S (b)(6)
Sent: Monday, December 14, 2009 1:53 PM

8/3/2010

To: Gibson, Beth N; Vincent, Peter S; Barr, Suzanne L; Hale, Brian P; Schultz, John A; Loiselle, Mary F
Cc: Downer, Matthew M
Subject: Re: (b)(6)(b)(7)(c)

BTW, the alien's last name just happens to mean (b)(6)(b)(7)(c)

Peter S. Vincent
 Principal Legal Advisor

From: Gibson, Beth N (b)(6)
To: Vincent, Peter S (b)(6); Barr, Suzanne L (b)(6); Gibson, Beth N (b)(6); Hale, Brian P (b)(6); Schultz, John A (b)(6); Loiselle, Mary F (b)(6)
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 12:07:55 2009
Subject: Re: (b)(6) (b)(7)(C)

Adding DRO, who can see how the FOD is viewing it.

From: Vincent, Peter S (b)(6)
To: Barr, Suzanne E (b)(6); Gibson, Beth N (b)(6); Hale, Brian P (b)(6)
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 11:59:06 2009
Subject: RE: (b)(6)(b)(7)(c)

Copying Matt Downer on this.

PETER S. VINCENT
 PRINCIPAL LEGAL ADVISOR
 OFFICE OF THE PRINCIPAL LEGAL ADVISOR
 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
 U.S. DEPARTMENT OF HOMELAND SECURITY
 (b)(6)

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 11:59 AM
To: Gibson, Beth N; Hale, Brian P; Vincent, Peter S
Subject: FW: (b)(6)(b)(7)(c)

What do we do with this one?

From: Chandler, Matthew (b)(6)
Sent: Monday, December 14, 2009 8:43 AM
To: Barr, Suzanne E; Hale, Brian P; Sandweg, John
Cc: Smith, Sean; Shlossman, Amy; Kuban, Sara
Subject: (b)(6)(b)(7)(c)

Good morning folks –

Got an email over the weekend about an individual – (b)(6)(b)(7)(c) currently being detained in Miami, pending removal. As relayed to me, she is one of the DREAM kids and is asking for a deferred action. As expected, this may garner media attention. Wanted to see where ICE was on this individual and propose the following if ICE is going to grant a stay in this case:

(b)(5)

Thanks,

Matt

Matt Chandler
Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

8/3/2010

Chandler, Matthew

From: Chandler, Matthew
Sent: Monday, December 14, 2009 2:21 PM
To: Barr, Suzanne E
Subject: RE: (b)(6)(b)(7)(c)

Yep. And we wonder why ppl FOIA us.

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 2:17 PM
To: Chandler, Matthew
Subject: Fw: (b)(6)(b)(7)(c)

We r f'ed up

From: Vincent, Peter S (b)(6) >
To: Gibson, Beth N (b)(6) >; Vincent, Peter S (b)(6); Barr, Suzanne L (b)(6) >; Hale, Brian P (b)(6); Schultz, John A (b)(6) >;
 Loiselle, Mary F (b)(6)
Cc: Downer, Matthew M (b)(6) >
Sent: Mon Dec 14 13:53:25 2009
Subject: Re: (b)(6)

BTW, the alien's last name just happens to mean (b)(6)(b)(7)(c)

Peter S. Vincent
 Principal Legal Advisor

From: Gibson, Beth N (b)(6) >
To: Vincent, Peter S (b)(6) >; Barr, Suzanne L (b)(6); Gibson, Beth N (b)(6) >; Hale, Brian P (b)(6); Schultz, John A (b)(6);
 Loiselle, Mary F (b)(6)
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 12:07:55 2009
Subject: Re: (b)(6)(b)(7)(c)

Adding DRO, who can see how the FOD is viewing it.

From: Vincent, Peter S (b)(6) >
To: Barr, Suzanne E (b)(6) >; Gibson, Beth N (b)(6); Hale, Brian P (b)(6) >
Cc: Downer, Matthew M (b)(6)
Sent: Mon Dec 14 11:59:06 2009
Subject: RE: (b)(6)(b)(7)(c)

Copying Matt Downer on this.

PETER S. VINCENT
 PRINCIPAL LEGAL ADVISOR

8/3/2010

OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY

(b)(6)

From: Barr, Suzanne E (b)(6)
Sent: Monday, December 14, 2009 11:59 AM
To: Gibson, Beth N; Hale, Brian P; Vincent, Peter S
Subject: FW: (b)(6)(b)(7)(c)

What do we do with this one?

From: Chandler, Matthew (b)(6)
Sent: Monday, December 14, 2009 8:43 AM
To: Barr, Suzanne E; Hale, Brian P; Sandweg, John
Cc: Smith, Sean; Shlossman, Amy; Kuban, Sara
Subject: (b)(6)(b)(7)(c)

Good morning folks –

Got an email over the weekend about an individual – (b)(6)(b)(7)(c) currently being detained in Miami, pending removal. As relayed to me, she is one of the DREAM kids and is asking for a deferred action. As expected, this may garner media attention. Wanted to see where ICE was on this individual and propose the following if ICE is going to grant a stay in this case:

(b)(5)

Thanks,

Matt

Matt Chandler
Deputy Press Secretary (Acting)
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

(b)(6)

8/3/2010

Law Enforcement Sensitive – For Official Use Only



U.S. Immigration
and Customs
Enforcement

December 14, 2009

DRO Miami - (b)(6)(b)(7)(c)

ISSUE

On December 12, 13, and 14, 2009, the ICE Reporting and Operations Center (IROC) received 21 phone calls from individuals calling on behalf of (b)(6)(b)(7)(c) a Colombian national with a final order, to request that Secretary of Homeland Security grant (b)(6)(b)(7)(c) deferred action. On December 14, 2009, DRO Miami intends to grant (b)(6)(b)(7)(c) a stay of removal for the period of six months and release her on an Order of Supervision.

(b)(6)(b)(7)(c) case has attracted attention of the *Dream Activist* website, which highlights efforts to pass the *Dream Act* and encourages the public to contact Department of Homeland Security (DHS) to urge deferred action for US high school graduates facing removal from US.

BACKGROUND

(b)(6)(b)(7)(c)

Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, February 02, 2010 3:44 PM
To: Grossman, Jordan; Shlossman, Amy; 'Smith, Sean'; Hale, Brian P; Barr, Suzanne E; Kudwa, Amy; 'Fetcher, Adam'
Subject: RE: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Ok – on very short fuse here timewise. Will try to add in.

From: Grossman, Jordan
Sent: Tuesday, February 02, 2010 3:41 PM
To: Chandler, Matthew; Shlossman, Amy; 'Smith, Sean'; Hale, Brian P; Barr, Suzanne E; Kudwa, Amy; 'Fetcher, Adam'
Subject: RE: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

(b)(5)

-----Original Message-----

From: Chandler, Matthew
Sent: Tuesday, February 02, 2010 3:20 PM
To: Shlossman, Amy; 'Smith, Sean'; Hale, Brian P; Barr, Suzanne E; Kudwa, Amy; Grossman, Jordan; 'Fetcher, Adam'
Subject: RE: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Draft Statement:

(b)(5)

-----Original Message-----

From: Shlossman, Amy
Sent: Tuesday, February 02, 2010 2:46 PM
To: Chandler, Matthew; 'Smith, Sean'; Hale, Brian P; Barr, Suzanne E; Kudwa, Amy; Grossman, Jordan; 'Fetcher, Adam'
Subject: RE: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

(b)(5)

-----Original Message-----

From: Chandler, Matthew
 Sent: Tuesday, February 02, 2010 1:04 PM
 To: 'Smith, Sean'; Shlossman, Amy; Hale, Brian P; Barr, Suzanne E; Kudwa, Amy
 Subject: FW: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Brian -

Have you guys gotten any questions on this ABA report and removal?

Thanks,

Matt

-----Original Message-----

From: (b)(6)
 Sent: Tuesday, February 02, 2010 12:53 PM
 To: Chandler, Matthew M
 Subject: Fwd: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Here you go, Matt. I only have the hard copy of the report but here's a quick outline. I'm sorry to remind you again, but I'm on a very tight deadline so if you could get back to me as soon as possible, it would be very much appreciated!
 Thanks!

NEW REPORT TO ABA ADDRESSES CRISIS WITHIN IMMIGRATION REMOVAL SYSTEM Scores of Reforms Recommended to Improve Adjudication, Lower "Exploding Caseload"

WASHINGTON, D.C., Feb. 2, 2010 "Painting a picture of an overwhelmed immigration court system choked by an "exploding" caseload and an "exponential" increase in outside pressures, a report submitted to the American Bar Association has the ABA considering a host of policy reforms affecting the adjudication system for determining whether to remove noncitizens from the United States.

The new report, "Reforming the Immigration System: Proposals to Promote Independence, Fairness, Efficiency, and Professionalism in the Adjudication of Removal Cases" was prepared pro bono by the law firm of Arnold & Porter LLP. The report represents the opinions of the authors and editors and should not be construed to be those of either the American Bar Association or the ABA's Commission on Immigration unless and until adopted pursuant to the bylaws of the association. They are set to come to a vote next week.

The nearly 500-page report examines each stage of the immigration removal adjudication system and makes some 60 recommendations for incremental and systemic reform. Designed as a tool for policymakers considering legislative and administrative changes to the immigration system, the study identifies concerns ranging from internal Department of Homeland Security practices to systemic weaknesses within the court's current structure. Key findings cover six areas of concern and include:

Department of Homeland Security

" DHS policies and procedures, along with some substantive provisions of immigration law, have contributed to a marked rise in caseload that has immigration courts handling more than 280,000 proceedings each year.

" Law enforcement and other officers, rather than government attorneys, initiate immigration court proceedings. " Prosecutorial discretion is not sufficiently used. " Grounds for removal of noncitizens based on "aggravated felony" convictions have been dramatically expanded, and many cases are handled without court oversight. " Removal proceedings are initiated against noncitizens who are eligible to adjust to lawful permanent resident status.

8/3/2010

Immigration Courts

â€¢ Significant disparities in rates of favorable decisions indicate that respondents' chances of success are highly dependent upon the judges before whom they appear rather than the merits of their case.

â€¢ Courts face public skepticism and a low level of respect for the process due in part to their lack of independence from the Department of Justice. â€¢ Shortages of judges, law clerks and staff abound, as do systemic problems with how immigration judges are hired, retained or removed. â€¢ Each Immigration Judge handles

an average of more than 1200 proceedings a year, far more than other federal adjudicators; due to time pressures, judges issue predominantly oral

decisions that sometimes are not fully researched or based in law or fact. â€¢ Immigration courtroom technology, such as inadequate audio recordings and the increasing use of videoconferencing, may undermine the fairness of proceedings.

Board of Immigration Appeals

â€¢ "Streamlining" changes led to a seven-fold

increase in the number of circuit court appeals over five years (from 2001 to 2006). â€¢ The reputation of the

Board remains poor, and several circuit judges have leveled scathing critiques against the Board and immigration courts

â€¢ The Board has been unable to eliminate unsupportable disparities among immigration judges' decisions.

â€¢

Remand of cases to immigration judges has declined so considerably that it may be that the Board is not exercising adequate oversight.

Circuit Court Judicial Review

â€¢ The federal circuit courts of appeals have been faced with an explosion of immigration cases. â€¢ The

increasing complexity of immigration laws and greater limits on judicial review have led courts of appeals to spend inordinate amounts of time determining the scope of their jurisdiction.

â€¢ Judicial review of removal orders has not become more efficient or just; instead it is producing more difficulties for unwary and unrepresented noncitizens.

Representation

â€¢ More than half of respondents in removal proceedings

and 84 percent of detained respondents do not have representation. â€¢ Lack of adequate representation has

a host of negative repercussions, including delays, questionable fairness, increased cost of removal proceedings, and risk of abuse and exploitation

by "immigration consultants" and "notarios."

System Restructuring

â€¢ Immigration courts and the Board of Immigration Appeals lack independence due to their placement within the Department of Justice. â€¢ An independent body responsible for adjudicating immigration removal issues is needed.

The need for restructuring of the immigration court system is at the centerpiece of the study. The report also highlights enormous problems generated by lack of representation for immigrants at every level of the immigration adjudication system, and a very serious lack of staff, technology and other resources.

“Protecting rule of law and due process are values we all share as Americans and they are at the core of ABA advocacy,” said ABA President Carolyn Lamm. “This report focuses on the many ways in which our current immigration adjudication system is failing to meet our national expectations of fairness and effectiveness. We welcome its comprehensive analysis and look forward to considering adoption of its suggestions for reform.”

“The study’s recommendations identify priorities to ensure that our immigration adjudication system is far more modern, transparent, functional and fair,” noted Commission on Immigration Chair Karen Grisez. “Restructuring, Representation, Resourcing, and Professionalism are the priorities to ensuring that our immigration adjudication system accomplishes these central goals.”

Among the report’s key recommendations:

System Restructuring

“Three basic options for restructuring were examined:

an Article I court, independent agency, or hybrid of the two. The report concludes that an Article I court or an independent agency would be excellent alternatives that offer vast improvements over the current system. Both offer greater independence, fairness and perceptions of fairness, professionalism and efficiency than the current system.

“The report recommends the establishment of an Article I court as the preferred option because it is likely to be viewed as more independent, engender the greatest amount of confidence,

carry greater prestige in recruiting the highest quality judges, and offer the best balance between independence and accountability.” The new Article

I court would have a trial and appellate division, headed by a Chief Trial Judge and Chief Appellate Judge, respectively.

The President of the United States would appoint

these two officials and all of the appellate judges, with the advice and consent of the Senate, from among persons screened and recommended by a standing referral committee. Other

trial judges would be appointed by or with the approval of the Chief Trial Judge. “All judges of the

Article I court would serve for fixed terms: in the range of

12 to 15 years for appellate judges and 8 to 10 years for trial judges. They could be removed by the appointing authority only for incompetency, misconduct, neglect

of duty, malfeasance, or disability.” The report

also

offers recommendations on the qualifications of the judges, their supervision and discipline, and ethical standards to

be required of such judges. “Finally, the report

suggests transitional measures for retaining existing immigration judges and BIA members who are currently employed by the Department of Justice.

Further, for each of the following areas, the study calls for:

Representation

“Establishing a right to representation for indigent

noncitizens in adversarial removal proceedings and for individuals in groups with special needs. Congress should establish a right to

representation at government expense in adversarial proceedings where an indigent noncitizen faces the possibility of removal, is potentially eligible for relief from removal and cannot

otherwise obtain representation. For individuals in groups with special needs, including unaccompanied minors and noncitizens with mental disabilities and illnesses, access to government-funded counsel should extend to all immigration proceedings. ¶ Expanding the Legal Orientation Program beyond its current availability to detainees in a limited number of facilities, so that it is established at all detention sites and expanded to immigration courts to reach non-detained persons in removal proceedings. ¶ Modifying the Legal Orientation Program to incorporate screening of all indigent persons in removal proceedings and referring them to individuals or groups who can represent them in adversarial proceedings, using standards developed by the Executive Office for Immigration Review. The recommendations also call for the system to screen all noncitizens to determine whether they belong to one of several vulnerable groups. Further, it calls for an administrative structure to enable the Legal Orientation Program to provide counsel at government expense to noncitizens in some cases.

Circuit Court Judicial Review

¶ Restoring judicial review of discretionary decisions under an abuse-of-discretion standard. ¶ Amending the Immigration and Nationality Act to permit the courts of appeals to remand cases for further fact finding. ¶

Extending the current 30-day deadline for filing petitions for review with the courts of appeals to provide 60 days for filing a petition for review, with the possibility of a 30 day extension where the petitioner is able to show excusable neglect or good cause. ¶ Amending regulations to require removal orders in which the government prevails to contain notice of appeal rights. The noncitizen should be provided with adequate notice of the right to appeal, the applicable circuit court and the deadline for appeal.

Board of Immigration Appeals

¶ Requiring three-member panel BIA review (rather than review by a single member) for all non-frivolous merits appeals that lack obvious controlling precedent, as well as for motions that are not purely procedural or unopposed by DHS. ¶ Expanding the Board's resources. ¶ Amending the Board's existing regulations to encourage more developed written decisions, and requiring that Board opinions respond to all non-frivolous arguments properly raised by the parties in all cases. ¶ Restoring de novo review of immigration judge factual findings and credibility determinations, which the Board had exercised until 2002. This would help reduce the current disparity among immigration judge decisions, decrease the chance that applicants will be harmed by erroneous decision making, and potentially reduce the perceived need to appeal BIA decisions to the circuit courts.

Immigration Courts

¶ Hiring approximately 100 additional immigration judges as soon as possible, but at least within the next three to four years. Increasing the number of law clerks and adding support personnel. ¶ Requiring more written, reasoned decisions from immigration judges. The issuance of oral decisions in immigration proceedings can have a significant negative impact on the quality of decisions and the quality of subsequent BIA and judicial review. Immigration judges should, at a minimum,

produce written decisions that are clear enough to allow all parties to understand the basis of the decision and to permit meaningful BIA and judicial review. â€¢ Increasing training opportunities for immigration judges, including training in assessing credibility and identifying fraud, knowledge about changes to United States asylum and immigration law, and training in cultural sensitivity and awareness. â€¢ Limiting conduct of hearings by videoconference to procedural matters in which the noncitizen has given his or her consent. The current use of videoconferencing for hearings on the merits can undermine the fairness of the proceedings â€” for example, by preventing the noncitizen from communicating effectively and confidentially with counsel and impairing the immigration judgeâ€™s ability to make accurate credibility determinations.

Department of Homeland Security

â€¢ Increasing the control that DHS lawyers have over the initiation of removal proceedings by DHS officers. DHS could implement a pilot program requiring the prior approval by a DHS

lawyer for the issuance of all discretionary Notices to Appear on a case-by-case basis. Finally, to the extent possible, each removal case in immigration court should be assigned to an individual DHS trial attorney to increase efficiency and facilitate exercise of prosecutorial discretion.

â€¢

Increasing the use of prosecutorial discretion by DHS officers and attorneys. DHS personnel should be encouraged to reduce the burden on the removal adjudication system by exercising discretion to not serve a Notice to Appear on noncitizens who are prima facie eligible for relief from removal, to concede eligibility for relief from removal after receipt of an application, to stop litigating a case after key facts develop to make removal unlikely, to offer deferred action or a stay of removal early in the process, or not to file an appeal in certain types of cases (such as relief under the Convention

Against Torture). â€¢ Permitting all eligible

noncitizens to adjust to lawful permanent resident status while remaining in the United States. Alternatively, the bars on reentry should be eliminated so such

noncitizens who have accrued unlawful presence in the United States can become lawful permanent residents by consular processing while outside of the United States.

â€¢

Amending the definition of â€œaggravated felonyâ€ and eliminating the retroactive application of aggravated felony provisions in immigration law. The definition of â€œaggravated felonyâ€ has progressively expanded and currently is so broad that it is being applied to persons convicted of misdemeanors and other minor crimes. Retroactive application of the aggravated felony provisions also has burdened the system, is unfair and results in removal of noncitizens with longstanding U.S.

ties. â€¢ Curtailing the use of the administrative

removal process by which DHS officers may order the removal of noncitizens who have been convicted of â€œaggravated feloniesâ€ and are not

lawful permanent residents. The expanded definition of â€œaggravated felonyâ€ has been accompanied by the greatly increased use of administrative procedures, without recourse to the immigration courts.

â€¢ Eliminating expedited removal for individuals who are

already in the United States, unaccompanied minors and the mentally ill; permitting DHS officers to issue expedited removal orders

only if they determine that an individual lacks proper travel documentation; and expanding judicial review of expedited removal orders. Expedited removal should at least be limited to

individuals at U.S. ports of entry or those observed

illegally crossing a border by DHS officers. â€¢

Requiring that defensive asylum claims arising in expedited removal proceedings be adjudicated by asylum officers so as to reduce the caseload burden on immigration courts and DHS attorneys.

â€¢ Reducing the use of detention by avoiding detention

of persons who are not flight risks and do not pose a threat to national security, public safety or other persons; expanding the use of

alternatives to detention; and expanding the use of parole for asylum seekers.

Arnold & Porter LLP conducted the project at the request of the ABA Commission on Immigration. More than 50 lawyers and legal assistants researched, investigated, and prepared the study of the United States adjudication system for the removal of noncitizens. The effort took more than a year and was led by Arnold & Porter partner Lawrence Schneider, with leadership on various parts of the Report by Michael Lee, Lily Lu, William Cook, Wilson Sweitzer, Christopher Flack, Scott Morrow and Asim Varma.

Lawrence Schneider, in addition to leading Arnold & Porter's international trade practice, has developed expertise in pro bono immigration work over the past twenty years and heads Arnold & Porter's award-winning pro bono immigration practice. Michael Lee also has done pro bono immigration work and focused here on reviewing other administrative and judicial systems for adjudication and developing proposals for restructuring the adjudication system for removal of noncitizens.

"We began this project with no preconceived notions about reforms to the immigration adjudication system," said Schneider. "Our goal was delivering a timely, wide-ranging and objective guidebook for policymakers."

"No other study offers such a comprehensive comparison of federal adjudication systems," he continued. "We are especially proud of the level of detail and research our team contributed to this project. It is a body of work we hope will prove useful immediately, and serve as a reference for years to come."

"The ABA commissioned this study as our country considers how to overhaul our broken immigration system," said ABA President Lamm. "This thoughtful analysis of the adjudication system's problems will help frame the debate as our nation's leaders move forward. The ABA is especially hopeful that the report's findings regarding representation and system restructuring will lead to reforms for which all Americans can be proud."

Arnold & Porter LLP is an international law firm of about 700 lawyers with eight offices in the United States and Europe. The firm maintains more than 25 practice areas spanning a broad spectrum of the law, with a primary focus on litigation, transactional matters, and regulatory issues.

Arnold & Porter has been widely recognized for its longstanding and steadfast commitment to pro bono in the legal profession.

With nearly 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

- 30 -

This distribution list is a service to the news media from the American Bar Association Division for Media Relations and Communication Services. Your e-mail address will only be used within the ABA and its entities. We do not sell or rent e-mail addresses to anyone outside the ABA. To change your e-mail listing or be removed from our distribution lists, please contact the Media Relations Department at 312/988-6171 or abanews@abanet.org.

To review our privacy statement, [click here](#).

If you would rather not receive future communications from American Bar Association, please go to <http://ABA.pr-optout.com/OptOut.aspx?515903x25141x27171x1x2650483x24000x6&Email=aflynn%40jmail.umd.edu>.
American Bar Association, 321 N Clark St, Chicago, IL
60654-7598 United States
[Attachment: Release: New Report to ABA Addresses Crisis Within Immigration Removal System.eml]

Diana Nguyen

8/3/2010

Capital News Service
Washington Bureau

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, February 02, 2010 4:17 PM
To: (b)(6)
Subject: RE: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Diana -

Attributable to me:

"We are focused on smart, effective immigration enforcement that focuses first on dangerous criminal aliens who present the greatest risk to the security of our communities—in FY 2009, ICE removed more than 136,000 criminal aliens. The Department of Homeland Security also recently announced a new rule to enhance the integrity of the immigration adjudication process. The rule clarifies who is authorized to represent applicants and petitioners in cases before DHS; updates and enhances the standards and disciplinary procedures for these immigration practitioners; and eliminates duplicative immigration adjudication rules, procedures and authority."

Thanks,

Matt

-----Original Message-----

From: census-dc@jmail.umd.edu (b)(6)
Sent: Tuesday, February 02, 2010 12:53 PM
To: Chandler, Matthew M
Subject: Fwd: [Fwd: Release: New Report to ABA Addresses Crisis Within Immigration Removal System]

Here you go, Matt. I only have the hard copy of the report but here's a quick outline. I'm sorry to remind you again, but I'm on a very tight deadline so if you could get back to me as soon as possible, it would be very much appreciated!

Thanks!

NEW REPORT TO ABA ADDRESSES CRISIS WITHIN IMMIGRATION REMOVAL SYSTEM Scores of Reforms Recommended to Improve Adjudication, Lower "Exploding Caseload"

WASHINGTON, D.C., Feb. 2, 2010 "Painting a picture of an overwhelmed immigration court system choked by an "exploding" caseload and an "exponential" increase in outside pressures, a report submitted to the American Bar Association has the ABA considering a host of policy reforms affecting the adjudication system for determining whether to remove noncitizens from the United States.

The new report, "Reforming the Immigration System: Proposals to Promote Independence, Fairness, Efficiency, and Professionalism in the Adjudication of Removal Cases" was prepared pro bono by the law firm of Arnold & Porter LLP.

The report represents the opinions of the authors and editors and should not be construed to be those of either the American Bar Association or the ABA's Commission on Immigration unless and until adopted pursuant to the bylaws of the association. They are set to come to a vote next week.

The nearly 500-page report examines each stage of the immigration removal adjudication system and makes some 60 recommendations for incremental and systemic reform. Designed as a tool for policymakers considering legislative and administrative changes to the immigration system, the study identifies concerns ranging from internal Department of Homeland Security practices to systemic weaknesses within the court's current structure. Key findings cover six areas of concern and include:

Department of Homeland Security

â€¢ DHS policies and procedures, along with some substantive provisions of immigration law, have contributed to a marked rise in caseload that has immigration courts handling more than 280,000 proceedings each year.

â€¢ Law enforcement and other officers, rather than government attorneys, initiate immigration court proceedings. â€¢ Prosecutorial discretion is not sufficiently used. â€¢ Grounds for removal of noncitizens based on "aggravated felony" convictions have been dramatically expanded, and many cases are handled without court oversight. â€¢ Removal proceedings are initiated against noncitizens who are eligible to adjust to lawful permanent resident status.

Immigration Courts

â€¢ Significant disparities in rates of favorable decisions indicate that respondents' chances of success are highly dependent upon the judges before whom they appear rather than the merits of their case.

â€¢ Courts face public skepticism and a low level of respect for the process due in part to their lack of independence from the Department of Justice. â€¢ Shortages of judges, law clerks and staff abound, as do systemic problems with how immigration judges are hired, retained or removed. â€¢ Each Immigration Judge handles

an average of more than 1200 proceedings a year, far more than other federal adjudicators; due to time pressures, judges issue predominantly oral

decisions that sometimes are not fully researched or based in law or fact. â€¢ Immigration courtroom technology, such as inadequate audio recordings and the increasing use of videoconferencing, may undermine the fairness of proceedings.

Board of Immigration Appeals

â€¢ "Streamlining" changes led to a seven-fold increase in the number of circuit court appeals over five years (from 2001 to 2006). â€¢ The reputation of the

Board remains poor, and several circuit judges have leveled scathing critiques against the Board and immigration courts

â€¢ The Board has been unable to eliminate unsupportable disparities among immigration judges' decisions.

â€¢ Remand of cases to immigration judges has declined so considerably that it may be that the Board is not exercising adequate oversight.

Circuit Court Judicial Review

â€¢ The federal circuit courts of appeals have been faced with an explosion of immigration cases. â€¢ The

increasing complexity of immigration laws and greater limits on judicial review have led courts of appeals to spend inordinate amounts of time determining the scope of their jurisdiction.

â€¢ Judicial review of removal orders has not become more efficient or just; instead it is producing more difficulties for unwary and unrepresented noncitizens.

Representation

â€¢ More than half of respondents in removal proceedings and 84 percent of detained respondents do not have representation. â€¢ Lack of adequate representation has

a host of negative repercussions, including delays, questionable fairness, increased cost

of removal proceedings , and risk of abuse and exploitation
by "immigration consultants" and "notarios."

System Restructuring

" Immigration courts and the Board of Immigration Appeals lack independence due to their placement within the Department of Justice. " An independent body responsible for adjudicating immigration removal issues is needed.

The need for restructuring of the immigration court system is at the centerpiece of the study. The report also highlights enormous problems generated by lack of representation for immigrants at every level of the immigration adjudication system, and a very serious lack of staff, technology and other resources.

"Protecting rule of law and due process are values we all share as Americans and they are at the core of ABA advocacy ," said ABA President Carolyn Lamm. "This report focuses on the many ways in which our current immigration adjudication system is failing to meet our national expectations of fairness and effectiveness. We welcome its comprehensive analysis and look forward to considering adoption of its suggestions for reform."

"The study's recommendations identify priorities to ensure that our immigration adjudication system is far more modern, transparent, functional and fair," noted Commission on Immigration Chair Karen Grisez.

"Restructuring, Representation, Resourcing, and Professionalism are the priorities to ensuring that our immigration adjudication system accomplishes these central goals."

Among the report's key recommendations:

System Restructuring

" Three basic options for restructuring were examined:

an Article I court, independent agency, or hybrid of the two. The report concludes that an Article I court or an independent agency

would be excellent alternatives that offer vast improvements over the current system. Both offer greater independence, fairness and perceptions of fairness, professionalism and

efficiency than the current system.

" The report recommends the establishment of an Article I court as the preferred option because it is likely to be viewed as more independent, engender the greatest amount of confidence,

carry greater prestige in recruiting the highest quality judges, and offer the best balance between

independence and accountability. " The new Article

I court would have a trial and appellate division, headed by a Chief Trial Judge and Chief Appellate Judge, respectively.

The President of the United States would appoint

these two officials and all of the appellate judges, with the advice and consent of the Senate, from among persons screened and recommended by a standing referral committee. Other

trial judges would be appointed by or with the approval of the Chief Trial Judge. " All judges of the

Article I court would serve for fixed terms: in the range of 12 to 15 years for appellate judges and 8 to 10 years for trial judges. They could be removed by the appointing

authority only for incompetency, misconduct, neglect of duty, malfeasance, or disability. " The report also

offers recommendations on the qualifications of the judges, their supervision and discipline, and ethical standards to

be required of such judges. " Finally, the report

suggests transitional measures for retaining existing immigration judges and BIA members who are currently employed by the Department of Justice.

Further, for each of the following areas, the study calls for:

Representation

â€¢ Establishing a right to representation for indigent noncitizens in adversarial removal proceedings and for individuals in groups with special needs. Congress should establish a right to representation at government expense in adversarial proceedings where an indigent noncitizen faces the possibility of removal, is potentially eligible for relief from removal and cannot

otherwise obtain representation. For individuals in groups with special needs, including unaccompanied minors and noncitizens with mental disabilities and illnesses, access to

government-funded counsel should extend to all immigration proceedings. â€¢ Expanding the Legal Orientation Program beyond its current availability to detainees in a limited number of facilities, so that it is established at all detention sites and expanded to

immigration courts to reach non-detained persons in removal proceedings. â€¢ Modifying the Legal Orientation

Program to incorporate screening of all indigent persons in removal proceedings and referring them to individuals or groups who can represent them in

adversarial proceedings, using standards developed by the Executive Office for Immigration Review. The recommendations also call for the system to screen all noncitizens to determine

whether they belong to one of several vulnerable groups. Further, it calls for an administrative structure to enable the Legal Orientation Program to provide counsel at government

expense to noncitizens in some cases.

Circuit Court Judicial Review

â€¢ Restoring judicial review of discretionary decisions under an abuse-of-discretion standard. â€¢ Amending the

Immigration and Nationality Act to permit the courts of appeals to remand cases for further fact finding. â€¢

Extending the current 30-day deadline for filing petitions for review with the courts of appeals to provide 60 days for filing a petition for review, with the possibility of a 30 day extension

where the petitioner is able to show excusable neglect or good cause. â€¢ Amending regulations to require removal orders in which the government prevails to contain notice of appeal rights. The noncitizen should be provided with adequate notice of the right to appeal, the applicable circuit court and the deadline for appeal.

Board of Immigration Appeals

â€¢ Requiring three-member panel BIA review (rather than review by a single member) for all non-frivolous merits appeals that lack obvious controlling precedent, as well as for motions that are not purely procedural or unopposed by DHS.

â€¢ Expanding the Board's resources.

â€¢ Amending the Board's existing regulations to

encourage more developed written decisions, and requiring that Board opinions respond to all non-frivolous arguments properly raised by the parties in all cases.

â€¢ Restoring de novo review of immigration judge factual findings and credibility determinations, which the Board had exercised until 2002. This would help reduce the current disparity

among immigration judge decisions, decrease the chance that applicants will be harmed by erroneous decision making, and potentially reduce the perceived need to appeal BIA decisions

to the circuit courts.

Immigration Courts

â€¢ Hiring approximately 100 additional immigration judges as soon as possible, but at least within the next three to four years. Increasing the number of law clerks and adding support personnel.

â€¢ Requiring more written, reasoned decisions from immigration judges. The issuance of oral decisions in immigration proceedings can have a significant negative impact on the quality of

decisions and the quality of subsequent BIA and judicial review. Immigration judges should, at a minimum, produce written decisions that are clear enough to allow all parties to

understand the basis of the decision and to permit meaningful BIA and judicial review. â€¢ Increasing training opportunities for immigration judges, including training in assessing credibility and identifying fraud, knowledge about changes to United States asylum and immigration

law, and training in cultural sensitivity and awareness. â€¢ Limiting conduct of hearings by

videoconference to procedural matters in which the noncitizen has given his or her consent. The current use of videoconferencing for hearings on the

merits can undermine the fairness of the proceedings â€” for example, by preventing the noncitizen from communicating effectively and confidentially with counsel and impairing the

immigration judge's ability to make accurate credibility determinations.

Department of Homeland Security

â€¢ Increasing the control that DHS lawyers have over

the initiation of removal proceedings by DHS officers. DHS could implement a pilot program requiring the prior approval by a DHS

lawyer for the issuance of all discretionary Notices to Appear on a case-by-case basis. Finally, to the extent possible, each removal case in immigration court should be assigned to an

individual DHS trial attorney to increase efficiency and facilitate exercise of prosecutorial discretion.

â€¢

Increasing the use of prosecutorial discretion by DHS officers and attorneys. DHS personnel should be encouraged to reduce the burden on the removal adjudication system by exercising discretion to not serve a Notice to Appear on noncitizens who are prima facie eligible for relief from removal, to concede eligibility for relief from removal after receipt of an

application, to stop litigating a case after key facts develop to make removal unlikely, to offer deferred action or a stay of removal early in the process, or not to file an appeal in certain

types of cases (such as relief under the Convention Against Torture). â€¢ Permitting all eligible

noncitizens to adjust to lawful permanent resident status while remaining in the United States. Alternatively, the bars on reentry should be eliminated so such

noncitizens who have accrued unlawful presence in the United States can become lawful permanent residents by consular processing while outside of the United States.

â€¢

Amending the definition of "aggravated felony" and eliminating the retroactive application of aggravated felony provisions in immigration law. The definition of "aggravated felony" has

progressively expanded and currently is so broad that it is being applied to persons convicted of misdemeanors and other minor crimes. Retroactive application of the aggravated felony

provisions also has burdened the system, is unfair and results in removal of noncitizens with longstanding U.S.

ties. â€¢ Curtailing the use of the administrative

removal process by which DHS officers may order the removal of noncitizens who have been convicted of "aggravated felonies" and are not

lawful permanent residents. The expanded definition of "aggravated felony" has been accompanied by the greatly increased use of administrative procedures, without recourse to the

immigration courts.

â€¢ Eliminating expedited removal for individuals who are already in the United States, unaccompanied minors and the mentally ill; permitting DHS officers to issue expedited removal orders only if they determine that an individual lacks proper travel documentation; and expanding judicial review of expedited removal orders. Expedited removal should at least be limited to individuals at U.S. ports of entry or those observed illegally crossing a border by DHS officers. â€¢ Requiring that defensive asylum claims arising in expedited removal proceedings be adjudicated by asylum officers so as to reduce the caseload burden on immigration courts and DHS attorneys.

â€¢ Reducing the use of detention by avoiding detention of persons who are not flight risks and do not pose a threat to national security, public safety or other persons; expanding the use of alternatives to detention; and expanding the use of parole for asylum seekers.

Arnold & Porter LLP conducted the project at the request of the ABA Commission on Immigration. More than 50 lawyers and legal assistants researched, investigated, and prepared the study of the United States adjudication system for the removal of noncitizens. The effort took more than a year and was led by Arnold & Porter partner Lawrence Schneider, with leadership on various parts of the Report by Michael Lee, Lily Lu, William Cook, Wilson Sweitzer, Christopher Flack, Scott Morrow and Asim Varma.

Lawrence Schneider, in addition to leading Arnold & Porter's international trade practice, has developed expertise in pro bono immigration work over the past twenty years and heads Arnold & Porter's award-winning pro bono immigration practice. Michael Lee also has done pro bono immigration work and focused here on reviewing other administrative and judicial systems for adjudication and developing proposals for restructuring the adjudication system for removal of noncitizens.

â€œWe began this project with no preconceived notions about reforms to the immigration adjudication system,â€ said Schneider. â€œOur goal was delivering a timely, wide-ranging and objective guidebook for policymakers.â€

â€œNo other study offers such a comprehensive comparison of federal adjudication systems,â€ he continued.

â€œWe're especially proud of the level of detail and research our team contributed to this project. It is a body of work we hope will prove useful immediately, and serve as a reference for years to come.â€

â€œThe ABA commissioned this study as our country considers how to overhaul our broken immigration system,â€ said ABA President Lamm. â€œThis thoughtful analysis of the adjudication system's problems will help frame the debate as our nation's leaders move forward. The ABA is especially hopeful that the report's findings regarding representation and system restructuring will lead to reforms for which all Americans can be proud.â€

Arnold & Porter LLP is an international law firm of about 700 lawyers with eight offices in the United States and Europe. The firm maintains more than 25 practice areas spanning a broad spectrum of the law, with a primary focus on litigation, transactional matters, and regulatory issues.

Arnold & Porter has been widely recognized for its longstanding and steadfast commitment to pro bono in the legal profession.

With nearly 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

This distribution list is a service to the news media from the American Bar Association Division for Media Relations and Communication Services. Your e-mail address will only be used within the ABA and its entities. We do not sell or rent e-mail addresses to anyone outside the ABA. To change your e-mail listing or be removed from our distribution lists, please contact the Media Relations Department at 312/988-6171 or abanews@abanet.org.

To review our privacy statement, click [here](#).

If you would rather not receive future communications from American Bar Association, please go to <http://ABA.pr-optout.com/OptOut.aspx?515903x25141x27171x1x2650483x24000x6&Email=aflynn%40jmail.umd.edu>.

American Bar Association, 321 N Clark St, Chicago, IL
60654-7598 United States

[Attachment: Release: New Report to ABA Addresses Crisis Within Immigration Removal System.eml]

Diana Nguyen
Capital News Service
Washington Bureau

(b)(6)

Chandler, Matthew

From: Humphrey, Buck H (b)(6)
Sent: Wednesday, March 03, 2010 1:44 PM
To: Smith, Sean; Chandler, Matthew; Stevens, Clark
Cc: Rhatigan, Chris; Bentley, Christopher S
Subject: RE: B2 - HP/Differed action draft statement and QA

(b)(5)

Regards,

Buck Humphrey

Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)

From: Smith, Sean (b)(6)
Sent: Wednesday, March 03, 2010 1:11 PM
To: Humphrey, Buck H; Chandler, Matthew; Stevens, Clark
Cc: Rhatigan, Chris
Subject: RE: B2 - HP/Differed action draft statement and QA

(b)(5)

(b)(5)

(b)(5)



From: Humphrey, Buck H (b)(6)
Sent: Wednesday, March 03, 2010 11:45 AM
To: Smith, Sean
Cc: Rhatigan, Chris
Subject: B2 - HP/Differed action draft statement and QA

Sean,
Below is the draft statement and QA. You'll need to confirm with CBP and State on a couple of the QA. Call me on my cell (b)(6) with questions, comments or anything else you need.

Draft Statement

(b)(5)

Questions and Answers

(b)(5)

(b)(5)

Regards,

Buck Humphrey

Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

8/3/2010

Chandler, Matthew

From: Vincent, Peter S (b)(6)
Sent: Thursday, April 01, 2010 3:45 PM
To: Schultz, John A; Vincent, Peter S; Chandler, Matthew; Gibson, Beth N; Barr, Suzanne E; Hale, Brian P
Subject: RE:

(b)(5)

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY
(b)(6)

From: Schultz, John A (b)(6) v]
Sent: Thursday, April 01, 2010 3:02 PM
To: Vincent, Peter S; Schultz, John A; Chandler, Matthew; Gibson, Beth N; Barr, Suzanne L; Hale, Brian P
Subject: Re:

(b)(5)

From: Vincent, Peter S (b)(6)
To: Schultz, John A (b)(6) Chandler, Matthew; Gibson, Beth N (b)(6)
Vincent, Peter S (b)(6); Barr, Suzanne L (b)(6); Hale, Brian P
(b)(6)
Sent: Thu Apr 01 13:55:15 2010
Subject: RE:

(b)(5)

8/3/2010

(b)(5)

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY

(b)(6)

From: Schultz, John A (b)(6)
Sent: Thursday, April 01, 2010 2:45 PM
To: Chandler, Matthew; Gibson, Beth N; Vincent, Peter S; Barr, Suzanne L; Hale, Brian P
Cc: Schultz, John A
Subject: Re:

(b)(5)

From: Chandler, Matthew <(b)(6)>
To: Gibson, Beth N (b)(6) >; Vincent, Peter S (b)(6) >; Gibson, Beth N (b)(6) >; Barr, Suzanne E (b)(6) >; Hale, Brian P <(b)(6)>
Cc: Schultz, John A (b)(6)
Sent: Thu Apr 01 13:41:36 2010
Subject: RE:

Yes.

From: Gibson, Beth N (b)(6)
Sent: Thursday, April 01, 2010 2:41 PM
To: Vincent, Peter S; Gibson, Beth N; Chandler, Matthew; Barr, Suzanne E; Hale, Brian P
Cc: Schultz, John A
Subject: Re:

(b)(5)

Beth Gibson
Senior Counselor

(b)(6)

From: Vincent, Peter S (b)(6)
To: Gibson, Beth N <(b)(6)>; Chandler, Matthew; Barr, Suzanne L (b)(6) >; Hale, Brian P <(b)(6)>; Vincent, Peter S (b)(6) >
Sent: Thu Apr 01 14:21:11 2010
Subject: RE:

(b)(5)

PETER S. VINCENT
PRINCIPAL LEGAL ADVISOR
OFFICE OF THE PRINCIPAL LEGAL ADVISOR
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

8/3/2010

U.S. DEPARTMENT OF HOMELAND SECURITY

(b)(6)

From: Gibson, Beth N (b)(6)

Sent: Thursday, April 01, 2010 1:48 PM

To: Chandler, Matthew; Barr, Suzanne L; Hale, Brian P; Gibson, Beth N; Vincent, Peter S

Subject: Re:

I don't think so.

Beth Gibson

Senior Counselor

(b)(6)

From: Chandler, Matthew (b)(6)

To: Barr, Suzanne E (b)(6); Hale, Brian P (b)(6); Gibson, Beth N

(b)(6)

Sent: Thu Apr 01 13:42:30 2010

Subject:

(b)(5)

Matt Chandler

Deputy Press Secretary

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6)

Chandler, Matthew

From: Bentley, Christopher S (b)(6)
Sent: Monday, April 12, 2010 5:47 PM
To: Chandler, Matthew; Rhatigan, Chris
Cc: Rocha, Richard A
Subject: RE: media inquiry re. Haiti

Matt,

Let me check on the process and get back to you. Please know that Al-Jazeera would like to specifically talk with USCIS tomorrow about Haitian TPS. r/Chris

Christopher S. Bentley

Press Secretary
 Office of Communications
 U.S. Citizenship and Immigration Services
 Department of Homeland Security
 (b)(6)

From: Chandler, Matthew (b)(6)
Sent: Monday, April 12, 2010 5:34 PM
To: Rhatigan, Chris
Cc: Bentley, Christopher S; Rocha, Richard A
Subject: RE: media inquiry re. Haiti

Looping Chris' correct email.

From: Chandler, Matthew
Sent: Monday, April 12, 2010 5:31 PM
To: Rhatigan, Chris
Cc: (b)(6) Rocha, Richard A
Subject: RE: media inquiry re. Haiti

Do they seek deferred action with USCIS? And if so, what is that process?

From: Rhatigan, Chris (b)(6)
Sent: Monday, April 12, 2010 1:39 PM
To: Chandler, Matthew
Cc: (b)(6) Rocha, Richard A
Subject: FW: media inquiry re. Haiti

This is the issue of the tourist visas. When it last came up, DHS asked us to send all inquiries to them, as it cut across components.

Last I saw, (b)(5)

Chris

8/3/2010

From: (b)(6)
Sent: Monday, April 12, 2010 1:30 PM
To: (b)(6)
Cc: (b)(6)
Subject: media inquiry re. Haiti

Hil

Can you tell me how many Haitians currently have valid tourist visas ... and also how many Haitians have come to the US with tourist visas since the January 12th earthquake in Port-au-Prince?

As background, I have been speaking to community leaders in NY who tell me they are seeing many Haitian families with valid tourist visas, granted before the quake, showing up in the US. I spoke to one man who lost his wife and his home, and so fled to the US with his three children (who were born in the US and so are citizens) on a military transport 12 days after the earthquake. He and others like him are hoping to work in the US but obviously are not eligible with a tourism visa, and do not qualify for Temporary Protective Status because they come afterwards.

Is this an issue/concern for DHS?

I am a reporter working on this story for Al Jazeera English, the 24-hour news network. Can you let me know today if you will be able to get me this information – and if you cannot, who can?

Thank you,

Kristen Saloomey
New York Correspondent
Al Jazeera English

(b)(6)

Notice: This email is intended only for the use of the individual or entity named above and may contain information that is confidential and privileged. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this email is strictly prohibited. Opinions, conclusions and other information in this message that do not relate to the official business of our firm shall be understood as neither given nor endorsed by it.

8/3/2010

Chandler, Matthew

From: Stevens, Clark (b)(6)
Sent: Wednesday, April 21, 2010 1:39 PM
To: Shlossman, Amy; Sandweg, John; Chandler, Matthew M; Hale, Brian P; Mcnamara, Phil; Stevens, Clark; Barr, Suzanne E; Smith, Sean; Kudwa, Amy
Subject: RE: Dream Act deportations

Updated below, let us know if anyone has additional edits:

(b)(5)

From: Shlossman, Amy (b)(6)
Sent: Wednesday, April 21, 2010 1:33 PM
To: Sandweg, John; Chandler, Matthew M; Hale, Brian P; Mcnamara, Phil; Stevens, Clark; Barr, Suzanne E; Shlossman, Amy; Smith, Sean; Kudwa, Amy
Subject: RE: Dream Act deportations

(b)(5)

From: Sandweg, John (b)(6)
Sent: Wednesday, April 21, 2010 1:19 PM
To: Chandler, Matthew M; Hale, Brian P; Mcnamara, Phil; Stevens, Clark; Barr, Suzanne E; Shlossman, Amy; Sandweg, John; Smith, Sean; Kudwa, Amy
Subject: Re: Dream Act deportations

Looks fine.

From: Chandler, Matthew (b)(6)
To: Hale, Brian P; Chandler, Matthew M (b)(6); Mcnamara, Phil (b)(6); Stevens, Clark (b)(6); Barr, Suzanne E; Shlossman, Amy (b)(6); Sandweg, John (b)(6); Smith, Sean (b)(6); Kudwa, Amy (b)(6)
Sent: Wed Apr 21 13:11:01 2010
Subject: Re: Dream Act deportations

My thoughts:

DRAFT:

(b)(5)

From: Hale, Brian P <(b)(6)>
To: Chandler, Matthew <(b)(6)>; McNamara, Phil <(b)(6)>; Stevens, Clark <(b)(6)>; Barr, Suzanne E; Shlossman, Amy <(b)(6)>; Sandweg, John <(b)(6)>; Hale, Brian P; Smith, Sean <(b)(6)>; Kudwa, Amy <(b)(6)>
Sent: Wed Apr 21 12:59:09 2010
Subject: Re: Dream Act deportations

DRAFT:

(b)(5)

From: Chandler, Matthew <(b)(6)>
To: McNamara, Phil; Stevens, Clark; Barr, Suzanne E <(b)(6)>; Shlossman, Amy; Sandweg, John; Hale, Brian P <(b)(6)>; Smith, Sean; Kudwa, Amy
Sent: Wed Apr 21 12:19:20 2010
Subject: Re: Dream Act deportations

Ok - thanks. Brian, can you please propose a statement?

Thanks!

From: McNamara, Phil
To: Chandler, Matthew; (b)(6) Barr, Suzanne E; Shlossman, Amy; Sandweg, John; Hale, Brian P; (b)(6)
Sent: Wed Apr 21 12:09:23 2010
Subject: RE: Dream Act deportations

We have not received this letter here in ESEC.

From: Chandler, Matthew
Sent: Wednesday, April 21, 2010 12:00 PM
To: (b)(6) Barr, Suzanne E; Shlossman, Amy; Sandweg, John; Hale, Brian P; (b)(6); McNamara, Phil
Subject: Re: Dream Act deportations

Hey guys -

Please see below. Phil, have we gotten a letter on this yet?

Thanks!

From: (b)(6)
To: Chandler, Matthew M <(b)(6)>
Sent: Wed Apr 21 11:56:32 2010

8/3/2010

Subject: Dream Act deportations

Hey Matt,

Sorry to keep bugging you so much this week! I guess this issue is really hitting overdrive. Anyway, I just saw this letter from Durbin and Lugar asking that the secretary stop deportation of students who would be covered under the DREAM ACT. Any chance you all have thoughts or a comment on this already? I'm going to do an item on it because of the request for use of "deferred action" — I am told we're going to start seeing a lot more action on that front.

Thanks,

Stephen

Stephen Dinan
Washington Times

(b)(6)

The information contained in this electronic transmission is intended for the exclusive use of the individuals to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is prohibited by law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. In addition, any unauthorized copying, disclosure or distribution of the material in this e-mail and any attachments is strictly forbidden.

8/3/2010

Chandler, Matthew

From: Stevens, Clark
Sent: Wednesday, April 21, 2010 2:38 PM
To: (b)(6)
Cc: Chandler, Matthew
Subject: FW: Dream Act deportations

Stephen, Matt is traveling. Feel free to attribute the below to me. Best, Clark

"Cases like this illustrate the need for comprehensive immigration reform. We are focused on smart, effective immigration enforcement that focuses first on criminal aliens who pose a threat to our communities while we continue to work with Congress to enact reform.

ICE uses discretion on a case by case basis, as appropriate and has the authority to grant a deferral of removal action based on the merits of an individual's case and a review of specific facts."

From: (b)(6)
To: Chandler, Matthew M <(b)(6)>
Sent: Wed Apr 21 11:56:32 2010
Subject: Dream Act deportations

Hey Matt,

Sorry to keep bugging you so much this week! I guess this issue is really hitting overdrive. Anyway, I just saw this letter from Durbin and Lugar asking that the secretary stop deportation of students who would be covered under the DREAM ACT. Any chance you all have thoughts or a comment on this already? I'm going to do an item on it because of the request for use of "deferred action" — I am told we're going to start seeing a lot more action on that front.

Thanks,

Stephen

Stephen Dinan
 Washington Times

(b)(6)

The information contained in this electronic transmission is intended for the exclusive use of the individuals to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is prohibited by law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. In addition, any unauthorized copying, disclosure or distribution of the material in this e-mail and any attachments is strictly forbidden.

Chandler, Matthew

From: (b)(6)
Sent: Friday, April 23, 2010 1:49 PM
To: Chandler, Matthew
Subject: RE: DHS response to Durbin/Lugar?

Thanks Matt

From: Chandler, Matthew (b)(6)
Sent: Friday, April 23, 2010 1:48 PM
To: Dwyer, Devin P
Subject: Re: DHS response to Durbin/Lugar?

You may use the following, attributable to me:

"Cases like this illustrate the need for comprehensive immigration reform. We are focused on smart, effective immigration enforcement that focuses first on criminal aliens who pose a threat to our communities while we continue to work with Congress to enact reform.

ICE uses discretion on a case by case basis, as appropriate and has the authority to grant a deferral of removal action based on the merits of an individual's case and a review of specific facts."

Thanks,

Matt

From: (b)(6) >
To: Chandler, Matthew <(b)(6)>
Sent: Fri Apr 23 11:24:48 2010
Subject: DHS response to Durbin/Lugar?

Hi Matt – Do you guys have a response to the Durbin/Lugar letter sent Wednesday to Secretary Napolitano, re: the DREAM Act and granting deferred action?

(b)(6) | Digital Media Producer | ABC News
Washington, D.C. -- (b)(6)

8/3/2010

Re: From Julia/NYT: army officer

Page 1 of 4

Chandler, Matthew

From: Rogers, Debra A (b)(6)
Sent: Monday, April 26, 2010 11:02 PM
To: Chandler, Matthew; Mayorkas, Alejandro N; Rogers, Debra A; Kielsmeier, Lauren; Bentley, Christopher S; Rhatigan, Chris; Smith, Sean
Subject: Re: From Julia/NYT: army officer

(b)(5)

Debbie

----- Original Message -----

From: Chandler, Matthew <(b)(6)>
To: Mayorkas, Alejandro N <(b)(6)>; Rogers, Debra A <(b)(6)>; Kielsmeier, Lauren <(b)(6)>; Bentley, Christopher S <(b)(6)>; Rhatigan, Chris <(b)(6)>; Smith, Sean
Sent: Mon Apr 26 22:55:00 2010
Subject: Re: From Julia/NYT: army officer

So what's the bottom line for this individual?

From: Mayorkas, Alejandro N <(b)(6)>
To: Rogers, Debra A; Mayorkas, Alejandro N; Kielsmeier, Lauren; Bentley, Christopher S; Rhatigan, Chris; Chandler, Matthew <(b)(6)>; Smith, Sean <(b)(6)>
Sent: Mon Apr 26 22:52:31 2010
Subject: Re: From Julia/NYT: army officer

Thank you, Debbie.

----- Original Message -----

From: Rogers, Debra A <(b)(6)>
To: Mayorkas, Alejandro N <(b)(6)>; Kielsmeier, Lauren <(b)(6)>; Bentley, Christopher S <(b)(6)>; Rhatigan, Chris B <(b)(6)>; Chandler, Matthew; Smith, Sean
Sent: Mon Apr 26 22:47:02 2010
Subject: Re: From Julia/NYT: army officer

Hi Ali: (b)(6) does not appear eligible for parole in place and adjustment of status because of her original admission as a crewman but we did lay out two other options in our Mil. Dep paper. 1. Deferred action when no other options are available and the applicant cannot immediately leave the US (due deployment of spouse or other humanitarian considerations) 2. Expedited Consular processing and adjudication of the I-601. Seems like either of these options might be possible for (b)(6). Debbie

8/3/2010

Re: From Julia/NYT: army officer

Page 2 of 4

----- Original Message -----

From: Mayorkas, Alejandro N <(b)(6)>
 To: Rogers, Debra A <(b)(6)>; Mayorkas, Alejandro N <(b)(6)>; Kielsmeier, Lauren <(b)(6)>; Bentley, Christopher S <(b)(6)>; Rhatigan, Chris B <(b)(6)>; Chandler, Matthew; Smith, Sean
 Sent: Mon Apr 26 22:39:03 2010
 Subject: Re: From Julia/NYT: army officer

(b)(5)

Thanks. Ali

----- Original Message -----

From: Rogers, Debra A <(b)(6)>
 To: Mayorkas, Alejandro N <(b)(6)>; Kielsmeier, Lauren <(b)(6)>; Bentley, Christopher S <(b)(6)>; Rhatigan, Chris <(b)(6)>; Chandler, Matthew; Smith, Sean
 Sent: Mon Apr 26 21:31:00 2010
 Subject: Re: From Julia/NYT: army officer

Ali:

(b)(5)

Debbie

----- Original Message -----

From: Mayorkas, Alejandro N <(b)(6)>
 To: Smith, Sean; Chandler, Matthew; Mayorkas, Alejandro N <(b)(6)>; Kielsmeier, Lauren <(b)(6)>; Rogers, Debra A <(b)(6)>; Bentley, Christopher S <(b)(6)>; Rhatigan, Chris <(b)(6)>
 Sent: Mon Apr 26 19:35:50 2010
 Subject: RE: From Julia/NYT: army officer

Debbie, can you find out about this case asap? Please do not share with anyone the reason for the inquiry.

I am going to be out of pocket for a couple of hours but will return to the office later in the evening.

8/3/2010

Thanks. Ali

Alejandro N. Mayorkas

Director

United States Citizenship and Immigration Services

20 Massachusetts Avenue NW, Suite 5110

Washington, DC 20529

(b)(6)

From: Smith, Sean (b)(6)]
Sent: Monday, April 26, 2010 7:32 PM
To: Chandler, Matthew; Mayorkas, Alejandro N; Kielsmeier, Lauren; Rogers, Debra A; Bentley, Christopher S; Rhatigan, Chris
Subject: FW: From Julia/NYT: army officer

Guys: Here is the latest. Can we run this guy's case to ground?

In terms of our posture for the story, Matt will send around our proposed statement and background points shortly.

From: Preston, Julia (b)(6)]
Sent: Monday, April 26, 2010 7:09 PM
To: 'Sean.Smith@dhs.gov'
Subject: From Julia/NYT: army officer

Sean:

I'm sorry to get back to you late in the day. Things are crazy in the aftermath of the Arizona bill.

The officer I'm writing about is Lt. Kenneth Tenebro of the army, currently based at Fort Dix, New Jersey. His wife, Wilma Tenebro (maiden name Wilma Palo) is a Philippine national. Their home is in Copiague, Long Island, New York. I do not have an A-number for Mrs. Tenebro, but if it would help their situation, I can ask them for it.

Their problem is not complex, but there may be thousands of cases like it in the military. Mrs. Tenebro is an overstay. She and Lt. Tenebro, a naturalized US citizen, married in February 2007. They applied for adjustment of her status as the spouse of a US citizen in 2008. However, once they were already into the process, they learned that because the visa she overstayed is a crewman visa, she cannot adjust in the United States; she has to return to Manila for consular processing. But if she leaves the United States, she will automatically trigger the ten-year bar to her return. Several lawyers have advised them that a hardship waiver of the bar is very unlikely in Manila. In practice, she is stuck, with no way to gain legal status unless there is a change in the law.

8/3/2010

My story is basically about that legal Catch-22 involving the ten-year and other bars, and the impact of these cases on military readiness.

As of now, we plan to publish this story on Wednesday. Sometime tomorrow I hope for an interview to find out what CIS has been doing to resolve these military cases. I understand they have been quietly granting parole (a really confusing term for lay readers!) for service members on a case-by-case basis. Also, does the administration favor a proposal like Senator Menendez's to give LPR status to close relatives of active duty military? Or some other legislation along those lines?

Lt. Tenebro has not told anyone at Fort Dix about his wife's immigration status. My story will be a difficult, almost desperate "coming out" for him and her, which he has been discussing with me for over a year. I know I don't need to ask you to handle his information with discretion until the story is published.

Many thanks.

Julia

Julia Preston

National Immigration Correspondent

New York Times

620 Eighth Avenue

Third floor

New York, New York 10018-1405

(b)(6)

Fax: 646-428-2172

Chandler, Matthew

From: Humphrey, Buck H (b)(6)
Sent: Tuesday, April 27, 2010 12:35 PM
To: Bentley, Christopher S; Chandler, Matthew; Fetcher, Adam
Cc: Rhatigan, Chris
Subject: RE: CIS interview/military cases

Adding Fetcher.

Regards,

Buck Humphrey

Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)

From: Bentley, Christopher S (b)(6)
Sent: Tuesday, April 27, 2010 12:27 PM
To: Humphrey, Buck H; Chandler, Matthew
Cc: Rhatigan, Chris
Subject: RE: CIS interview/military cases

Matt/Buck,

Julia just called. Chris and I just spoke with her on background reference current operations. We specifically mentioned the currently discretion is applied on a case-by-case basis and that the discretion can take the form of parole-in-place, deferred action or expedition of the I-601 to remove ground of inadmissibility. Julia is awaiting an on-the-record comment from DHS OPA. Here deadline is the afternoon. She is writing for tomorrow.

r/Chris

Christopher S. Bentley

Press Secretary
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6)

From: Humphrey, Buck H (b)(6)
Sent: Tuesday, April 27, 2010 12:19 PM
To: Chandler, Matthew; Bentley, Christopher S
Cc: Rhatigan, Chris
Subject: RE: CIS interview/military cases

Yes, Chris or Chris or both can be either with you or on their own for background. Let us know your needs/preference.

(b)(5)

8/3/2010

(b)(5)

Regards,

Buck Humphrey

Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)

From: Chandler, Matthew [mailto:(b)(6)]
Sent: Tuesday, April 27, 2010 12:11 PM
To: Bentley, Christopher S; Humphrey, Buck H
Subject: Fw: CIS interview/military cases

If need be, can someone bground this afternoon?

From: Preston, Julia (b)(6) >
To: 'Smith, Sean' (b)(6); (b)(6)
Sent: Tue Apr 27 11:44:28 2010
Subject: CIS interview/military cases

Sean, Matt:

I am finishing my story about military immigration cases today. At this hour I have nothing from USCIS on what they have been doing to handle these cases. I initiated calls to CIS about this story last Wednesday. I would like to do a telephone interview today with Deborah Rogers. Please advise.

Thanks and best, Julia

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

Fax: 646-428-2172

Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, April 27, 2010 1:55 PM
To: Shlossman, Amy; Fetcher, Adam; Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Thank you.

From: Shlossman, Amy (b)(6)
Sent: Tuesday, April 27, 2010 1:27 PM
To: Fetcher, Adam; Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Change below

From: Fetcher, Adam (b)(6)
Sent: Tuesday, April 27, 2010 1:21 PM
To: Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Great, here's the latest/final:

(b)(5)

(b)(5)

From: Mayorkas, Alejandro N (b)(6)

Sent: Tuesday, April 27, 2010 1:10 PM

To: Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark

Subject: RE: Draft Mil Dependents Statement

Yes. Excellent. Thanks.

Alejandro N. Mayorkas
Director
United States Citizenship and Immigration Services
20 Massachusetts Avenue NW, Suite 5110
Washington, DC 20529

(b)(6)

From: Smith, Sean (b)(6)

Sent: Tuesday, April 27, 2010 1:00 PM

To: Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark

Subject: RE: Draft Mil Dependents Statement

And let's (b)(5)

(b)(5)
(b)(5)
(b)(5)
(b)(5)
(b)(5)
Ali, can we go this far?

(b)(5)

From: Mayorkas, Alejandro N (b)(6)
Sent: Tuesday, April 27, 2010 12:46 PM
To: Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

I'm not sure my message below was clear. The statement drafted is excellent (b)(5)

Thanks. Ali

Alejandro N. Mayorkas
 Director
 United States Citizenship and Immigration Services
 20 Massachusetts Avenue NW, Suite 5110
 Washington, DC 20529

(b)(6)

From: Mayorkas, Alejandro N (b)(6)
Sent: Tuesday, April 27, 2010 12:37 PM
To: Shlossman, Amy; Fetcher, Adam; Smith, Sean; Mayorkas, Alejandro N; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement
Importance: High

Thanks very much. Just coming to this.

(b)(5)

I have made some revisions below, which include deletions and additions. Hopefully this will not (b)(5)

Thanks. Ali

Alejandro N. Mayorkas
 Director
 United States Citizenship and Immigration Services
 20 Massachusetts Avenue NW, Suite 5110
 Washington, DC 20529

(b)(6)

From: Shlossman, Amy (b)(6)
Sent: Tuesday, April 27, 2010 11:45 AM
To: Fetcher, Adam; Smith, Sean; Mayorkas, Alejandro N; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: Re: Draft Mil Dependents Statement

(b)(5)

From: Fetcher, Adam

To: Smith, Sean <(b)(6)>; Mayorkas, Alejandro N; Shlossman, Amy; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy (b)(6); Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew (b)(6); Stevens, Clark

(b)(6)

Sent: Tue Apr 27 11:40:43 2010

Subject: Draft Mil Dependents Statement

All, draft statement and background below on USCIS discretion regarding military dependents below— to be provided to NYT later today.

Let us know comments/ edits. Thanks!

(b)(5)

Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, April 27, 2010 2:21 PM
To: Sandweg, John; (b)(6); Shlossman, Amy
Subject: RE: USA TODAY EDITORIAL PAGE INQUIRY

Thanks. Let me know what you find out, much appreciated..

From: Sandweg, John
Sent: Tuesday, April 27, 2010 12:27 PM
To: Chandler, Matthew; (b)(6) Shlossman, Amy
Subject: RE: USA TODAY EDITORIAL PAGE INQUIRY

Ugh.

Yes. Fed law does require aliens to carry their paperwork. I don't know if it is a criminal offense, but this provision has gone relatively unnoticed by media and (b)(5)

Give me a couple to drill down the details of whether it is a criminal offense. Also, I think some groups of aliens are exempted from this requirement as they don't really have paperwork (folks who were issued deferred action). Either way, it is not routinely enforced.

John R. Sandweg
 Department of Homeland Security

(b)(6)

From: Chandler, Matthew
Sent: Tuesday, April 27, 2010 12:15 PM
To: Sandweg, John; (b)(6) Shlossman, Amy
Subject: Re: USA TODAY EDITORIAL PAGE INQUIRY

Sandweg,

Are able to you assist on the first? Thanks!

- Matt

From: Torry, Sandra (b)(6)
To: Chandler, Matthew (b)(6)
Sent: Tue Apr 27 12:11:57 2010
Subject: USA TODAY EDITORIAL PAGE INQUIRY

Matt -- I've got two important question for an editorial for tomorrow's paper on immigration issues in Arizona.

1. With all that has been written about the new Arizona law, I am confused on one point.

8/3/2010

Does federal law require that aliens in the U.S. carry whatever paperwork they have (such as a visa, or green card or other documentation) showing their legal status? And is it a federal crime not to carry such documentation? And is anyone ever prosecuted for this? (My guess is that I could say, without attribution, that this is a crime that is rarely prosecuted. I'd be fine with an off-the-record confirmation on that.)

2.I read in the Arizona Republic last week that Customs Comm. Alan Bersin told a Senate panel that Secr. Napolitano would decide in "the near future" whether to send Nat. Guard troops to help secure the Southwest border.

Will Guard troops be sent?

Or is this still under consideration?

The first question is central to my piece, so if you can get a quick answer on that one, I'd appreciate it.

Thanks
Saundra

(b)(6)

Chandler, Matthew

From: Chandler, Matthew
Sent: Tuesday, April 27, 2010 3:04 PM
To: Fetcher, Adam; Smith, Sean
Subject: RE: Draft Mil Dependents Statement

Thanks – will send now.

From: Fetcher, Adam (b)(6)
Sent: Tuesday, April 27, 2010 2:28 PM
To: Chandler, Matthew; Smith, Sean
Subject: FW: Draft Mil Dependents Statement

FINAL:

(b)(5)

From: Chandler, Matthew (b)(6)
Sent: Tuesday, April 27, 2010 1:55 PM

8/3/2010

To: Shlossman, Amy; Fetcher, Adam; Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Thank you.

From: Shlossman, Amy (b)(6)
Sent: Tuesday, April 27, 2010 1:27 PM
To: Fetcher, Adam; Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Change below

From: Fetcher, Adam (b)(6)
Sent: Tuesday, April 27, 2010 1:21 PM
To: Mayorkas, Alejandro N; Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Great, here's the latest/final:

(b)(5)

(b)(5)

From: Mayorkas, Alejandro N (b)(6)
Sent: Tuesday, April 27, 2010 1:10 PM
To: Smith, Sean; Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

Yes. Excellent. Thanks.

Alejandro N. Mayorkas
 Director
 United States Citizenship and Immigration Services
 20 Massachusetts Avenue NW, Suite 5110
 Washington, DC 20529

(b)(6)

From: Smith, Sean (b)(6)
Sent: Tuesday, April 27, 2010 1:00 PM
To: Mayorkas, Alejandro N; Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement

And (b)(5)

[Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted] Ali, can we go this far?

(b)(5)

From: Mayorkas, Alejandro N (b)(6)
Sent: Tuesday, April 27, 2010 12:46 PM
To: Mayorkas, Alejandro N; Shlossman, Amy; Fetcher, Adam; Smith, Sean; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark

Subject: RE: Draft Mil Dependents Statement

I'm not sure my message below was clear. The statement drafted is excellent, I am just trying to make some minor edits that preserve the ability of the Secretary to make a formal announcement.
Thanks. Ali

Alejandro N. Mayorkas
Director
United States Citizenship and Immigration Services
20 Massachusetts Avenue NW, Suite 5110
Washington, DC 20529

(b)(6)

From: Mayorkas, Alejandro N (b)(6)
Sent: Tuesday, April 27, 2010 12:37 PM
To: Shlossman, Amy; Fetcher, Adam; Smith, Sean; Mayorkas, Alejandro N; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: RE: Draft Mil Dependents Statement
Importance: High

Thanks very much. Just coming to this.

(b)(5)

I have made some revisions below, which include deletions and additions. Hopefully this will not (b)(5)

Thanks. Ali

Alejandro N. Mayorkas
Director
United States Citizenship and Immigration Services
20 Massachusetts Avenue NW, Suite 5110
Washington, DC 20529

(b)(6)

From: Shlossman, Amy (b)(6)
Sent: Tuesday, April 27, 2010 11:45 AM
To: Fetcher, Adam; Smith, Sean; Mayorkas, Alejandro N; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy; Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew; Stevens, Clark
Subject: Re: Draft Mil Dependents Statement

(b)(5)

From: Fetcher, Adam
To: Smith, Sean (b)(6); Mayorkas, Alejandro N; Shlossman, Amy; Grossman, Jordan; Kielsmeier, Lauren; Humphrey, Buck H; Kudwa, Amy (b)(6); Bentley, Christopher S; Rogers, Debra A; Rhatigan, Chris; Chandler, Matthew (b)(6); Stevens, Clark (b)(6)

Sent: Tue Apr 27 11:40:43 2010

Subject: Draft Mil Dependents Statement

All, draft statement and background below on USCIS discretion regarding military dependents below— to be provided to NYT later today.

Let us know comments/ edits. Thanks!

(b)(5)

Chandler, Matthew

From: Preston, Julia (b)(6)
Sent: Tuesday, April 27, 2010 3:21 PM
To: 'Chandler, Matthew'
Subject: RE: CIS interview/military cases

Got it.. Thanks, Matt.

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Tuesday, April 27, 2010 3:09 PM
To: Preston, Julia
Subject: RE: CIS interview/military cases

OK – here we go, attributable to me, Matt Chandler, DHS spokesman –

"We are committed to doing everything possible to ensure that the courageous men and women of the U.S. Armed Forces can serve our country without fear that their family members will face removal from the United States. Keeping U.S. military families together is a vital priority, which is why USCIS evaluates U.S. military families' applications on a case-by-case basis to allow spouses, children and other dependents of service men and women to remain here lawfully or rejoin their loved ones as quickly as possible. We are planning a robust outreach effort to educate U.S. military family members about eligibility for this relief. "

I know that you spoke to Chris Bentley already on background, but in case there are further points you wish to include:

Background:

- We are committed to implementing a range of discretionary options to help all qualified U.S. military dependents obtain immigration status in the United States.
- Providing these services strengthens national security by ensuring that members of the U.S. Armed Forces can focus their undivided attention on their military mission, knowing that their family members can remain in the United States without fear of removal.
- USCIS is collaborating with the Department of Defense to assist family members of service men and women to make available the following three discretionary options in an effort to assist dependents of military service men and women obtain lawful status in the United States:
 1. Under section 212 of the Immigration and Nationality Act, DHS/USCIS can grant parole to certain individuals for whom an immigrant visa is immediately available. This allows these family members to apply to adjust their status in the United States without having to depart for consular processing.
 2. USCIS can also consider granting deferred action on a case-by-case basis to minimize the threat of removal while a visa number remains unavailable for certain individuals who have previously been admitted to the United States.
 3. Where U.S. military dependents have already departed the United States to initiate consular processing, DHS/USCIS has the discretionary authority to expedite the adjudication of any inadmissibility waiver they may have been required to file. USCIS will exercise this authority to decrease the periods of family separation and health and safety risks associated with military dependents waiting to conclude the

consular process in dangerous jurisdictions.

If I find anymore I will be in touch ASAP.

Thanks,

Matt

From: Preston, Julia (b)(6)
Sent: Tuesday, April 27, 2010 12:10 PM
To: 'Chandler, Matthew'
Subject: RE: CIS interview/military cases

Hi Matt: 4-5 pm today. Thanks.

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

From: Chandler, Matthew (b)(6)
Sent: Tuesday, April 27, 2010 11:50 AM
To: Preston, Julia; Smith, Sean
Subject: Re: CIS interview/military cases

Julia -

We will have something for you today. What time is your deadline?

Thx,

Matt

From: Preston, Julia (b)(6)
To: 'Smith, Sean' <(b)(6)> (b)(6)
Sent: Tue Apr 27 11:44:28 2010
Subject: CIS interview/military cases

Sean, Matt:

I am finishing my story about military immigration cases today. At this hour I have nothing from USCIS on what they have been doing to handle these cases. I initiated calls to CIS about this story last Wednesday. I would like to do a telephone interview today with Deborah Rogers. Please advise.

Thanks and best, Julia

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

8/3/2010

(b)(6)

Chandler, Matthew

From: Baran, Amanda
Sent: Wednesday, April 28, 2010 10:39 AM
To: Chandler, Matthew; Shlossman, Amy
Subject: RE: DREAM Act

Thank you.

From: Chandler, Matthew
Sent: Wednesday, April 28, 2010 10:39 AM
To: Shlossman, Amy; Baran, Amanda
Subject: RE: DREAM Act

Here is what we have said:

"Cases like this illustrate the need for comprehensive immigration reform. We are focused on smart, effective immigration enforcement that focuses first on criminal aliens who pose a threat to our communities while we continue to work with Congress to enact reform.

ICE uses discretion on a case by case basis, as appropriate and has the authority to grant a deferral of removal action based on the merits of an individual's case and a review of specific facts."

From: Shlossman, Amy
Sent: Wednesday, April 28, 2010 10:36 AM
To: Baran, Amanda; Chandler, Matthew
Subject: Re: DREAM Act

Adding matt chandler from opa who can send any recent press statements we've given on this.

From: Baran, Amanda
To: Shlossman, Amy
Sent: Wed Apr 28 10:33:03 2010
Subject: DREAM Act

Hi Amy,

I'm drafting a letter from S1 to Senators Durbin and Lugar responding to the letter they sent her about the DREAM Act and deferred action. Melissa Crow from my office suggested I contact you because something was mentioned on a call she was on on Monday about the front office having written something on DREAM. Does this ring any bells? If so, can you send it to me so I can make sure the letter I'm writing syncs up with whatever else was recently written?

Thanks for your help!
Amanda

Amanda Baran | Policy Advisor | Office of Policy - Office of Immigration and Border Security |
| Department of Homeland Security (b)(6) [REDACTED] [REDACTED]

8/3/2010

Re: (b) (6) Case

Page 1 of 3

Chandler, Matthew

From: Chandler, Matthew
Sent: Thursday, April 29, 2010 3:39 PM
To: Rogers, Debra A; Quarantillo, Andrea J; Bentley, Christopher S; Humphrey, Buck H; Tichacek, Katherine; Harrison, Julia L
Cc: Alfonso-Royals, Angelica M; Wright, William G
Subject: RE: (b)(6) Case

Folks – is there an update on this? Any interaction with NYT today?

From: Rogers, Debra A (b)(6)
Sent: Thursday, April 29, 2010 8:05 AM
To: Quarantillo, Andrea J; Bentley, Christopher S; Humphrey, Buck H; Chandler, Matthew; Tichacek, Katherine; Harrison, Julia L
Cc: Alfonso-Royals, Angelica M; Wright, William G
Subject: Re (b)(6) Case

Thanks!!

----- Original Message -----

From: Quarantillo, Andrea J
To: Rogers, Debra A; Bentley, Christopher S; Humphrey, Buck H; Chandler, Matthew; Tichacek, Katherine; Harrison, Julia L
Cc: Alfonso-Royals, Angelica M; Wright, William G
Sent: Thu Apr 29 07:46:05 2010
Subject: RE: (b)(6) Case

Just let us know what you need.

-----Original Message-----

From: Rogers, Debra A
Sent: Wednesday, April 28, 2010 10:54 PM
To: Bentley, Christopher S; Humphrey, Buck H; Chandler, Matthew; Tichacek, Katherine; Quarantillo, Andrea J; Harrison, Julia L
Cc: Alfonso-Royals, Angelica M; Wright, William G
Subject: Re: (b)(6) Case

(b)(5)(b)(6)

Debbie

----- Original Message -----

From: Bentley, Christopher S
To: Humphrey, Buck H; Chandler, Matthew; Tichacek, Katherine; Rogers, Debra A; Quarantillo, Andrea J
Cc: Alfonso-Royals, Angelica M; Wright, William G
Sent: Wed Apr 28 19:49:22 2010
Subject: Fw: (b) (6) Case

8/3/2010

Re: (b) (6) Case

Page 2 of 3

Here's the email from Julia.

Debbie - Can we dig up anything?

Still trying to get a phone number.

Thanks, Chris

Christopher S. Bentley
Press Secretary
Office of Communications, Media Relations Division
USCIS, DHS

(b)(6)

----- Original Message -----

From: Preston, Julia <juliapreston@nytimes.com>

To: 'Bentley, Christopher S' (b)(6)

Sent: Wed Apr 28 19:29:05 2010

Subject: RE: (b) (6) Case

Chris:

Here, at last, is the information. Below are written responses from Lt. Tenebro to questions I asked him in connection with my story:

--What year did you file your petition to adjust status for your wife as the spouse of a US citizen? Am I right in understanding that she has an approved I-130? Did you file for her under the same name you used on your naturalization forms?

KT: We filed it in 2007 and was received by USCIS on November 2007. We received an approval notice for her I-130 on April 11, 2008 (b)(6)
(b)(6)

--Is it correct that you were married in February 2007?

KT: Certificate of Domestic Partnership (b)(6); Date of Marriage (b)(6)

Let me know what you find out. Thanks very much,

Julia

Julia Preston

National Immigration Correspondent

New York Times

620 Eighth Avenue

Third floor

New York, New York 10018-1405

(b)(6)

8/3/2010

Re: (b) (6) Case

Page 3 of 3

(b)(6)

From: Bentley, Christopher S (b)(6)
Sent: Wednesday, April 28, 2010 9:52 AM
To: Preston, Julia
Subject: (b)(6) Case

Julia,

I just left a voice mail. Is there anything new regarding your request? Did Mr. Tenebro give permission for us to look into his case?

r/Chris

Christopher S. Bentley

Press Secretary

Office of Communications

U.S. Citizenship and Immigration Services

Department of Homeland Security

(b)(6)

8/3/2010

Chandler, Matthew

From: Hale, Brian P (b)(6)
Sent: Tuesday, May 04, 2010 5:17 PM
To: Chandler, Matthew
Subject: RE: Morton interview Thursday?

Did Sean sign off on this?

From: Chandler, Matthew (b)(6)
Sent: Tuesday, May 04, 2010 1:20 PM
To: Hale, Brian P; Barr, Suzanne E; Smith, Sean
Subject: RE: Morton interview Thursday?

Yes, agreed – adding Sean too.

From: Hale, Brian P (b)(6)
Sent: Tuesday, May 04, 2010 1:18 PM
To: Barr, Suzanne E; Chandler, Matthew
Subject: FW: Morton interview Thursday?

I think we should do this. Thoughts?

From: Preston, Julia (b)(6)
Sent: Tuesday, May 04, 2010 12:18 PM
To: 'Rocha, Richard A'
Subject: Morton interview Thursday?

Hi Richard:

I'm coming to Washington this week and I wondered if I could interview Mr. Morton at ICE on Thursday. I'm hoping to discuss a number of enforcement issues, including Secure Communities, the worksite audits, the request from Senator Durbin and Senator Lugar for deferred action for potential Dream Act beneficiaries, the pace of deportations. My primary focus would be on worksite enforcement, and I would hope to get the latest figures on results from the I-9 program.

My time would be essentially open all day Thursday. Would he be available that day?

Thanks,
Julia

Julia Preston
National Immigration Correspondent
New York Times
620 Eighth Avenue
Third floor
New York, New York 10018-1405

(b)(6)

Chandler, Matthew

From: Humphrey, Buck H (b) (6)
Sent: Tuesday, May 11, 2010 1:03 PM
To: Chandler, Matthew
Cc: Kielsmeier, Lauren
Subject: Fw: Cornyn Letter to Secretary Napolitano on Deferred Action
Attachments: SJC Ltr SecNapo Deferred 5-11-10.pdf; Incoming Durbin Lugar 4.21.10.pdf; Durbin draft response 5.5.10 v.3.doc

(b)(5)

Buck Humphrey
 Chief, Office of Communications
 DHS-USCIS

(b)(6)

----- Original Message -----

From: McCament, James W
To: Ramanathan, Sue; Mayorkas, Alejandro N; Kielsmeier, Lauren
Cc: Baronof, Kim; Humphrey, Buck H
Sent: Tue May 11 12:57:17 2010
Subject: FW: Cornyn Letter to Secretary Napolitano on Deferred Action

Sue,

FYI: during this morning's Senate Judiciary Committee hearing, Senator Cornyn asked a question regarding the attached letter to SI from Senators Durbin and Lugar regarding use of DED in the context of Dream Act. Specifically, the Senator asked whether DHS was planning to use our deferred action authority to large classes of the estimated "illegal aliens."

We will have the specific language from the CQ transcript soon which I will send you regarding the specific language of Ali's response. He noted that we would consider all options. That said, it is not clear whether this language from the letter was written prior to the hearing or afterwards.

We've also just now received the attached letter from Senator Cornyn regarding potential plans for using DED for large classes of the illegal aliens in the United States.

I understand this has now come through into DHS Exec Sec as well.

James

From: McGee, Ramona (Judiciary-Rep) (b)(6)
 Sent: Tuesday, May 11, 2010 12:38 PM
 To: Baronof, Kim

8/3/2010

Cc: 'McCament, James W'

Subject: Cornyn Letter to Secretary Napolitano on Deferred Action

Kim/James:

FYI.

Ramona L. McGee

Counsel

Senate Judiciary Committee – Subcommittee on Immigration Reform, Refugees, and Border Security

Senator Cornyn – Ranking Member

Main Office: 202-224-7840

(b)(6)

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

8/3/2010

(b)(5)

(b)(5)