

Appointment

From:

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

Sent:

3/4/2020 11:29:03 AM

To:

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

Subject:

CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

Location:

Teleconference: (b)(7)(E) | Participant: (b)(7)(E) | Moderator: (b)(7)(E)

Start:

3/4/2020 3:00:00 PM

End:

3/4/2020 3:30:00 PM

Show Time As:

Tentative

Required Attendees:

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

Message

Sent: 3/4/2020 4:09:42 PM

To: **(b)(6), (b)(7)(C), (b)(7)(E)**
(b)(6), (b)(7)(C), (b)(7)(E) PAYNE, LAWRENCE R
(b)(6), (b)(7)(C), (b)(7)(E)
Subject: RE: CPA **(b)(6), (b)(7)(C)** w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

Follow up – I confirmed that all operators (BP and OFO) are **(b)(7)(E)**

(b)(6), (b)(7)(C)
CHIEF PATROL AGENT
U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP
OFFICE: **(b)(6), (b)(7)(C)** | CELL: **(b)(6), (b)(7)(C)**
(b)(6), (b)(7)(C) @CBP.DHS.GOV

From: **(b)(6), (b)(7)(C)** @cbp.dhs.gov>
Sent: Wednesday, March 4, 2020 5:22 AM
To: **(b)(6), (b)(7)(C)** @cbp.dhs.gov>; **(b)(6), (b)(7)(C)** @CBP.DHS.GOV>; **(b)(6), (b)(7)(C)** @cbp.dhs.gov>; **(b)(6), (b)(7)(C)** @hq.dhs.gov>; PAYNE, LAWRENCE R **(b)(6), (b)(7)(C)** @cbp.dhs.gov>
Subject: RE: CPA **(b)(6), (b)(7)(C)** w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

Alcon,

See attached weekly messaging document with talking points on Op Sub zERO.

OPERATION SUB zERO

USBP and OFO are supporting ICE ERO with **(b)(7)(E)** BPA's and **(b)(7)(E)** CBPO's to be placed on temporary duty assignments of 90 days to various ICE ERO field offices. They will augment the ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

- As of November 1, 2019, there were approximately 590,000 immigration fugitives residing in the U.S.
 - In FY2019, ICE
 - Arrested 5,700 human smugglers
 - Arrested 2,100 human traffickers and rescued 428 victims
 - Arrested 3,800 transnational criminal gang members
 - Arrested almost 4,000 child predators and identified or rescued over 1,000 victims
 - Seized 145,000 pounds of meth
 - Seized 3,600 pounds of fentanyl

(b)(5), (b)(7)(E)

- CBP's deployment of its officers and agents from throughout the country will:
 - Restore integrity of the immigration system;
 - Provide public safety; and
 - Strengthen our national security.

- The pilot program will run for 90 days, concluding in May 2020.
- Before the conclusion of the pilot, ICE and CBP, will evaluate the results of the pilot program and make a determination of the plan's extension, expansion, termination and/or adjustment.
- Despite repeated requests, Congress has failed to provide ICE with additional fugitive operations resources. Therefore, highly-trained CBP law enforcement personnel will help make up for the shortfall.
- As ICE has stressed, in jurisdictions where cooperation does not exist, and ICE is not allowed to assume custody of aliens from jails, arrests of at-large criminal aliens is forced into the communities.
- When sanctuary cities release criminal aliens back into the communities, it requires a significant amount of additional time and resources for ICE to find and arrest the alien. Additionally, and more importantly, it increases the occurrence of preventable crimes and preventable victims.

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

Assistant Chief, USBPHQ
 CBP Office of Public Affairs - Media Division

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

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

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

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, March 4, 2020 6:29 AM

To: (b)(6), (b)(7)(C) @CBP.DHS.GOV); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @hq.dhs.gov); PAYNE, LAWRENCE R (b)(6), (b)(7)(C) @cbp.dhs.gov

Subject: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

When: Wednesday, March 4, 2020 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Teleconference: (b)(7)(E) | Participant: (b)(7)(E) | Moderator: (b)(7)(E)

Message

From: (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 3/18/2020 11:57:34 PM
To: (b)(6), (b)(7)(C), (b)(7)(E)
CC:

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

Subject: Re: PPE

From what was packed today it's still in the warehouse so issues Chief

Sent from my iPhone

On Mar 18, 2020, at 5:53 PM, (b)(6), (b)(7)(C) @cbp.dhs.gov> wrote:

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

I hope I'm not sending this out too late.
Everyone from the SUBzero op.(New York, Chicago, New Jersey) is being recalled. We need to stop shipment of any PPE to those destinations.
Give me a call if you have any questions.

V/R

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

Acting Deputy Commander
Special Operations Group (SOG)
Border Patrol Tactical Unit (BORTAC)

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

Cell: (b)(6), (b)(7)(C)

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

<image001.png>

Message

From:

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

Sent:

3/18/2020 11:53:42 PM

To:

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

CC:

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

Subject:

PPE

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

I hope I'm not sending this out too late.

Everyone from the SUBzero op.(New York, Chicago, New Jersey) is being recalled. We need to stop shipment of any PPE to those destinations.

Give me a call if you have any questions.

V/R

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

Acting Deputy Commander

Special Operations Group (SOG)

Border Patrol Tactical Unit (BORTAC)

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

Cell: (b)(6), (b)(7)(C)

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



Message

From: (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 1/15/2020 9:29:39 PM
To: (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)
CC: OPS SPECIAL OPERATIONS; (b)(7)(E)
(b)(7)(E)
Subject: FW: Deployment Order: Operation SUB zERO - USBP support to ICE/ERO
Attachments: Signed_ICE-RFA-MOA_01032020 (1).pdf; Deployment Order (b)(6), (b)(7)(C) Op SUB zERO-ICE-ERO support.docx; Operation SUB zERO Blank Roster_Updated Version.xlsx
Importance: High

Chiefs,

Good afternoon. I hope all is well. Attached and below is the Op SUB-ZERO deployment order. LEOD Ops Cell is requesting the attached roster be completed with the names of the SOG personnel and return to their mailbox NLT 12PM on Friday, January 24, 2020. Additional details are below and in the attached documents. Please let me know if I can assist you further and I appreciate your assistance with this matter.

Thank you,

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

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

Assistant Chief
Law Enforcement Operations Directorate/Special Operations Headquarters
U.S. Border Patrol Headquarters
Washington, DC
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
Email: (b)(6), (b)(7)(C)@cbp.dhs.gov

From: (b)(6), (b)(7)(C)@CBP.DHS.GOV>
Sent: Wednesday, January 15, 2020 4:21 PM
To: OPS WEST SECTORS (b)(7)(E)@cbp.dhs.gov>; OPS CENTRAL SECTORS (b)(7)(E)@cbp.dhs.gov>; OPS SPECIAL OPERATIONS (b)(7)(E)@cbp.dhs.gov>; OPS EAST SECTOR (b)(7)(E)@cbp.dhs.gov>
Cc: LEOD-OPS-CELL (b)(7)(E)@cbp.dhs.gov>; (b)(6), (b)(7)(C)@CBP.DHS.GOV>; (b)(6), (b)(7)(C)@cbp.dhs.gov>; HASTINGS, BRIAN S (b)(6), (b)(7)(C)@CBP.DHS.GOV>
Subject: Deployment Order: Operation SUB zERO - USBP support to ICE/ERO

All,

Please forward the attached and below to the following Sectors for action.

- SDC, ELC, YUM, TCA, EPT, BBT, DRT, LRT, RGV, NLL, DTM, and SOG

All,

U.S. Customs and Border Protection (CBP), including the United States Border Patrol (USBP) and the Office of Field Operations (OFO), has received a request to support U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO). The request has been approved by the CBP Commissioner (See attached MOA) The request/mandate is for [redacted] Border Patrol Agents (BPAs) and [redacted] Customs and Border Protection Officers (CBPOs) to be placed on long term temporary duty assignments (LTTDY) of 90 days to specific ICE ERO field offices. The purpose of this detail will be to augment ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams. Dates of the operation, including travel, will be Sunday, February 2, 2020 through Friday May 1, 2020.

Sector Deputy Chiefs were given a warning order on this deployment on Tuesday, January 14, 2020 by Associate Chief Scudder. The obligation for [redacted] agents has not changed, however, the final deployment dispersal has changed from the DRAFT. The final number of BPA [redacted], SOD, and SOG personnel that each Sector is obligated to provide to this operation are below and in the attached deployment order. (b)(7)(E)

(b)(7)(E)

Additional details to include a description of duties and travel funding information are also included in the attached deployment order. Please fill out the attached roster for the personnel to be deployed on this operation and return the rosters to LEOD Ops Cell, [redacted] (b)(7)(E) [redacted]@cbp.dhs.gov, no later than 12:00PM (EST) on Friday, January 24, 2020. Please also include you respective Headquarters Corridor Assistant Chiefs. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

Additional details will be sent out as they become available to include the points of contact/coordination within each ICE/ERO Field Office.

I will be available for any questions.

Operational Requirements: [redacted] agents

San Diego Sector: [redacted] Total [redacted] SOD [redacted] BPA [redacted]

- [redacted] SOD [redacted] BPA [redacted] TDY to San Francisco, CA

El Centro Sector: [redacted] Total [redacted] SOD [redacted] BPA [redacted] (b)(7)(E)

- [redacted] SOD [redacted] BPA [redacted] TDY to Los Angeles, CA

Yuma Sector: [redacted] Total [redacted] SOD [redacted] BPA [redacted] (b)(7)(E)

- [redacted] SOD [redacted] BPA [redacted] TDY to Atlanta, GA

Tucson Sector: [redacted] Total [redacted] SOD [redacted] BPA [redacted] (b)(7)(E)

- [redacted] SOD TDY to Houston, TX
- [redacted] SOD [redacted] BPA [redacted] TDY to Los Angeles, CA

El Paso Sector: [redacted] Total [redacted] SOD

- [redacted] SOD TDY to Chicago, IL

Big Bend Sector: [redacted] Total [redacted] BPA [redacted] (b)(7)(E)

- [redacted] BPA [redacted] TDY to San Francisco, CA

Del Rio Sector: [redacted] Total [redacted] SOD [redacted] BPA [redacted] (b)(7)(E)

- (b)(7)(E) SOD TDY to **Boston, MA**
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to **Houston, TX**

Laredo Sector: (b)(7)(E) Total (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to **Atlanta, GA**

Rio Grande Valley Sector: (b)(7)(E) Total (b)(7)(E) SOD

- (b)(7)(E) SOD TDY to **Atlanta, GA**

New Orleans Sector: (b)(7)(E) Total (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in **New Orleans, LA**

Detroit Sector: (b)(7)(E) Total (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in **Detroit, MI**

USBP Special Operations Group: (b)(7)(E) Total (BTC/BST) (b)(7)(E)

- (b)(7)(E) SOG TDY to **Chicago, IL**
- (b)(7)(E) SOG TDY to **Newark, NJ**

Thank you,

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

Assistant Chief

U.S. Border Patrol Headquarters

Law Enforcement Operations Directorate

Planning Division – Ops Cell

1300 Pennsylvania Ave NW

Washington D.C. 20229

Desk: (b)(6), (b)(7)(C) | Mobile: (b)(6), (b)(7)(C)

Operation SUB zERO

NAME: Last, First, MI	Home SECTOR/STATION	TDY Location	HASH ID	EMAIL	CELL PHONE	MANDATE/VOLUNTEER	AUTHORIZED RENTAL	BPPRA Level
SBPAs: Annotate Rank				Name@cbp.dhs.gov				
BPA's								

Message

Sent: 3/4/2020 4:17:00 PM

To: (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C), (b)(7)(E) PAYNE, LAWRENCE R
(b)(6), (b)(7)(C), (b)(7)(E)

Subject: RE: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

FYSA – you may be aware, but Univision shadowed the team in Chicago during an arrest today. This was coordinated solely by ERO. Below are bullets from our team.

- Univision was the media outlet on today's event with 2 reporters, (b)(6) and (b)(6)
- (b)(6) our direct POC, was on scene along with the Chicago ICE ERO FOD
- Yesterday we, SOG personnel were advised that ICE was planning a media ride along and we would serve only as an additional body (b)(7)(E)
- Yesterday we (b)(7)(E) the ride along. SUBJECT: (b)(6), (b)(7)(C)
- All communications with the media were done by the ICE ERO FOD, no other ICE or BP agents made contact with the media whatsoever.
- Team and media arrived at target location and (b)(6), (b)(7)(C) opened the door and was arrested without incident.
- According to (b)(6) Univision's agreement is to not record any agent's or officer's faces during the event. If a face was recorded they are to blur it out.
- No media rode in any GOV. They had their own vehicle and followed agents to the location.

Target's info:

(b)(6), (b)(7)(C) is a 22 year old Honduran national convicted of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) His arrest was reported in the Chicago Tribune in August 2017. IDOC recently released this offender without notifying ICE despite a detainer on file.

(b)(6), (b)(7)(C)
CHIEF PATROL AGENT
U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP
OFFICE: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @CBP.DHS.GOV

From: (b)(6), (b)(7)(C)@cbp.dhs.gov>
Sent: Wednesday, March 4, 2020 5:22 AM
To: (b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)@CBP.DHS.GOV>; (b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6)
(b)(6)@hq.dhs.gov>; PAYNE, LAWRENCE R; (b)(6), (b)(7)(C)@cbp.dhs.gov>
Subject: RE: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

Alcon,

See attached weekly messaging document with talking points on Op Sub zERO.

OPERATION SUB zERO

USBP and OFO are supporting ICE ERO with (b)(6), (b)(7)(E) BPAs and (b)(6), (b)(7)(E) CBPOs to be placed on temporary duty assignments of 90 days to various ICE ERO field offices. They will augment the ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

- As of November 1, 2019, there were approximately 590,000 immigration fugitives residing in the U.S.
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 - Arrested almost 4,000 child predators and identified or rescued over 1,000 victims
 - Seized 145,000 pounds of meth
 - Seized 3,600 pounds of fentanyl

(b)(5), (b)(7)(E)

- CBP's deployment of its officers and agents from throughout the country will:
 - Restore integrity of the immigration system;
 - Provide public safety; and
 - Strengthen our national security.
- The pilot program will run for 90 days, concluding in May 2020.
- Before the conclusion of the pilot, ICE and CBP, will evaluate the results of the pilot program and make a determination of the plan's extension, expansion, termination and/or adjustment.
- Despite repeated requests, Congress has failed to provide ICE with additional fugitive operations resources. Therefore, highly-trained CBP law enforcement personnel will help make up for the shortfall.
- As ICE has stressed, in jurisdictions where cooperation does not exist, and ICE is not allowed to assume custody of aliens from jails, arrests of at-large criminal aliens is forced into the communities.
- When sanctuary cities release criminal aliens back into the communities, it requires a significant amount of additional time and resources for ICE to find and arrest the alien. Additionally, and more importantly, it increases the occurrence of preventable crimes and preventable victims.

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

Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division

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

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

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

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, March 4, 2020 6:29 AM

To: (b)(6), (b)(7)(C) @CBP.DHS.GOV); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @hq.dhs.gov); PAYNE, LAWRENCE R (b)(6), (b)(7)(C) @cbp.dhs.gov

Subject: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

When: Wednesday, March 4, 2020 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Teleconference: (b)(7)(E) | Participant: (b)(7)(E) | Moderator: (b)(7)(E)



DEPLOYMENT ORDER
Operation SUB zERO
U.S. CUSTOMS AND BORDER PROTECTION
United States Border Patrol Headquarters

SITUATION:

U.S. Customs and Border Protection (CBP), including the United States Border Patrol (USBP) and the Office of Field Operations (OFO), has received a request to support U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO). The request has been approved by the CBP Commissioner. The request/mandate is for (b)(7)(E) Border Patrol Agents (BPAs) and (b)(7)(E) Customs and Border Protection Officers (CBPOs) to be placed on long term temporary duty assignments (LTTDY) of 90 days to specific ICE ERO field offices. The purpose of this detail will be to augment ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

A recent court decision in the United States District Court, Central District of California (Gonzalez v. ICE), mandates that Immigration and Customs Enforcement (ICE) supplement immigration and criminal database checks by conducting in person interviews prior to serving immigration detainers on incarcerated individuals. Due to resource limitations, criminal aliens may be released prior to an interview by an ICE officer or a detainer being placed.

ICE currently has (b)(7)(E) Fugitive Operations (FUGOPS) and At-Large Criminal Alien Teams spread throughout the country. To reduce the fugitive alien backlog and mitigate consequences of the Gonzalez decision, ICE ERO, seeks the assistance of U.S. Customs and Border Protection (CBP) as a force multiplier. The ICE ERO Field Offices identified as experiencing the greatest impact of the Gonzalez litigation and with larger fugitive and absconder populations are (b)(7)(E)

(b)(7)(E)

HEADQUARTERS INTENT:

Purpose: Support ICE ERO at identified Field Offices to increase capacity and capability to arrest and remove fugitive aliens, mitigate the effects of the Gonzalez decision and deliver consequences for ignoring a final order of removal and violating immigration law.

Method: Deploy a total of (b)(7)(E) Border Patrol Agents, comprised of BPA (b)(7)(E) SOD, and SOG personnel, to the identified ICE ERO Field Offices experiencing the greatest Gonzalez decision effects and larger fugitive and absconder populations.

End State: ICE ERO is able to increase administrative arrests of convicted criminal aliens, aliens with pending criminal charges and other immigration violators. ICE ERO will have reduced the effects of the Gonzalez decision to the extent possible and reduced the number of fugitive aliens and absconders within the Field Office area of responsibility.

MISSION:

From February 2, 2020 through May 1, 2020 (90 days), USBP will deploy (b)(7)(E) agents to augment ICE ERO CAP, FUGOPS, and Alternatives to Detention Enforcement Teams at specific ICE ERO Field Offices in order to increase the capacity and capability to locate, apprehend and remove at-large criminal illegal aliens from the interior of the United States.

EXECUTION:

USBP Sectors currently have a number of Border Patrol Agents (b)(7)(E) (BPA) detailed to support local ICE offices and/or Task Force Officers (TFOs). These numbers were used to determine how many agents each Sector could contribute to this initiative, while minimizing the impact to current operations along the Southwest border. The determination to reduce or eliminate support to the local ICE office in order to support this initiative is at the discretion of the Sector Chief, however, the number of BPA that each Sector is required to provide will not change. Personnel from USBP Special Operations Group and Sector Special Operations Detachments (SOD) provide the remaining personnel requirement.

Identified ICE ERO Offices to receive support from USBP and OFO are as follows;

- Los Angeles, CA (USBP) (b)(7)(E) OFO (b)(7)(E)
- Atlanta, GA (USBP) (b)(7)(E) OFO (b)(7)(E)
- Chicago, IL (USBP) (b)(7)(E) OFO (b)(7)(E)
- San Francisco, CA (USBP) (b)(7)(E) OFO (b)(7)(E)
- Boston, MA (USBP) (b)(7)(E) OFO (b)(7)(E)
- New Orleans, LA (USBP) (b)(7)(E) OFO (b)(7)(E)
- Houston, TX (USBP) (b)(7)(E) OFO (b)(7)(E)
- Newark, NJ (USBP) (b)(7)(E) OFO (b)(7)(E)
- Detroit, MI (USBP) (b)(7)(E) OFO (b)(7)(E)

Agents detailed to support this mission will report to an identified ICE ERO Supervisory Detention and Deportation Officer. Agents will receive two days of initial training, provided by ICE ERO Training Division and ICE Office of the Principal Legal Advisor (OPLA) followed by planned enforcement activities led by ICE ERO. Agents will augment ICE ERO FUGOPS teams and/or CAP teams. (b)(7)(E)

(b)(7)(E) Agents will be responsible for processing aliens, running records checks, issuing immigration detainers and charging documents (e.g. NTAs). Agents should have access to the appropriate systems to perform these duties (e.g. (b)(7)(E)

(b)(7)(E) Agents WILL NOT be exclusively processing aliens for ERO, but will be expected to process apprehensions and criminal aliens in a detention/jail setting. Agents should be tactically proficient, as they will be working in at-large, urban law enforcement environments. Agents should be able to work and communicate with the public and interact with jail/prison staff. Agents should be comfortable in operating in a scrutinized operational environment, to include protest activity, hostile members of the public, advocacy attention, as they will likely be working in non-cooperative urban communities. If possible, agents should have a government issued cell phone and lap top computer.

This Deployment Order is the official notification that Sectors are to complete rosters, create travel authorizations and deploy identified agents to the specified locations as outlined below.

(b)(7)(E)

(b)(7)(E)

Rosters are due to Headquarters on or before **Friday January 24, 2020 at 1200 hours (EST)**

Operational Requirements: (b)(7)(E) agents

San Diego Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to San Francisco, CA

El Centro Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Los Angeles, CA

Yuma Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Atlanta, GA

Tucson Sector: (b)(7)(E) Total) (b)(7)(E) SOD / (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD TDY to (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Los Angeles, CA

El Paso Sector: (b)(7)(E) Total) (b)(7)(E) SOD

- (b)(7)(E) SOD TDY to Chicago, IL

Big Bend Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) BPA (b)(7)(E) TDY to San Francisco, CA

Del Rio Sector: (b)(7)(E) Total) (b)(7)(E) SOD / (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD TDY to (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Houston, TX

Laredo Sector: (b)(7)(E) Total) (b)(7)(E) SOD / (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Atlanta, GA

Rio Grande Valley Sector: (b)(7)(E) Total) (b)(7)(E) SOD

- (b)(7)(E) SOD TDY to Atlanta, GA

New Orleans Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in New Orleans, LA

Detroit Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in Detroit, MI

USBP Special Operations Group: (b)(7)(E) Total) (BTC/BST (b)(7)(E)

- (b)(7)(E) SOG TDY to Chicago, IL
- (b)(7)(E) SOG TDY to Newark, NJ

OPERATION SUB zERO FUNDING STRING

Fund: (b)(7)(E)
Fund Center: (b)(7)(E)
Functional Area: (b)(7)(E)
Cost Center: Your Sector's Cost Center
Internal order: (b)(7)(E)
Project Code: (b)(7)(E)

Travel Dates: Sunday, February 2, 2020 to Friday May 1, 2020
Purpose of travel: Domestic Travel
Trip Name: Operation SUBzERO ICE/ERO Support
Type Code: Long Term TDY
Comments: Operation SUBzERO ICE/ERO Support
City/Location: (Outlined Above)
M&IE: Authorized
Lodging: Authorized

- *Lodging requirements may change during deployment.*

Commercial Air Travel:

Contract fares for commercial air travel must be utilized unless exigent circumstances exist.

Commercial Rental:

Rental vehicles will be approved on a (b)(7)(E) agents to (b)(7)(E) vehicle ratio. Only designated agents by the Sector will be authorized to rent vehicles via government travel orders.

Lodging:

Lodging Facilities for deployed personnel may vary from standard hotel rooms.

- CBP will strive to provide the most comfortable housing available for deployed personnel, but deployed agents must be ready and willing to be housed in whatever lodging is provided.
- Agents will be responsible for securing local lodging at the designated locations.
- Contact the designated local POC for any issues with securing lodging.

Media Attention:

Due to the high probability of media attention, all CBP personnel must be consistent and professional in appearance at all times. Any patches worn on CBP body armor outer carriers must follow all established and approved guidance from CBP. "Morale" patches and stickers are not authorized and will not be worn on/with any CBP uniform or equipment.

Government Credit Card:

All operation participants are to use their valid government credit card unless there are exigent circumstances. Sectors may authorize the use of the CBA for travel expenses.

Flying Armed:

USBP agents participating in the operation who plan to fly armed must meet all training requirements and obtain a valid UFAN from their local firearms coordinator.

Travel Authorization Instructions:

Travelers need to enter the following additional information for temporary duty (TDY) expenses when creating a travel authorization:

- TDY Voucher Fee – \$14.75 (will be automatically added to travel authorization)
- Estimate Travel Fee - \$9.91 (will be automatically added to travel authorization)
- Checked Baggage Fee – ~\$60.00 estimated for roundtrip travel (this will allow agents to have 1 checked bag plus their carry-on items)
- ATM Fees – If needed (this includes the bank fee and for each withdrawal)

Possible additional expenses to add to travel:

Laundry – only to be claimed once a week \$15.00 per week

Parking/Tolls (*hotel may have parking fees*)(*roadway tolls*)

Taxi/Limo or Mileage to/from home to Airport in your POV if necessary

Airfare

Hotel Taxes – (Submit tax exempt form to hotel upon check in)

All travel authorizations **must** be input and approved as soon as possible.

Uniform and Equipment (b)(7)(E)

- **Standard Equipment**

(b)(7)(E)

- **Uniform**

(b)(7)(E)

- **Mission Specific Equipment**

(b)(7)(E)

Point(s) of Contact:

- **USBP HQ, Washington, D.C.**
Associate Chief
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) office
(b)(6), (b)(7)(C) cell
(b)(6), (b)(7)(C) @cbp.dhs.gov
- **USBP HQ, Washington D.C.**
Assistant Chief
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) office
(b)(6), (b)(7)(C) cell
(b)(6), (b)(7)(C) @cbp.dhs.gov
- **ICE ERO HQ POC**
(A) Deputy Assistant Director
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) office
(b)(6), (b)(7)(C) @ice.dhs.gov
- **ICE ERO Los Angeles, CA**
TBD
- **ICE ERO San Francisco, CA**
TBD
- **ICE ERO Houston, TX**
TBD
- **ICE ERO Atlanta, GA**
TBD
- **ICE ERO Boston, MA**
TBD
- **ICE ERO Newark, NJ**
TBD
- **ICE ERO Chicago, IL**

TBD

- **ICE ERO New Orleans, LA**

TBD

- **ICE ERO Detroit, MI**

TBD

MEMORANDUM OF AGREEMENT
between
U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, ENFORCEMENT AND REMOVAL OPERATIONS
and
U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER
PROTECTION

I. Parties

U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) hereby enters into an agreement with U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP) regarding the temporary detail of CBP law enforcement personnel to assist with ERO interior enforcement efforts.

II. Authority

This MOA is authorized under the provisions of the Homeland Security Act of 2002, as amended, 116 Stat. 2135, Pub. L. No. 107-296, Nov. 25, 2002; 8 U.S.C. § 1357 (Powers of Immigration Officers and Employees); 8 .C.F.R. § 287.5 (Exercise of Power by Immigration Officers); and 5 U.S.C. § 3341, Details; within Executive or military departments.

III. Purpose

The purpose of this MOA is to document approval of, and terms and conditions for, the detail of (b)(7)(E) Border Patrol Agents (BPAs) and (b)(7)(E) Customs and Border Protection Officers (CBPOs) to ERO field offices, to enhance ERO Criminal Alien Program teams, Fugitive Operation teams, and/or Alternatives to Detention teams, at the discretion of the Field Office Directors.

As of November 1, 2019, there were approximately 590,000 immigration fugitives residing in the United States. The United States continues to experience a high volume of aliens presenting themselves at ports of entry (POEs) on the Southwest Border without valid immigration documents, entering illegally between the POEs, and overstaying their lawful period of admission. Many of these aliens are often released into the interior of the United States while they wait—sometimes for years—for final resolution of their immigration proceedings. Many never appear for their hearings and others fail to depart after receiving a final order of removal.

CBP will provide personnel for the purpose of interagency cooperation with the common goal of enhanced integrity of the immigration system, protecting public safety, and national security. The CBP resources will provide a greater capability to arrest and remove fugitive aliens, and deter further illegal entries.

CBP and the immigration officers from CBP who are detailed to ERO will provide and gain specialized knowledge and strengthen the interagency partnership as part of their detail to ERO to perform interior immigration law enforcement duties. At present, CBP is responsible for border security and interdicting those attempting to enter the U.S. without inspection or without proper legal documentation.

ERO uses a variety of investigative processes, techniques and expertise to identify and arrest aliens including surveillance, intelligence sharing, liaison with other law enforcement and government agencies, use of subpoenas, use of tips and informants, and research using detailed open-source and governmental records indices to ascertain the whereabouts or the alienage of individuals. While CBP and ICE share a common immigration enforcement mission, ERO's legal obligations in effectuating arrests differ somewhat from CBP in that they generally occur in urban or institutional settings, requiring additional 4th Amendment considerations such as consent and curtilage, or liaison with jail and prison staff, in addition to operational techniques such as executing entries into worksites or inspecting the legal status of those in a jail setting. As a result, a detail to ERO will help CBP and CBP personnel enhance their law enforcement capabilities.

This knowledge and experience will benefit CBP in establishing working level contacts with ERO personnel for information sharing and intelligence gathering purposes and will expose CBP personnel to other law enforcement agencies for commensurate purposes. Additionally, CBP and CBP personnel will gain substantive knowledge in conducting immigration enforcement in urban areas, a skillset that will prove useful in instances in which illegal border crossers are tracked in to urban border areas to evade detection. CBP personnel will also learn to use federal records indices currently used by ICE ERO and not regularly used by CBP agents and officers. Given the significant overlap in the immigration enforcement missions of CBP and ICE, experience with ERO will benefit CBP personnel by exposing them to the array of law enforcement investigative techniques utilized by ERO. Experience utilizing such techniques are likely to provide a benefit to CBP when the detailed personnel return to the law enforcement duties that they perform at their home locations.

CBP personnel will enhance their training and experience in encountering aliens out of legal status from all immigration backgrounds. At present, both CBP and ERO personnel take enforcement action upon those who are aggravated felons/administrative removal cases, immigration fugitives, Visa Waiver Program violators, non-immigrant visa violators, deferred inspection cases, entry without inspection cases, stipulated removals, and all other aliens subject to appropriate enforcement action, in accordance with their immigration or criminal history. As a result of their mission at the border, CBP also encounters and acts upon aliens who have entered without inspection and/or presented themselves for admission without proper documentation. A detail to ERO will expose CBP personnel to a broader scope of immigration violators and will enhance their skill set as immigration law enforcement officers.

IV. Responsibilities

a. CBP Responsibilities

CBP employees will be detailed to ERO at-large (e.g. Fugitive Operations, including the Mobile Criminal Alien Teams) and ERO Criminal Alien Program teams, as determined by ERO management.

CBP personnel detailed to ERO will operate within the parameters of current CBP law enforcement duties under Title 8 and Title 19 of the U.S. Code and will exercise the full scope of immigration enforcement duties and applicable regulations. At no time will CBP personnel be tasked with performing any function outside of their scope of authority under 8 C.F.R. § 287.5 as referenced above.

Under ERO supervision, CBP personnel will perform law enforcement duties such as conducting interviews of suspected aliens, determining alienage, conducting arrests, issuing immigration detainers or charging documents, making custody determinations, and conducting records checks in furtherance of DHS immigration enforcement efforts.

CBP personnel detailed to ERO will abide by and adhere to all policies and procedures regarding conduct promulgated by their respective employing agencies. Any allegation of misconduct pertaining to CBP personnel detailed to ERO during the performance of functions pursuant to this detail, will be investigated by the individual's employing agency, as well as the ICE Office of Professional Responsibility (OPR), in accordance with their respective policies. CBP employees who are detailed to assist with this effort may be scheduled to work non-day time hours and will conduct their duties at the behest and oversight of ERO personnel.

CBP personnel will submit all requests for leave (annual, sick, Family and Medical Leave Act, etc.) to their ICE supervisor for authorization. CBP personnel will remain under their formal supervisor of record for purposes of annual evaluation.

CBP will provide personnel rosters to ICE ERO a minimum of 14 days in advance of the scheduled deployment of CBP personnel to enable the ICE Office of Chief Information Officer to create ICE email accounts for local area networks and grant all necessary systems account access to facilitate enforcement activities.

b. ERO Responsibilities

ERO will provide CBP the locations of the temporary duty locations at minimum of 14 days in advance to allow for efficient resourcing and planning.

ERO will provide CBP with a complete Concept of Operations plan at least 14 days in advance of scheduled commencement of operations.

Prior to or within the first days of the detail, ICE will provide training to CBP agents and officers consisting of, at minimum, legal and policy based instruction on ERO field operations, field information systems, and the Orantes injunction. Additional training will include refresher training on interior enforcement application of constitutional protections, ERO policy and procedure, processing, and administrative tactical principles for ERO at-large teams.

The ERO Field Office Director or his or her designee (but not below the level of the Assistant Field Office Director, with direct oversight by a Supervisory Detention and Deportation Officer) will be responsible for the supervision of CBP personnel.

While employees will serve under the direct daily control of ERO supervision, they remain under the legal, administrative and disciplinary purview of their agency and agency supervision.

ERO managers will make necessary arrangements, if needed, for CBP personnel to conduct quarterly qualifications and use of force training as per CBP policy.

ERO managers will be responsible for documenting any injuries and/or accidents for CBP personnel detailed to their office.

ERO managers will verify with CBP the hours worked for each CBP agent or officer prior to the conclusion of the pay period.

ERO managers will provide CBP with evaluative comments and feedback at the conclusion of the detail for each CBP agent and officer for the purposes of annual evaluations of CBP personnel.

The workweek and hours of duty will be determined by ERO, subject to applicable federal regulations, agency policies, and relevant Collective Bargaining Agreement provisions as appropriate. ERO will ensure that the CBP employees are not assigned hours of duty that conflict with CBP's policies and procedures, and that conform to current Federal Laws such as the Border Patrol Act Pay Reform Act (BPAPRA), Customs Officer Pay Reform Act (COPRA), aggregate, and bi-weekly limitations on pay.

ERO shall grant access to all enforcement databases necessary to execute agent responsibilities within 3 work days of arrival.

V. Implementation, Extension, and Termination of Detail

The details shall begin on February 3, 2020, for 90 days until May 2, 2020.

This agreement is effective on the date that it is signed by both parties and will terminate upon conclusion of the 90-day detail. This agreement may be amended, extended, or terminated by mutual consent of both parties, with reasonable notice. The desire for such action by either party should be declared in writing at least 15 days' prior of the effective date for such action.

At the conclusion of the detail, ICE and CBP will evaluate the effectiveness of the operation and determine if an extension is warranted. Details may only be extended, with prior approval from the CBP, in increments of [REDACTED] days or less.

VI. Financial Responsibility

The detail shall be made on a non-reimbursable basis. CBP will be responsible for the salaries, benefits, vacation, sick leave and other compensation, including overtime, of their personnel detailed to ERO.

CBP will be made aware of any scheduled overtime for CBP personnel in order to maintain compliance with applicable law and limitations on pay.

All travel related expenses for CBP personnel participating in this enforcement initiative will be funded by CBP.

VII. Rules, Regulations, and Policies

Nothing in this MOA shall be construed as to conflict with current laws, regulations, or directives of the U.S. Department of Homeland Security. If a term of this MOA is inconsistent with such authority, that term shall be invalid to the extent of the inconsistency. The remainder of that term and all other terms of this MOA shall remain in effect.

Nothing in this MOA is intended to diminish or otherwise affect the authority of any agency to carry out its statutory, regulatory, or other official functions, nor is it intended to create any right or benefit, substantive or procedural, enforceable by law by any party against the United States, its agencies or offices, State agencies, or officers carrying out programs authorized under Federal Law or any other person.

Under the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3, a review of this MOA may be conducted at any time. The Inspector General of the Department of Homeland Security, or any of his/her duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the Parties to this MOA, whether written, printed, recorded, produced, or reproduced by any mechanical, magnetic, or other process or medium in order to make audits, inspections, excerpts, transcripts, or other examinations as authorized by law.

This MOA and any associated annexes may be amended or revised at any time with the written agreement of both Parties.

Both Parties will make best efforts to amicably resolve any disputes that may arise under this agreement through discussions between them. If those views or mediation cannot be obtained or fail to resolve the matter, the issue will be elevated through respective management chains of resolution, and potentially to a common superior for decision.

The detailed employee is subject to all federal statutory and regulatory provisions that govern ethical and other standards of conduct, conflicts of interest, suitability, security, and limitations on political activity. The Federal Tort Claims Act and any other Federal tort liability statute shall apply to the detailee.

VIII. Points of Contacts

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

ICE ERO

Acting Deputy Assistant Director

Special Operations Division

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

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

US CBP OFO

Director

Enforcement Programs Division

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

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

US CBP USBP

Associate Chief

Law Enforcement Operations Directorate

Operations Planning Division

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

IX. Approvals:

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

Mark A. Morgan
Acting Commissioner
U.S. Customs and Border Protection

1/13/2020
(Date)

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

Matthew T. Albence
Deputy Director and Senior Official Performing
the Duties of the Director
U.S. Immigration and Customs Enforcement

1/13/2020
(Date)

SOG MISSION TASKING
Operation SUB zERO Support

I. SITUATION- The U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) is requesting support from Customs and Border Protection (CBP) for interior enforcement operations. The request/mandate is for (b)(7)(E) Border Patrol Agents (BPA's) and (b)(7)(E) Customs and Border Protection Officers (CBPO's) to be placed on long-term temporary duty assignments of 90 days to ICE ERO field offices throughout the U.S. The purpose is to augment ICE/ERO Criminal Alien Program (CAP), Fugitive Operations Teams, and/or Alternatives to Detention Enforcement Teams. Dates of this mission are February 2, 2020 – May 1, 2020 (90 days).

USBP SOG from USBP HQ has received official Deployment Order on January 15, 2020. Note deadline of deployment roster Friday, January 24, 2020. SOG is responsible for the following:

USBP Special Operations Group: (b)(7)(E) Total) (BTC/BST (b)(7)(E))

- (b)(7)(E) SOG TDY to **Chicago, IL**
- (b)(7)(E) SOG TDY to **Newark, NJ**

Operational Requirements: (b)(7)(E) agents

- San Diego Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to San Francisco, CA
- El Centro Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Los Angeles, CA
- Yuma Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Atlanta, GA
- Tucson Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD TDY to Houston, TX
 - (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Los Angeles, CA
- El Paso Sector: (b)(7)(E) Total) (b)(7)(E) SOD
- (b)(7)(E) SOD TDY to Chicago, IL
- Big Bend Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) BPA (b)(7)(E) TDY to San Francisco, CA
- Del Rio Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD TDY to Boston, MA
 - (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Houston, TX
- Laredo Sector: (b)(7)(E) Total) (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Atlanta, GA
- Rio Grande Valley Sector: (b)(7)(E) Total) (b)(7)(E) SOD
- (b)(7)(E) SOD TDY to Atlanta, GA
- New Orleans Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in New Orleans, LA
- Detroit Sector: (b)(7)(E) Total) (b)(7)(E) BPA (b)(7)(E)
- (b)(7)(E) BPA (b)(7)(E) Detail to ICE/ERO in Detroit, MI
- USBP Special Operations Group: (b)(7)(E) Total) (BTC/BST (b)(7)(E))
- (b)(7)(E) SOG TDY to Chicago, IL
 - (b)(7)(E) SOG TDY to Newark, NJ

II. MISSION

Recommendation:

III. GUIDANCE:

Planning:

- **Personnel:** Command is required to send out a solicitation for personnel to deploy for this operation/training. TBD
 - BORTAC: See note below from POC/Requestor regarding numbers.
 - BORSTAR
 - SOG (b)(7)(E)
- **Roster:** Due to Headquarters Friday, January 24, 2020. See attached Deployment Order for SOD personnel breakdown.
- **Dates of Mission:** February 2, 2020 – May 1, 2020 (90 days)
- **Uniform:** (b)(7)(E)

Identified ICE ERO Offices to receive support from USBP and OFO are as follows:

- Los Angeles, CA (USBP (b)(7)(E) OFO (b)(7)(E))
- Atlanta, GA (USBP (b)(7)(E) OFO (b)(7)(E))
- Chicago, IL (USBP (b)(7)(E) OFO (b)(7)(E))
- San Francisco, CA (USBP (b)(7)(E) OFO (b)(7)(E))
- Boston, MA (USBP (b)(7)(E) OFO (b)(7)(E))
- New Orleans, LA (USBP (b)(7)(E) OFO (b)(7)(E))
- Houston, TX (USBP (b)(7)(E) OFO (b)(7)(E))
- Newark, NJ (USBP (b)(7)(E) OFO (b)(7)(E))
- Detroit, MI (USBP (b)(7)(E) OFO (b)(7)(E))

POC/Requestor: ICE/ERO, no point of contact available.

Risk: (b)(7)(E)

Operation SUB zERO Funding String:

Fund: (b)(7)(E)
Fund Center: (b)(7)(E)
Functional Area: (b)(7)(E)
Cost Center: Your Sector's Cost Center
Internal order: (b)(7)(E)
Project Code: (b)(7)(E)

Travel Dates: Sunday, February 2, 2020 to Friday May 1, 2020
Purpose of travel: Domestic Travel
Trip Name: Operation SUBzERO ICE/ERO Support
Type Code: Long Term TDY
Comments: Operation SUBzERO ICE/ERO Support
City/Location: (Outlined Above)
M&IE: Authorized
Lodging: Authorized

HEADQUARTERS INTENT:

Purpose: Support ICE ERO at identified Field Offices to increase capacity and capability to arrest and remove fugitive aliens, mitigate the effects of the Gonzalez decision and deliver consequences for ignoring a final order of removal and violating immigration law.

Method: Deploy a total of [REDACTED] Border Patrol Agents, comprised of BPA-SOD, SOG personnel, to the identified ICE ERO Field Offices experiencing the greatest Gonzalez decision effects and larger fugitive and absconder populations and I.

End State: ICE ERO is able to increase administrative arrests of convicted criminal aliens, aliens with pending criminal charges and other immigration violators. ICE ERO will have reduced the effects of the Gonzalez decision to the extent possible and reduced the number of fugitive aliens and absconders within the Field Office area of responsibility.

Notes:

Purpose and End State Action Request:

Requesting Commanders Purpose/Intent & End State for further team planning.

Under the OPORD EXECUTION *This freedom of action, within the framework of the commander's intent, creates tempo during planning and execution.*

MANAGEMENT/COMMANDERS INTENT:

- **Purpose:** *How SOG efforts will accomplish the operation/mission. It should drive the "In order to..." Commander's intent is the commander's personal expression of the purpose of the operation.*
- **End State:** *End state or conditions, that, when satisfied, accomplish the purpose. Situation at the completion of the operation.*

IV. COORDINATING INSTRUCTIONS

1. All message traffic will refer to this mission as Operation *SUB zERO Support*.
2. Any changes to mission parameters will be routed to USBP SOG HQ for approval/awareness.
3. Any OT requests (4815 and IP) must be routed through [REDACTED] who will then route through Correspondence for approval by the Chief prior to forwarding to OBP-HQ.
4. Daily, sanitized, situation reports (SITREPS) will be sent to the SOG Command Staff and SOG Operations Center (OPSCEN). No sensitive or mission critical information will be included in the sit rep.
5. Sensitive information will only be distributed as needed within SOG [REDACTED]

X _____
SOG Approving Official signature

Date Approved

MITASK Command Meeting Determination & Coordination

CONUS OCONUS Country: _____

Mission is Valid, Feasible, Acceptable and Complete: Yes No

Mission name or support entity: USBP HQ

Date SR Received: 1/15/2020 Meeting Date: 1/16/2020

Unit Tasked to Leading Mission: BTC BST IU MRT
OFO SOD OTHER

Team Composition Breakdown: BTC _____ BST _____ IU _____ MRT _____
SOD _____ OFO _____ OTHER _____ TOTAL (b)(7)(E)

Funding / Issues: SOG

Special Skills Required/Recommended: (b)(7)(E)

Weapons required: Y N If Weapon Permits are not granted? Proceed Y N

Air Support/Mil/CBP/Sector etc.: _____

Chief's/Command Group notes and additional determinations made:

CPA or Designee:

BTC:

BST:

IU:

MRT:

(b)(7)(E) (HIGHLIGHT GUIDANCE BELOW)

- OPORD DUE DATE:** (b)(7)(E) include due date here)
(b)(7)(E) Operations – OPORD due to SOG (b)(7)(E) OPSCEN NLT (b)(7)(E) days prior to operation commencement. This will ensure annex is routed to the sector SOG is supporting and packet is complete for HQ awareness.
(b)(7)(E) Operations – OPORD due to SOG (b)(7)(E) OPSCEN NLT (b)(7)(E) days prior to operation commencement.
(b)(7)(E) Operations – OPORD Document due to SOG (b)(7)(E) OPSCEN NLT (b)(7)(E) days prior to operation commencement.

OCC Signature/Review required for (b)(7)(E) and (b)(7)(E) prior to sending HQ OP Packet. OCC Review is required for (b)(7)(E) however will not hold up routing of packet to HQ.
- (b)(7)(E) OPSCEN:**
 - (b)(7)(E) will assign a representative to assist TL's with working documents for routing and approval.
 - (b)(7)(E) representative will send operational templates, MITASK, Support Request and any other supporting documents to the TL's and Commander's once the TL's have been identified. If TL's have not been identified within two days, all template documents will be sent to the Commander's.
 - (b)(7)(E) will receive OPORD, review/edit OPORD and complete Ops packet for routing.

*****Copies to be filed in mission folder by SOG OPSCEN and emailed to Command Staff*****



DEPLOYMENT ORDER
Operation SUB-zero
U.S. CUSTOMS AND BORDER PROTECTION
United States Border Patrol Headquarters

SITUATION:

U.S. Customs and Border Protection (CBP), including the United States Border Patrol (USBP) and the Office of Field Operations (OFO), has received a request to support U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO). The request has been approved by the CBP Commissioner. The request/mandate is for [REDACTED] Border Patrol Agents (BPAs) and [REDACTED] Customs and Border Protection Officers (CBPOs) to be placed on long term temporary duty assignments (LTTDY) of 90 days to specific ICE ERO field offices. The purpose of this detail will be to augment ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

A recent court decision in the United States District Court, Central District of California (Gonzalez v. ICE), mandates that Immigration and Customs Enforcement (ICE) supplement immigration and criminal database checks by conducting in person interviews prior to serving immigration detainers on incarcerated individuals. Due to resource limitations, criminal aliens may be released prior to an interview by an ICE officer or a detainer being placed.

ICE currently has [REDACTED] Fugitive Operations (FUGOPS) and At-Large Criminal Alien Teams spread throughout the country. To reduce the fugitive alien backlog and mitigate consequences of the Gonzalez decision, ICE ERO, seeks the assistance of U.S. Customs and Border Protection (CBP) as a force multiplier. The ICE ERO Field Offices identified as experiencing the greatest impact of the Gonzalez litigation and with larger fugitive and absconder populations are [REDACTED] (b)(7)(E)

(b)(7)(E)

HEADQUARTERS INTENT:

Purpose: Support ICE ERO at identified Field Offices to increase capacity and capability to arrest and remove fugitive aliens, mitigate the effects of the Gonzalez decision and deliver consequences for ignoring a final order of removal and violating immigration law.

Method: Deploy a total of [REDACTED] Border Patrol Agents, comprised of BPA [REDACTED] SOD, and SOG personnel, to the identified ICE ERO Field Offices experiencing the greatest Gonzalez decision effects and larger fugitive and absconder populations.

End State: ICE ERO is able to increase administrative arrests of convicted criminal aliens, aliens with pending criminal charges and other immigration violators. ICE ERO will have reduced the effects of the Gonzalez decision to the extent possible and reduced the number of fugitive aliens and absconders within the Field Office area of responsibility.

MISSION:

From February 2, 2020 through May 1, 2020 (90 days), USBP will deploy (b)(7)(E) agents to augment ICE ERO CAP, FUGOPS, and Alternatives to Detention Enforcement Teams at specific ICE ERO Field Offices in order to increase the capacity and capability to locate, apprehend and remove at-large criminal illegal aliens from the interior of the United States.

EXECUTION:

USBP Sectors currently have a number of Border Patrol Agents (BPA) (b)(7)(E) detailed to support local ICE offices and/or Task Force Officers (TFOs). These numbers were used to determine how many agents each Sector could contribute to this initiative, while minimizing the impact to current operations along the Southwest border. The determination to reduce or eliminate support to the local ICE office in order to support this initiative is at the discretion of the Sector Chief, however, the number of BPA that each Sector is required to provide will not change. Personnel from USBP Special Operations Group and Sector Special Operations Detachments (SOD) provide the remaining personnel requirement.

Identified ICE ERO Offices to receive support from USBP and OFO are as follows;

- Los Angeles, CA (USBP (b)(7)(E) OFO (b)(7)(E))
- Atlanta, GA (USBP (b)(7)(E) OFO (b)(7)(E))
- Chicago, IL (USBP (b)(7)(E) OFO (b)(7)(E))
- San Francisco, CA (USBP (b)(7)(E) OFO (b)(7)(E))
- Boston, MA (USBP (b)(7)(E) OFO (b)(7)(E))
- New Orleans, LA (USBP (b)(7)(E) OFO (b)(7)(E))
- Houston, TX (USBP (b)(7)(E) OFO (b)(7)(E))
- Newark, NJ (USBP (b)(7)(E) OFO (b)(7)(E))
- Detroit, MI (USBP (b)(7)(E) OFO (b)(7)(E))

Agents detailed to support this mission will report to an identified ICE ERO Supervisory Detention and Deportation Officer. Agents will receive two days of initial training, provided by ICE ERO Training Division and ICE Office of the Principal Legal Advisor (OPLA) followed by planned enforcement activities led by ICE ERO. Agents will augment ICE ERO FUGOPS teams and/or CAP teams. (b)(7)(E)

(b)(7)(E) Agents will be responsible for processing aliens, running records checks, issuing immigration detainers and charging documents (e.g. NTAs). Agents should have access to the appropriate systems to perform these duties (e.g. (b)(7)(E)

(b)(7)(E) Agents WILL NOT be exclusively processing aliens for ERO, but will be expected to process apprehensions and criminal aliens in a detention/jail setting. Agents should be tactically proficient, as they will be working in at-large, urban law enforcement environments. Agents should be able to work and communicate with the public and interact with jail/prison staff. Agents should be comfortable in operating in a scrutinized operational environment, to include protest activity, hostile members of the public, advocacy attention, as they will likely be working in non-cooperative urban communities. If possible, agents should have a government issued cell phone and lap top computer.

This Deployment Order is the official notification that Sectors are to complete rosters, create travel authorizations and deploy identified agents to the specified locations as outlined below.

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

Rosters are due to Headquarters on or before **Friday January 24, 2020 at 1200 hours (EST)**

Operational Requirements: (b)(7)(E) agents

San Diego Sector: (b)(7)(E) Total (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to (b)(7)(E) Vehicle Authorized

(b)(7)(E)

POC: (b)(6), (b)(7)(C) (o) (b)(6), (b)(7)(C) (c)

(b)(6), (b)(7)(C) @ice.dhs.gov

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to (b)(7)(E) Vehicle Authorized (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C) (o) (b)(6), (b)(7)(C) (c)

(b)(6), (b)(7)(C) @ice.dhs.gov

El Centro Sector: (b)(7)(E) Total (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to Los Angeles, CA (b)(7)(E) Vehicle Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Yuma Sector: (b)(7)(E) Total (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E) TDY to (b)(7)(E) Vehicle Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Tucson Sector: (b)(7)(E) Total (b)(7)(E) SOD (b)(7)(E) BPA (b)(7)(E)

- (b)(7)(E) SOD TDY to Houston, TX (b)(7)(E) Vehicle Authorized

(b)(7)(E)

POC: Acting AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- **SOD BPA TDY to Los Angeles, CA Vehicles Authorized**

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- **SOD BPA TDY to (b)(7)(E) Vehicle Authorized**

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

El Paso Sector: Total SOD

- **SOD TDY to (b)(7)(E) Vehicle Authorized**

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Big Bend Sector: Total BPA (b)(7)(E)

- **BPA TDY to (b)(7)(E) Vehicle Authorized**

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C) (e) (b)(6), (b)(7)(C) (c)

(b)(6), (b)(7)(C) @ice.dhs.gov

Del Rio Sector: Total SOD BPA (b)(7)(E)

- **SOD TDY to (b)(7)(E) Vehicles Authorized**

(b)(7)(E)

POC: Acting AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- **SOD BPA TDY to Houston, TX Vehicle Authorized**

(b)(7)(E)

POC: Acting AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Laredo Sector: Total SOD BPA (b)(7)(E)

- **SOD BPA TDY to (b)(7)(E) Vehicle Authorized**

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Rio Grande Valley Sector: Total SOD

- SOD TDY to Atlanta, GA Vehicle Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- SOD TDY to (b)(7)(E) Vehicle Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

New Orleans Sector: Total BPA (b)(7)(E)

- BPA (b)(7)(E) to ICE/ERO in New Orleans, LA

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

Detroit Sector: Total BPA (b)(7)(E)

- BPA (b)(7)(E) to ICE/ERO in (b)(7)(E)

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- BPA (b)(7)(E) to (b)(7)(E)

(b)(7)(E)

Vehicle Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

USBP Special Operations Group: Total (BTC/BST) (b)(7)(E)

- SOG TDY to (b)(7)(E) Vehicles Authorized

(b)(7)(E)

POC: AFOD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @ice.dhs.gov

- SOG TDY to (b)(7)(E) Vehicle Authorized

(b)(7)(E)

(b)(7)(E)
POC: AFOD (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov

- (b)(7)(E) SOG TDY to Newark, NJ (b)(7)(E) Vehicle Authorized

(b)(7)(E)
POC: AFOD (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov

- (b)(7)(E) SOG TDY to (b)(7)(E) Vehicle Authorized

(b)(7)(E)
POC: AFOD (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov

OPERATION SUB zERO FUNDING STRING

Fund: (b)(7)(E)
Fund Center: (b)(7)(E)
Functional Area: (b)(7)(E)
Cost Center: Your Sector's Cost Center
Internal order: (b)(7)(E)
Project Code: (b)(7)(E)

Travel Dates: Sunday, February 2, 2020 to Friday May 1, 2020
Purpose of travel: Domestic Travel
Trip Name: Operation SUBzERO ICE/ERO Support
Type Code: Long Term TDY
Comments: Operation SUBzERO ICE/ERO Support
City/Location: (Outlined Above)
M&IE: Authorized
Lodging: Authorized
• *Lodging requirements may change during deployment.*

Commercial Air Travel:

Contract fares for commercial air travel must be utilized unless exigent circumstances exist.

Commercial Rental:

Rental vehicles will be approved on a (b)(6) agents to (b)(6) vehicle ratio. Only designated agents by the Sector will be authorized to rent vehicles via government travel orders.

Lodging:

Lodging Facilities for deployed personnel may vary from standard hotel rooms.

- CBP will strive to provide the most comfortable housing available for deployed personnel, but deployed agents must be ready and willing to be housed in whatever lodging is provided.
- Agents will be responsible for securing local lodging at the designated locations.
- Contact the designated local POC for any issues with securing lodging.

Media Attention:

Due to the high probability of media attention, all CBP personnel must be consistent and professional in appearance at all times. Any patches worn on CBP body armor outer carriers must follow all established and approved guidance from CBP. “Morale” patches and stickers are not authorized and will not be worn on/with any CBP uniform or equipment.

Government Credit Card:

All operation participants are to use their valid government credit card unless there are exigent circumstances. Sectors may authorize the use of the CBA for travel expenses.

Flying Armed:

USBP agents participating in the operation who plan to fly armed must meet all training requirements and obtain a valid UFAN from their local firearms coordinator.

Travel Authorization Instructions:

Travelers need to enter the following additional information for temporary duty (TDY) expenses when creating a travel authorization:

- TDY Voucher Fee – \$14.75 (will be automatically added to travel authorization)
- Estimate Travel Fee - \$9.91 (will be automatically added to travel authorization)
- Checked Baggage Fee – ~\$60.00 estimated for roundtrip travel (this will allow agents to have 1 checked bag plus their carry-on items)
- ATM Fees – If needed (this includes the bank fee and for each withdrawal)

Possible additional expenses to add to travel:

- Laundry – only to be claimed once a week \$15.00 per week
- Parking/Tolls (*hotel may have parking fees*)(*roadway tolls*)
- Taxi/Limo or Mileage to/from home to Airport in your POV if necessary
- Airfare
- Hotel Taxes – (Submit tax exempt form to hotel upon check in)

All travel authorizations must be input and approved as soon as possible.

Uniform and Equipment (b)(7)(E)
(b)(7)(E)

(b)(7)(E)

- **Uniform**

(b)(7)(E)

- **Mission Specific Equipment**

(b)(7)(E)

Point(s) of Contact:

- **USBP HQ, Washington, D.C.**

Associate Chief

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

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

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

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

- **USBP HQ, Washington D.C.**

Assistant Chief

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

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

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

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

- **ICE ERO HQ POC**

(A) Deputy Assistant Director

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

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

(b)(6), (b)(7)(C)@ice.dhs.gov

- **ICE ERO Los Angeles, CA**
TBD
- **ICE ERO San Francisco, CA**
TBD
- **ICE ERO Houston, TX**
TBD
- **ICE ERO Atlanta, GA**
TBD
- **ICE ERO Boston, MA**
TBD
- **ICE ERO Newark, NJ**
TBD
- **ICE ERO Chicago, IL**
TBD
- **ICE ERO New Orleans, LA**
TBD
- **ICE ERO Detroit, MI**
TBD

Message

From:

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

Sent:

2/27/2020 8:10:37 PM

To:

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

CC:

SOG OPSCEN

(b)(7)(E)

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

Subject:

SITREP-20200227;(b)(7)(E); OP-SOG-NYC-OPERATION SUBZERO ;(b)(6), (b)(7)(C) ;@cbp.dhs.gov

Attachments:

Report_SITREP-20200227;(b)(7)(E); OP-SOG-NYC-OPERATION SUBZERO .pdf; (b)(6), (b)(7)(C)

SITREP

Operation:

(b)(7)(E)

SITREP ID: SITREP-20200227;(b)(7)(E)

Date: 02/27/2020

Operation Name: OP-SOG-NYC-OPERATION SUBZERO

Assigned Station: HQ/SOG

Station(s) worked:

Zone(s):

Shift/Covering period:

(b)(7)(E)

POC s for any further information/coordinator:

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

GPS Coordinates:

(b)(7)(E)

Call Outs: None.

Daily Activity Report/Narrative/Effectiveness: Supported NYC Fugitive OPs Teams with enforcement (b)(7)(E)

(b)(7)(E)

Four subjects were apprehended and processed accordingly.

Medical Status: Good.

Significant Events:

Supported Fug Ops with the arrest of **(b)(6), (b)(7)(C)** in front of the court house after his release. The arrest was without incident. **(b)(6), (b)(7)(C)** was one of the six subjects arrested during a New York Drug Enforcement Raid on 01/24/2020, but released due to NYC's bail reform. **(b)(6), (b)(7)(C)** was arrested under an Administrative Warrant for Over Stay and will be served a Notice to Appear. **(b)(6), (b)(7)(C)** will remain in ICE custody until all court proceedings are complete.

<https://nypost.com/2020/01/29/suspects-accused-of-running-7m-fentanyl-ring-released-without-bail/>
<https://www.lawenforcementtoday.com/six-suspects-busted-running-7-million-fentanyl-ring-new-york-just-released-them-without-bail/>

Criminal History:

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

Air Operations: N/A.

(b)(7)(E)

Next 24 Hours: Continue to support Operation SUB ZERO.

Associated Event Numbers

No Event # Logged -

SITREP Coordinates

(b)(7)(E)

Total Apprehensions

UDAs - 4

Total Manpower

BOR/BTC SECT (b)(7)(E)

INT/SOG FIT (b)(7)(E)

Sent from my iPad

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

Assistant Chief, USBPHQ

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

From: MORGAN, MARK A (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)
Sent: 1/19/2020 11:30:54 PM
To: (b)(6), (b)(7)(C) @cbp.dhs.gov
CC: (b)(6), (b)(7)(C) @cbp.dhs.gov]; SEGUIN, DEBBIE W (b)(6), (b)(7)(C) @cbp.dhs.gov]; PEREZ, ROBERT E (b)(6), (b)(7)(C) @cbp.dhs.gov]; (b)(6), (b)(7)(C) @cbp.dhs.gov]
Subject: Re: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

Rgr

Sent from my iPhone

On Jan 19, 2020, at 4:29 PM, (b)(6), (b)(7)(C) @cbp.dhs.gov> wrote:

Initial TPs for tomorrow in addition to the intel assessment on the caravan, attached.

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

From: MORGAN, MARK A (b)(6), (b)(7)(C) @cbp.dhs.gov>
Sent: Sunday, January 19, 2020 1:30 PM
To: (b)(6), (b)(7)(C) @cbp.dhs.gov>; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @cbp.dhs.gov>
Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C) @cbp.dhs.gov>; PEREZ, ROBERT E (b)(6), (b)(7)(C) @cbp.dhs.gov>
Subject: Fwd: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

This would be a good topic as well!!

Sent from my iPhone

Begin forwarded message:

From: (b)(6) @hq.dhs.gov>
Date: January 19, 2020 at 1:23:27 PM EST
Subject: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

By Annie Correal | January 17, 2020

The Trump administration took renewed aim at New York City's so-called sanctuary policies on Friday after the recent arrest of an undocumented Guyanese man on charges that he raped and murdered a 92-year-old woman in Queens.

Matthew T. Albence, the acting director of Immigration and Customs Enforcement, accused the city of allowing the accused killer of the woman, Maria Fuertes, to walk free months ago when he should have been held for possible deportation.

“A phone call, one simple phone call, and Ms. Fuertes would be alive today,” Mr. Albence said at a news conference at the ICE field office in Lower Manhattan.

His sharp rebuke came at the same time as the woman’s family also criticized the authorities. Speaking at his mother’s funeral on Thursday, one of Ms. Fuertes’s sons, Hugo Fuertes, said, “I blame the city as much as immigration because they have not done an adequate job.”

He added, drawing applause, “He was a criminal and they did not pay attention to this. They left him in the streets and he continued to do his misdeeds — because of that my mother is dead.”

He said, in a later interview, that local law enforcement and federal immigration authorities had tossed the responsibility between themselves “like hot potato.”

The Jan. 6 rape and murder of Ms. Fuertes has become a flash point in the broader debate over immigration and so-called sanctuary cities, where officials have resisted deputizing law enforcement to help federal immigration authorities detain and deport undocumented immigrants. Mr. Albence’s visit to New York came on the heels of a statement from his agency this week condemning the city’s sanctuary policies.

Reeaz Khan of Richmond Park, Queens, had been arrested in November and accused of beating his father in an altercation. ICE officials said that at the time the agency had asked the New York Police Department to hold Mr. Khan under what is called a detainer request.

A detainer asks local law enforcement authorities to hold undocumented immigrants who have been charged or convicted of crimes for 48 hours after their release so that immigration agents can pick them up for possible deportation.

New York’s detainer law and policy mandates that officials turn over to ICE only those who are convicted of violent and serious offenses, and only when ICE has met legal and due process requirements.

Mr. Khan, 21, was released shortly after he was arraigned on charges of assault and criminal possession of a weapon in relation to the altercation with his father, in which the authorities said he had slashed his father with a broken coffee cup. He was arrested again last week and charged with the murder of Ms. Fuertes.

The Police Department disputed the claim, saying it did not receive a detainer request when Mr. Khan was first arrested. ICE responded by releasing a copy of the fax transmission form appended to the detainer, which was dated Nov. 27, the same day as the arrest.

“How much more do you need? Should he have beat up his mother, too? Should he kick the dog?” Mr. Albence said. “How much more do you need to take enforcement action against an illegal alien?”

A spokeswoman for Mayor Bill de Blasio called Ms. Fuertes’s death “an absolute tragedy.”

“Fear, hate and attempts to divide are signatures of the Trump Administration, not New York City. We are the safest big city in America because of our policies, not in spite of them,” said the spokeswoman, Freddi Goldstein.

Ms. Fuertes emigrated to New York from the Dominican Republic in the 1960s and was a legal resident of the United States, her son said. In recent years, she collected cans around her neighborhood of South Richmond Hill, Queens, and was described after her death as a beloved figure in her community.

Even as Mr. Fuertes criticized the city’s handling of Mr. Khan’s assault case, he also denounced recent federal immigration policies resulting in more deportations and child separation. “They do not do what they should be doing,” said Mr. Fuertes, 69.

He said in an interview that he agreed with sanctuary city policies but did not believe “criminals” should be walking out on the streets.

Mr. Albence, the acting ICE director, excoriated New York’s sanctuary policies beyond the death of Ms. Fuertes, saying the city refused to honor thousands of detainees each year and failed to cooperate in other ways, such as barring ICE agents from conducting interviews in city jails.

Of the more than 7,500 detainer requests lodged by the ICE New York bureau field office last year, local authorities honored about 10, Mr. Albence said.

President Trump has repeatedly attacked sanctuary cities — which include New York City, Chicago, Philadelphia and San Francisco — saying that refusing to cooperate with federal immigration authorities to transfer those arrested into the custody of ICE jeopardizes public safety, and that such places have become havens for criminals.

Since his 2016 campaign for president, Mr. Trump has called attention to cases in which people were killed or harmed by undocumented immigrants in sanctuary cities and beyond, including that of Kathryn Steinle, who was killed in San Francisco, and whose alleged murderer was ultimately acquitted.

The Trump administration has threatened to withhold millions of dollars in federal funding for law enforcement programs in New York, and ICE has detained a growing number of undocumented residents there, including around courthouses.

During his news conference, Mr. Albence said there had been a more “visible presence” of ICE officers in communities around the country during the last two or three years because of sanctuary policies.

“We are not going to turn a blind eye and put innocent people at risk because the law enforcement agencies in certain jurisdictions don’t, don’t or can’t, work with us,” he said.

Mr. Khan was arrested on Jan. 10 after the police had released surveillance video asking for the public’s assistance in finding a man suspected of attacking Ms. Fuertes, who was found unconscious and partially exposed behind a parked vehicle near her home. She later died of her injuries.

Mr. Khan is scheduled to appear in court next week in connection with the charges that he assaulted his father.

Andrea Salcedo contributed reporting.

(b)(6)

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

<Briefing memo 1-20-2020 FNF - Copy.docx>
<Migration Crisis Flow Update 312.pdf>

From: (b)(6), (b)(7)(C)@cbp.dhs.gov; (b)(6), (b)(7)(C)@cbp.dhs.gov
Sent: 1/19/2020 11:30:52 PM
To: (b)(6), (b)(7)(C)@cbp.dhs.gov
CC: (b)(6), (b)(7)(C)@cbp.dhs.gov; SEGUIN, DEBBIE W (b)(6), (b)(7)(C)@cbp.dhs.gov]; PEREZ, ROBERT E (b)(6), (b)(7)(C)@cbp.dhs.gov]; (b)(6), (b)(7)(C)@cbp.dhs.gov]
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Since his 2016 campaign for president, Mr. Trump has called attention to cases in which people were killed or harmed by undocumented immigrants in sanctuary cities and beyond, including that of Kathryn Steinle, who was killed in San Francisco, and whose alleged murderer was ultimately acquitted.

The Trump administration has threatened to withhold millions of dollars in federal funding for law enforcement programs in New York, and ICE has detained a growing number of undocumented residents there, including around courthouses.

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Andrea Salcedo contributed reporting.

(b)(6)

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

<Briefing memo 1-20-2020 FNF - Copy.docx>
<Migration Crisis Flow Update 312.pdf>

From: (b)(6), (b)(7)(C)@cbp.dhs.gov
Sent: 1/19/2020 6:38:19 PM
To: MORGAN, MARK A (b)(6), (b)(7)(C)@cbp.dhs.gov
CC: (b)(6), (b)(7)(C)@cbp.dhs.gov; SEGUIN, DEBBIE W (b)(6), (b)(7)(C)@cbp.dhs.gov]; PEREZ, ROBERT E (b)(6), (b)(7)(C)@cbp.dhs.gov]
Subject: Re: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

Rgr sir. Will suggest!

Sent from my iPhone

On Jan 19, 2020, at 1:30 PM, MORGAN, MARK A (b)(6), (b)(7)(C)@cbp.dhs.gov> wrote:

This would be a good topic as well!!

Sent from my iPhone

Begin forwarded message:

From: (b)(6)@hq.dhs.gov>
Date: January 19, 2020 at 1:23:27 PM EST
Subject: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

[NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy](#)

By Annie Correal | January 17, 2020

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Matthew T. Albence, the acting director of Immigration and Customs Enforcement, accused the city of allowing the accused killer of the woman, Maria Fuertes, to walk free months ago when he should have been held for possible deportation.

"A phone call, one simple phone call, and Ms. Fuertes would be alive today," Mr. Albence said at a news conference at the ICE field office in Lower Manhattan.

His sharp rebuke came at the same time as the woman's family also criticized the authorities. Speaking at his mother's funeral on Thursday, one of Ms. Fuertes's sons, Hugo Fuertes, said, "I blame the city as much as immigration because they have not done an adequate job."

He added, drawing applause, "He was a criminal and they did not pay attention to this. They left him in the streets and he continued to do his misdeeds — because of that my mother is dead."

He said, in a later interview, that local law enforcement and federal immigration authorities had tossed the responsibility between themselves "like hot potato."

The Jan. 6 rape and murder of Ms. Fuertes has become a flash point in the broader debate over immigration and so-called sanctuary cities, where officials have resisted

deputizing law enforcement to help federal immigration authorities detain and deport undocumented immigrants. Mr. Albence's visit to New York came on the heels of a statement from his agency this week condemning the city's sanctuary policies.

Reeaz Khan of Richmond Park, Queens, had been arrested in November and accused of beating his father in an altercation. ICE officials said that at the time the agency had asked the New York Police Department to hold Mr. Khan under what is called a detainer request.

A detainer asks local law enforcement authorities to hold undocumented immigrants who have been charged or convicted of crimes for 48 hours after their release so that immigration agents can pick them up for possible deportation.

New York's detainer law and policy mandates that officials turn over to ICE only those who are convicted of violent and serious offenses, and only when ICE has met legal and due process requirements.

Mr. Khan, 21, was released shortly after he was arraigned on charges of assault and criminal possession of a weapon in relation to the altercation with his father, in which the authorities said he had slashed his father with a broken coffee cup. He was arrested again last week and charged with the murder of Ms. Fuertes.

The Police Department disputed the claim, saying it did not receive a detainer request when Mr. Khan was first arrested. ICE responded by releasing a copy of the fax transmission form appended to the detainer, which was dated Nov. 27, the same day as the arrest.

"How much more do you need? Should he have beat up his mother, too? Should he kick the dog?" Mr. Albence said. "How much more do you need to take enforcement action against an illegal alien?"

A spokeswoman for Mayor Bill de Blasio called Ms. Fuertes's death "an absolute tragedy."

"Fear, hate and attempts to divide are signatures of the Trump Administration, not New York City. We are the safest big city in America because of our policies, not in spite of them," said the spokeswoman, Freddi Goldstein.

Ms. Fuertes emigrated to New York from the Dominican Republic in the 1960s and was a legal resident of the United States, her son said. In recent years, she collected cans around her neighborhood of South Richmond Hill, Queens, and was described after her death as a beloved figure in her community.

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Andrea Salcedo contributed reporting.

(b)(6)

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

From: (b)(6), (b)(7)(C)@cbp.dhs.gov
Sent: 1/20/2020 12:26:23 PM
To: MORGAN, MARK A (b)(6), (b)(7)(C)@cbp.dhs.gov
Subject: Fwd: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy
Attachments: Briefing memo 1-20-2020 FNF - Copy.docx; Migration Crisis Flow Update 312.pdf

[Get Outlook for iOS](#)

From: (b)(6), (b)(7)(C)@cbp.dhs.gov>
Sent: Sunday, January 19, 2020 4:29:06 PM
To: MORGAN, MARK A (b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6), (b)(7)(C)@cbp.dhs.gov>
Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C)@cbp.dhs.gov>; PEREZ, ROBERT E (b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6), (b)(7)(C)@cbp.dhs.gov>
Subject: RE: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

Initial TPs for tomorrow in addition to the intel assessment on the caravan, attached.

Sir, they have not yet agreed to the sanctuary topic and we're still locked on the drugs and caravans. Will work TPs if they come back otherwise, but confident you've got it if not based on Mr. Albence's comments, which are spot on.

(b)(6), (b)(7)(C) and I will meet you there as you're aware but available in the meantime if you need more.

v/r: (b)(6), (b)(7)(C)

From: MORGAN, MARK A (b)(6), (b)(7)(C)@cbp.dhs.gov>
Sent: Sunday, January 19, 2020 1:30 PM
To: (b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6), (b)(7)(C)@cbp.dhs.gov>
Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C)@cbp.dhs.gov>; PEREZ, ROBERT E (b)(6), (b)(7)(C)@cbp.dhs.gov>
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This would be a good topic as well!!

Sent from my iPhone

Begin forwarded message:

From: (b)(6)@hq.dhs.gov>
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Subject: NY Times: Citing Murder, Top Trump Official Condemns N.Y. Sanctuary Policy

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Andrea Salcedo contributed reporting.

(b)(6)

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

Appointment

From: (b)(6), (b)(7)(C), (b)(7)(E)

Sent: 2/18/2020 5:15:23 PM

To: (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C) @cbp.dhs.gov; QUINN, TIMOTHY; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) (NCO) (b)(6), (b)(7)(C) @cbp.dhs.gov; HOFFMAN, TODD A (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @hq.dhs.gov; Hill, John (b)(6) @hq.dhs.gov; (b)(6) (b)(6) @hq.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov

CC: Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C) @CBP.DHS.GOV; SCOTT, RODNEY S (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @cbp.dhs.gov; HASTINGS, BRIAN S (b)(6), (b)(7)(C) @CBP.DHS.GOV; SCUDDER, KATHLEEN (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; PAYNE, LAWRENCE R (b)(6), (b)(7)(C), (b)(7)(E) (b)(6), (b)(7)(C), (b)(7)(E) (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6) @hq.dhs.gov

Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
Attachments: QA - Call with Police Chiefs - 2.15.2020_Participants List.docx; QA - Call with Police Chiefs - 2.15.2020 - DHS Input.docx
Location: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))
Start: 2/18/2020 8:00:00 PM
End: 2/18/2020 9:30:00 PM
Show Time As: Busy

Required Attendees: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Optional Attendees: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS, BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C) PAYNE, LAWRENCE R; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

****Please note change in conference line/PIN**** - Please do not share with external participants
New line/PIN:

Conference Line: (b)(7)(E)
PIN: (b)(7)(E)

CBP/ICE Conference Call with Major City Police Chiefs

3:00-3:30PM: Pre-call (ICE/CBP/DHS only)
3:30-4:30PM: Conference call with Major City Police Chiefs Association – conference line (b)(7)(E) PIN (b)(7)(E)

Overview: On Friday, February 14, the New York Times reported CBP would deploy BORTAC agents to assist ICE with immigration enforcement operations in several cities across the United States, including Chicago, New York, San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit, and Newark. CBP confirmed the agency would deploy 100 agents/officers to work, “in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.” Several major city police chiefs have expressed concerns about these

deployments and have requested a briefing with ICE/CBP. ("Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities", *New York Times*: <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>)

Purpose: The purpose of this conference call is to provide additional information about the deployment of CBP agents/officers to assist ICE. The police chiefs will likely ask about the scope of CBP agents'/officers' duties and CBP's vs. ICE's roles and authorities. They will also likely ask about the appearance of CBP personnel (i.e., uniform, equipment, will their apparel be labeled "police"). IPL tasked the attached Q&A document to CBP and ICE Exec Sec components to address potential questions from the Chiefs. This document will be distributed prior to the phone call.

ICE/CBP/DHS will participate in a 3:00PM phone call to discuss ICE vs. CBP talking points and roles during the 3:30 call with police chiefs. At 3:30PM, the Major Cities Police Chiefs and a representative from the International Association of Chiefs of Police (TBD) will join the call.

Attendees (updates pending):

Major Cities Police Chiefs Association:

Chief Art Acevedo, Houston Police Department, TX
Chief Robert Luna, City of Long Beach Police Department, CA
Chief Mike Brown, Salt Lake City Police Department, UT
Director Anthony Ambrose, City of Newark Department of Public Safety, NJ
Assistant Chief Horace Frank, Los Angeles Police Department, CA
TDB, Los Angeles County Sheriff's Department, CA
Chief Erika Shields, Atlanta Police Department, GA
Commissioner Dermot Shea, New York City Police Department, NY

CBP:

Chief Scott, USBP
EAC Owen, OFO
XD Todd Hoffman, OFO
XD Tim Quinn, IPL
DXD (b)(6), (b)(7)(C) IPL
LE Branch Chief (b)(6), (b)(7)(C) IPL

ICE:

EAD (b)(6), (b)(7)(C) ICE/ERO
AD (b)(6), (b)(7)(C) ICE Office for Partnership and Engagement

DHS/OPE:

A/S John Hill, OPE
D/AS (b)(6) OPE

POC: Please direct any questions regarding this call to (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @cbp.dhs.gov

From: (b)(6), (b)(7)(C)@cbp.dhs.gov
Sent: 1/17/2020 3:37:04 PM
To: (b)(6), (b)(7)(C)@cbp.dhs.gov; (b)(6), (b)(7)(C)@cbp.dhs.gov
CC: PAYNE, LAWRENCE R (b)(6), (b)(7)(C)@cbp.dhs.gov; SEGUIN, DEBBIE W (b)(6), (b)(7)(C)@cbp.dhs.gov
Subject: FW: NYC Presser Info
Attachments: 1-17-20 NYC PC RE; Detainers (b)(6), (b)(7)(C).docx

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

See below. Good stuff for AC1.

R/S

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

From: (b)(6), (b)(7)(C)@ice.dhs.gov>
Sent: Friday, January 17, 2020 10:35 AM
To: SWIFT, HEATHER (b)(6)@hq.dhs.gov>; (b)(6)@hq.dhs.gov>; (b)(6)
(b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)@cbp.dhs.gov>; (b)(6)@uscis.dhs.gov>; (b)(6) EOP/WHO
(b)(6)@who.eop.gov>; (b)(6)@who.eop.gov>; (b)(6) EOP/WHO
(b)(6)@who.eop.gov>
Cc: (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)@ice.dhs.gov>
Subject: NYC Presser Info

All,

Talking points are below and AD1's remarks are attached for the NYC presser today. It will be livestreamed here: <https://www.ice.gov/live>. AD1 will be flanked by the NYPD union vice president, (b)(6) - he will not have a speaking role. Appreciate any amplification on socials or otherwise. Heather, will send an RSVP list as soon as it's final - still receiving last minute requests to attend.

NEW YORK TALKING POINTS

(b)(6), (b)(7)(C) 21, an unlawfully present Guyanese national, was arrested Jan. 10 by the NYPD and **charged with murder**, sexual abuse, contact by forcible compulsion, and sexual abuse against a person incapable of consent. (b)(6), (b)(7)(C) was previously released from local law enforcement custody in November 2019 with an active detainer, due to New York City's sanctuary policies.

- **Victim in this case is a 92 year woman.**
- On Nov. 27, (b)(6), (b)(7)(C) was arrested by the NYPD for the charges of assault, and criminal possession of a weapon. On that same date, ERO deportation officers lodged a detainer with the NYPD. The detainer was not honored, and (b)(6), (b)(7)(C) was released following arraignment.

(b)(6), (b)(7)(C) 23, is a citizen and national of Colombia who was arrested by the NYPD on June 25, 2018 for the offenses of predatory sex assault against child: specified offense against child less than 13 years old (felony) and act in manner to injure child less than 17.

- (b)(6), (b)(7)(C) was remanded to the New York City Department of Corrections on **June 26, 2018**. **A detainer was filed on that same date.**
- He was later CONVICTED by the New York County Supreme Court of sexual conduct 1st degree: 2 or more acts against child less than 11 years old on Dec. 18, 2019. (b)(6), (b)(7)(C) sentencing is pending.
- Dec.18, 2018, On the same date, the NYCDOC released (b)(6), (b)(7)(C) on his own recognizance pending his sentencing and did not honor or notify ICE despite the I-247 detainer.
- On January 15, 2020, ERO New York arrested (b)(6), (b)(7)(C) and he is currently detained in ICE custody, without bond, pending removal proceedings.

GREEN LIGHT LAW:

- On June 17, 2019, the New York State (NYS) Governor, Andrew Cuomo, signed into law the “Driver’s License Access and Privacy Act”, also known as the “Green Light Law” (A3675B) that now allows undocumented individuals to obtain driver’s licenses.
- The legislation has essentially created two types of licenses: a federal purpose driver’s license that is Real-ID compliant and a standard driver’s license (only available in classes D, DJ, M and MJ—commercial class excluded). Eligibility for a federal purpose driver’s licenses still requires all the necessary documentation that is required for a license now. However, an application for a standard driver’s license only requires “proof of identity, age and fitness” as established by Department of Motor Vehicles (DMV) regulations. The legislation states that these regulations must allow DMV to accept a passport or other government identification issued by a foreign government as proof of age and identity. Failure to provide a social security number would not disqualify an individual from obtaining a standard driver’s license.
- The physical form of a standard driver’s license is indistinguishable from federal purpose driver’s license, except for font, which reads, “Not for Federal Purposes.,” in type no larger than the smallest font otherwise appearing on the card.
- **The legislation has also restricted access to DMV records (hardcopy and electronic) by both the public and law enforcement, specifically singling out CBP and ICE.**

SANCTUARY POLICIES PUT PUBLIC SAFETY AT RISK:

- When law enforcement agencies don’t honor ICE detainers, these individuals, who often have significant criminal histories, are released onto the street, presenting a potential public safety threat.
- Any local jurisdiction thinking that refusing to cooperate with ICE will result in a decrease in local immigration enforcement is mistaken. Local jurisdictions that choose to not cooperate with ICE are likely to see an increase in ICE enforcement activity, as ICE the agency has no choice but to conduct more at-large arrest operations. A consequence of ICE being forced to make more arrests on the streets is the agency is likely to encounter other unlawfully present foreign nationals that wouldn’t have been encountered had we been allowed to take custody of a criminal target within the confines of a local jail.
- Additionally, once these criminals are out on the street, confirming their whereabouts is often time consuming and resource intensive. Many of our arrest targets are seasoned criminals who are savvy about eluding law enforcement.
- Despite the severe challenges that local policies have created for ICE, we remain committed to our public safety mission and we will continue to do our sworn duty to seek out dangerous criminal aliens and other immigration violators. ICE seeks straightforward cooperation with all local law enforcement and elected officials.
- ICE deportation officers carry out targeted enforcement actions every day in locations around the country as part of the agency’s ongoing efforts to protect the nation, uphold public safety, and protect the integrity of our immigration laws and border controls.

DETAINERS:

- ICE lodges detainers on individuals who have been arrested on criminal charges and who ICE has probable cause to believe are removable aliens. The detainer asks the other law enforcement agency to notify ICE in advance of release and to maintain custody of the alien for a brief period of time so that ICE can take custody of that person in a safe and secure setting upon release from that agency's custody. When law enforcement agencies fail to honor immigration detainers and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission.
- Congress has established no process, requirement, or expectation directing ICE to seek a judicial warrant from already overburdened federal courts before taking custody of an alien on civil immigration violations. This idea is simply a figment created by those who wish to undermine immigration enforcement and excuse the ill-conceived practices of sanctuary jurisdictions that put politics before public safety.

ICE OVERALL TALKING POINTS:

- ICE's FY19 removals were the highest in five years, and most aliens removed were convicted criminals. This shows ICE continues to focus its limited enforcement resources first and foremost on those who pose the greatest threat to public safety.
- Administrative immigration arrests declined 9.7 percent, but this was a direct result of the Southwest Border crisis given ICE had to deploy hundreds of employees from the U.S. interior to assist CBP at the border given a 12-year high in border apprehensions. Despite the crisis, ICE arrests in FY19 were still 30 percent above the agency's arrest totals during the final year (FY16) of the prior administration.
- 86 percent of the removal aliens arrested by ICE during FY19 had either a prior criminal conviction or came into custody pursuant to a criminal arrest separate from their immigration status. These stats make clear that ICE only conducts targeted arrests.
- Even though some jurisdictions have enacted policies preventing cooperation with ICE, our officers are adapting how they work to keep criminal aliens from harming others in our communities. No matter where you live in the U.S., your safety is impacted by criminal aliens who cross the border, or who live in your neighborhoods.
- HSI's investigative strategies resulted in a record-high 37,547 criminal arrests, almost a 10 percent increase from FY18, as well as the seizure of more than \$775 million in currency and assets from criminal proceeds.
- HSI arrested 5,750 criminals associated with human smuggling investigations in FY19, a 41 percent increase from FY18, due in part to the use of Rapid DNA testing technology to detect fraudulent families at the Southwest border. During FY19, over 400 HSI personnel deployed to the southern border to protect children from being smuggled into the United States through fraudulent family units, often tied to larger transnational criminal syndicates.
- In FY19, HSI arrested 2,197 criminals associated with human trafficking, a 38 percent increase from FY18, as well as identified and/or assisted 428 victims of human trafficking in FY19, a 39 percent increase from the previous year. HSI uses a victim-centered approach in its trafficking investigations, where equal value is placed on both the identification and stabilization of victims and prosecution of the traffickers. HSI also developed the Strategic Trafficking Outreach

Program (S.T.O.P.) to educate and raise awareness as well as how to report instances of suspected trafficking.

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

Assistant Director (A)

ICE Office of Public Affairs | Department of Homeland Security

(b)(6), (b)(7)(C) (desk) | (b)(6), (b)(7)(C) (mobile)

From: (b)(6), (b)(7)(C)@cbp.dhs.gov
Sent: 2/27/2020 11:54:23 AM
To: BARKER, TONY L (b)(6), (b)(7)(C)@cbp.dhs.gov]; PAYNE, LAWRENCE R (b)(6), (b)(7)(C)@cbp.dhs.gov]
Subject: PAG for Operation SUB zERO
Attachments: PAG Operation SUB zERO (V2).docx

Tony/Rusty,

I obtained the PAG for ICE and incorporated it into our PAG (attached). The specific ICE talking points, which the Commissioner can hit on, are below. Will distribute if you concur.

(b)(5)

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

Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division

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

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

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

Message

From: (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 3/4/2020 12:21:38 PM
To: (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E) PAYNE, LAWRENCE R
(b)(6), (b)(7)(C), (b)(7)(E)
Subject: RE: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)
Attachments: 030120 Weekly Messaging Doc.docx

Alcon,

See attached weekly messaging document with talking points on Op Sub zERO.

OPERATION SUB zERO

USBP and OFO are supporting ICE ERO with (b)(6), (b)(7)(C) BPAs and (b)(6), (b)(7)(C) CBPOs to be placed on temporary duty assignments of 90 days to various ICE ERO field offices. They will augment the ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

- As of November 1, 2019, there were approximately 590,000 immigration fugitives residing in the U.S.
 - In FY2019, ICE
 - Arrested 5,700 human smugglers
 - Arrested 2,100 human traffickers and rescued 428 victims
 - Arrested 3,800 transnational criminal gang members
 - Arrested almost 4,000 child predators and identified or rescued over 1,000 victims
 - Seized 145,000 pounds of meth
 - Seized 3,600 pounds of fentanyl
- (b)(5), (b)(7)(E)
- CBP's deployment of its officers and agents from throughout the country will:
 - Restore integrity of the immigration system;
 - Provide public safety; and
 - Strengthen our national security.
- The pilot program will run for 90 days, concluding in May 2020.
- Before the conclusion of the pilot, ICE and CBP, will evaluate the results of the pilot program and make a determination of the plan's extension, expansion, termination and/or adjustment.
- Despite repeated requests, Congress has failed to provide ICE with additional fugitive operations resources. Therefore, highly-trained CBP law enforcement personnel will help make up for the shortfall.
- As ICE has stressed, in jurisdictions where cooperation does not exist, and ICE is not allowed to assume custody of aliens from jails, arrests of at-large criminal aliens is forced into the communities.
- When sanctuary cities release criminal aliens back into the communities, it requires a significant amount of additional time and resources for ICE to find and arrest the alien. Additionally, and more importantly, it increases the occurrence of preventable crimes and preventable victims.

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

Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division

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

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

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

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, March 4, 2020 6:29 AM

To: (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @hq.dhs.gov; (b)(6), (b)(7)(C) @cbp.dhs.gov

Subject: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

When: Wednesday, March 4, 2020 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Teleconference: (b)(7)(E) | Participant: (b)(7)(E) | Moderator: (b)(7)(E)

Appointment

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C), (b)(7)(E)
on behalf of (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 2/18/2020 5:25:24 PM
To: (b)(6), (b)(7)(C), (b)(7)(E)

Subject: FW: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
Attachments: Q&A - Call with Police Chiefs - 2.15.2020.docx
Location: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))
Start: 2/18/2020 8:00:00 PM
End: 2/18/2020 9:30:00 PM
Show Time As: Tentative

I would like you guys to be on this call and chime in if need be

-----Original Appointment-----

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 18, 2020 12:15 PM
To: (b)(6), (b)(7)(C) PAYNE, LAWRENCE R; (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS, BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)
Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
When: Tuesday, February 18, 2020 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))

I want to make sure you are aware of this. Not sure if you want to task it out.

-----Original Appointment-----

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>
Sent: Tuesday, February 18, 2020 9:18 AM
To: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Cc: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS, BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)
Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
When: Tuesday, February 18, 2020 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))

CBP/ICE Conference Call with Major City Police Chiefs

3:00-3:30PM: Pre-call (ICE/CBP/DHS only)

3:30-4:30PM: Conference call with Major City Police Chiefs Association

Conference Line: (b)(7)(E)
PIN: (b)(7)(E)

Overview: On Friday, February 14, the *New York Times* reported CBP would deploy BORTAC agents to assist ICE with immigration enforcement operations in several cities across the United States, including Chicago, New York, San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit, and Newark. CBP confirmed the agency would deploy 100 agents/officers to work, “in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.” Several major city police chiefs have expressed concerns about these deployments and have requested a briefing with ICE/CBP. (“Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities”, *New York Times*: <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>)

Purpose: The purpose of this conference call is to provide additional information about the deployment of CBP agents/officers to assist ICE. The police chiefs will likely ask about the scope of CBP agents’/officers’ duties and CBP’s vs. ICE’s roles and authorities. They will also likely ask about the appearance of CBP personnel (i.e., uniform, equipment, will their apparel be labeled “police”). IPL tasked the attached Q&A document to CBP and ICE Exec Sec components to address potential questions from the Chiefs. This document will be distributed prior to the phone call.

ICE/CBP/DHS will participate in a 3:00PM phone call to discuss ICE vs. CBP talking points and roles during the 3:30 call with police chiefs. At 3:30PM, the Major Cities Police Chiefs and a representative from the International Association of Chiefs of Police (TBD) will join the call.

Attendees (updates pending):

Major Cities Police Chiefs Association:

Chief Art Acevedo, Houston Police Department, TX
Chief Robert Luna, City of Long Beach Police Department, CA
Chief Mike Brown, Salt Lake City Police Department, UT
Director Anthony Ambrose, City of Newark Department of Public Safety, NJ
Assistant Chief Horace Frank, Los Angeles Police Department, CA
TDB, Los Angeles County Sheriff’s Department, CA
Chief Erika Shields, Atlanta Police Department, GA
Commissioner Dermot Shea, New York City Police Department, NY

CBP:

Chief Scott, USBP
EAC Owen, OFO
XD Todd Hoffman, OFO
XD Tim Quinn, IPL
DXD (b)(6), (b)(7)(C) IPL
LE Branch Chief (b)(6), (b)(7)(C) IPL

ICE:

EAD: (b)(6), (b)(7)(C) ICE/ERO
AD: (b)(6), (b)(7)(C) ICE Office for Partnership and Engagement

DHS/OPE:

A/S John Hill, OPE
D/AS: (b)(6) OPE

POC: Please direct any questions regarding this call to

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

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

(b)(6)@who.eop.gov>
Cc: (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)@ice.dhs.gov>; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)@ice.dhs.gov>

Subject: NYC Presser Info

All,

Talking points are below and AD1's remarks are attached for the NYC presser today. It will be livestreamed here: <https://www.ice.gov/live>. AD1 will be flanked by the NYPD union vice president, (b)(6) - he will not have a speaking role. Appreciate any amplification on socials or otherwise. Heather, will send an RSVP list as soon as it's final - still receiving last minute requests to attend.

NEW YORK TALKING POINTS

(b)(6), (b)(7)(C) 21, an unlawfully present Guyanese national, was arrested Jan. 10 by the NYPD and **charged with murder**, sexual abuse, contact by forcible compulsion, and sexual abuse against a person incapable of consent. (b)(6), (b)(7)(C) was previously released from local law enforcement custody in November 2019 with an active detainer, due to New York City's sanctuary policies.

- **Victim in this case is a 92 year woman.**
- On Nov. 27, (b)(6), (b)(7)(C) was arrested by the NYPD for the charges of assault, and criminal possession of a weapon. On that same date, ERO deportation officers lodged a detainer with the NYPD. The detainer was not honored, and (b)(6), (b)(7)(C) was released following arraignment.

(b)(6), (b)(7)(C) 23, is a citizen and national of Colombia who was arrested by the NYPD on June 25, 2018 for the offenses of predatory sex assault against child: specified offense against child less than 13 years old (felony) and act in manner to injure child less than 17.

- (b)(6), (b)(7)(C) was remanded to the New York City Department of Corrections on **June 26, 2018. A detainer was filed on that same date.**
- He was later CONVICTED by the New York County Supreme Court of sexual conduct 1st degree: 2 or more acts against child less than 11 years old on Dec. 18, 2019. (b)(6), (b)(7)(C) sentencing is pending.
- Dec.18, 2018, On the same date, the NYCDOC released (b)(6), (b)(7)(C) on his own recognizance pending his sentencing and did not honor or notify ICE despite the I-247 detainer.
- On January 15, 2020, ERO New York arrested (b)(6), (b)(7)(C) and he is currently detained in ICE custody, without bond, pending removal proceedings.

GREEN LIGHT LAW:

- On June 17, 2019, the New York State (NYS) Governor, Andrew Cuomo, signed into law the "Driver's License Access and Privacy Act", also known as the "Green Light Law" (A3675B) that now allows undocumented individuals to obtain driver's licenses.
- The legislation has essentially created two types of licenses: a federal purpose driver's license that is Real-ID compliant and a standard driver's license (only available in classes D, DJ, M and MJ—commercial class excluded). Eligibility for a federal purpose driver's licenses still requires all the necessary documentation that is required for a license now. However, an application for a standard driver's license only requires "proof of identity, age and fitness" as established by Department of Motor Vehicles (DMV) regulations. The legislation states that these regulations must allow DMV to accept a passport or other government identification issued by a foreign government as proof of age and identity. Failure to provide a social security number would not disqualify an individual from obtaining a standard driver's license.

- The physical form of a standard driver’s license is indistinguishable from federal purpose driver’s license, except for font, which reads, “Not for Federal Purposes.,” in type no larger than the smallest font otherwise appearing on the card.
- **The legislation has also restricted access to DMV records (hardcopy and electronic) by both the public and law enforcement, specifically singling out CBP and ICE.**

SANCTUARY POLICIES PUT PUBLIC SAFETY AT RISK:

- When law enforcement agencies don’t honor ICE detainers, these individuals, who often have significant criminal histories, are released onto the street, presenting a potential public safety threat.
- Any local jurisdiction thinking that refusing to cooperate with ICE will result in a decrease in local immigration enforcement is mistaken. Local jurisdictions that choose to not cooperate with ICE are likely to see an increase in ICE enforcement activity, as ICE the agency has no choice but to conduct more at-large arrest operations. A consequence of ICE being forced to make more arrests on the streets is the agency is likely to encounter other unlawfully present foreign nationals that wouldn’t have been encountered had we been allowed to take custody of a criminal target within the confines of a local jail.
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(b)(6), (b)(7)(C)

Assistant Director (A)

ICE Office of Public Affairs | Department of Homeland Security

(b)(6), (b)(7)(C) (desk) | **(b)(6), (b)(7)(C)** (mobile)

Appointment

From: (b)(6), (b)(7)(C), (b)(7)(E)
on behalf of (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 2/18/2020 5:15:22 PM
To: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)
Subject: FW: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
Attachments: Q&A - Call with Police Chiefs - 2.15.2020.docx
Location: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))
Start: 2/18/2020 8:00:00 PM
End: 2/18/2020 9:30:00 PM
Show Time As: Tentative

I want to make sure you are aware of this. Not sure if you want to task it out.

-----Original Appointment-----

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>
Sent: Tuesday, February 18, 2020 9:18 AM
To: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS, BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)
Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
When: Tuesday, February 18, 2020 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))

CBP/ICE Conference Call with Major City Police Chiefs

3:00-3:30PM: Pre-call (ICE/CBP/DHS only)
3:30-4:30PM: Conference call with Major City Police Chiefs Association

Conference Line: (b)(7)(E)
PIN: (b)(7)(E)

Overview: On Friday, February 14, the *New York Times* reported CBP would deploy BORTAC agents to assist ICE with immigration enforcement operations in several cities across the United States, including Chicago, New York, San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit, and Newark. CBP confirmed the agency would deploy 100 agents/officers to work, “in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.” Several major city police chiefs have expressed concerns about these deployments and have requested a briefing with ICE/CBP. (“Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities”, *New York Times*: <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>)

Purpose: The purpose of this conference call is to provide additional information about the deployment of CBP agents/officers to assist ICE. The police chiefs will likely ask about the scope of CBP agents’/officers’ duties and CBP’s vs. ICE’s roles and authorities. They will also likely ask about the appearance of CBP personnel (i.e., uniform, equipment, will their apparel be labeled “police”). IPL tasked the attached Q&A document to CBP and ICE Exec Sec components to address potential questions from the Chiefs. This document will be distributed prior to the phone call.

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Attendees (updates pending):

Major Cities Police Chiefs Association:

Chief Art Acevedo, Houston Police Department, TX
Chief Robert Luna, City of Long Beach Police Department, CA
Chief Mike Brown, Salt Lake City Police Department, UT
Director Anthony Ambrose, City of Newark Department of Public Safety, NJ
Assistant Chief Horace Frank, Los Angeles Police Department, CA
TDB, Los Angeles County Sheriff's Department, CA
Chief Erika Shields, Atlanta Police Department, GA
Commissioner Dermot Shea, New York City Police Department, NY

CBP:

Chief Scott, USBP
EAC Owen, OFO
XD Todd Hoffman, OFO
XD Tim Quinn, IPL
DXD (b)(6), (b)(7)(C) IPL
LE Branch Chief (b)(6), (b)(7)(C) IPL

ICE:

EAD (b)(6), (b)(7)(C) ICE/ERO
AD (b)(6), (b)(7)(C) ICE Office for Partnership and Engagement

DHS/OPE:

A/S John Hill, OPE
D/AS (b)(6) OPE

POC: Please direct any questions regarding this call to (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @cbp.dhs.gov

Message

From: (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 3/4/2020 4:47:08 PM
To: (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E) PAYNE, LAWRENCE R
(b)(6), (b)(7)(C), (b)(7)(E)
Subject: RE: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

10-4, we were tracking, thank you.

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>
Sent: Wednesday, March 4, 2020 11:17 AM
To: (b)(6), (b)(7)(C) @cbp.dhs.gov>; (b)(6), (b)(7)(C) @CBP.DHS.GOV>; (b)(6), (b)(7)(C) @cbp.dhs.gov>; (b)(6) @hq.dhs.gov>; PAYNE, LAWRENCE R (b)(6), (b)(7)(C) @cbp.dhs.gov>
Subject: RE: CPA (b)(6), (b)(7)(C) w/ (b)(6) (NYT)(SOG participation in Op Sub zERO)
Importance: High

FYSA – you may be aware, but Univision shadowed the team in Chicago during an arrest today. This was coordinated solely by ERO. Below are bullets from our team.

- Univision was the media outlet on today's event with 2 reporters, (b)(6) and (b)(6)
- (b)(6) our direct POC, was on scene along with the Chicago ICE ERO FOD
- Yesterday we, SOG personnel were advised that ICE was planning a media ride along and we would serve only as an additional body (b)(7)(E)
- Yesterday we (b)(7)(E) the ride along. SUBJECT: (b)(6), (b)(7)(C)
- All communications with the media were done by the ICE ERO FOD, no other ICE or BP agents made contact with the media whatsoever.
- Team and media arrived at target location and (b)(6), (b)(7)(C) opened the door and was arrested without incident.
- According to (b)(6) Univision's agreement is to not record any agent's or officer's faces during the event. If a face was recorded they are to blurr it out.
- No media rode in any GOV. They had their own vehicle and followed agents to the location.

Target's info:

(b)(6), (b)(7)(C) is a 22 year old Honduran national convicted of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) His arrest was reported in the

Chicago Tribune in August 2017. IDOC recently released this offender without notifying ICE despite a detainer on file.

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

CHIEF PATROL AGENT

U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP

OFFICE: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)

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

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>

Sent: Wednesday, March 4, 2020 5:22 AM

To: (b)(6), (b)(7)(C) @cbp.dhs.gov> (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @CBP.DHS.GOV>; (b)(6), (b)(7)(C) @cbp.dhs.gov> (b)(6)

(b)(6), (b)(7)(C) @hq.dhs.gov>; PAYNE, LAWRENCE R (b)(6), (b)(7)(C) @cbp.dhs.gov>

Subject: RE: CPA (b)(6), (b)(7)(C) W/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

Alcon,

See attached weekly messaging document with talking points on Op Sub zERO.

OPERATION SUB zERO

USBP and OFO are supporting ICE ERO with (b)(6), (b)(7)(C) BPAs and (b)(6), (b)(7)(C) CBPOs to be placed on temporary duty assignments of 90 days to various ICE ERO field offices. They will augment the ICE/ERO Criminal Alien Program (CAP), Fugitive Operations (FUGOPS) Teams, and/or Alternatives to Detention Enforcement Teams.

- As of November 1, 2019, there were approximately 590,000 immigration fugitives residing in the U.S.
 - In FY2019, ICE
 - Arrested 5,700 human smugglers
 - Arrested 2,100 human traffickers and rescued 428 victims
 - Arrested 3,800 transnational criminal gang members
 - Arrested almost 4,000 child predators and identified or rescued over 1,000 victims
 - Seized 145,000 pounds of meth
 - Seized 3,600 pounds of fentanyl

(b)(5), (b)(7)(E)

- CBP's deployment of its officers and agents from throughout the country will:
 - Restore integrity of the immigration system;
 - Provide public safety; and
 - Strengthen our national security.
- The pilot program will run for 90 days, concluding in May 2020.
- Before the conclusion of the pilot, ICE and CBP, will evaluate the results of the pilot program and make a determination of the plan's extension, expansion, termination and/or adjustment.
- Despite repeated requests, Congress has failed to provide ICE with additional fugitive operations resources. Therefore, highly-trained CBP law enforcement personnel will help make up for the shortfall.
- As ICE has stressed, in jurisdictions where cooperation does not exist, and ICE is not allowed to assume custody of aliens from jails, arrests of at-large criminal aliens is forced into the communities.
- When sanctuary cities release criminal aliens back into the communities, it requires a significant amount of additional time and resources for ICE to find and arrest the alien. Additionally, and more importantly, it increases the occurrence of preventable crimes and preventable victims.

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

Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division

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

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

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

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, March 4, 2020 6:29 AM

To: (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) @hq.dhs.gov; PAYNE, LAWRENCE R (b)(6), (b)(7)(C) @cbp.dhs.gov

Subject: CPA (b)(6), (b)(7)(C) w/Zolan Kanno-Youngs (NYT)(SOG participation in Op Sub zERO)

When: Wednesday, March 4, 2020 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Teleconference: (b)(7)(E) | Participant: (b)(7)(E) | Moderator: (b)(7)(E)

Appointment

From: (b)(6), (b)(7)(C), (b)(7)(E)

Sent: 2/18/2020 5:15:23 PM

To: (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C) @cbp.dhs.gov; QUINN, TIMOTHY (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) (NCO)
 (b)(6), (b)(7)(C) @cbp.dhs.gov; HOFFMAN, TODD A (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6) @hq.dhs.gov; Hill, John (b)(6) @hq.dhs.gov; (b)(6)
 (b)(6) @hq.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov

CC: Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C) @CBP.DHS.GOV; SCOTT, RODNEY S (b)(6), (b)(7)(C) @CBP.DHS.GOV;
 (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @ice.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @cbp.dhs.gov; HASTINGS, BRIAN S (b)(6), (b)(7)(C) @CBP.DHS.GOV; SCUDDER,
 KATHLEEN (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C) @ice.dhs.gov; PAYNE,
 LAWRENCE R (b)(6), (b)(7)(C), (b)(7)(E)
 (b)(6), (b)(7)(C), (b)(7)(E)
 (b)(6), (b)(7)(C) @CBP.DHS.GOV; (b)(6), (b)(7)(C) @cbp.dhs.gov; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) @cbp.dhs.gov

Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE

Attachments: Q&A - Call with Police Chiefs - 2.15.2020.docx

Location: Room 2.4A - OFO Conference Room (b)(7)(E) (PIN (b)(7)(E))

Start: 2/18/2020 8:00:00 PM

End: 2/18/2020 9:30:00 PM

Show Time As: Busy

Required Attendees: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) HOFFMAN, TODD A; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)

Optional Attendees: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS,
 BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C) PAYNE, LAWRENCE R; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)

I want to make sure you are aware of this. Not sure if you want to task it out.

-----Original Appointment-----

From: (b)(6), (b)(7)(C) @cbp.dhs.gov

Sent: Tuesday, February 18, 2020 9:18 AM

To: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)

Cc: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS,
 BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)

Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE

When: Tuesday, February 18, 2020 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Room 2.4A - OFO Conference Room (b)(7)(E) (PIN (b)(7)(E))

CBP/ICE Conference Call with Major City Police Chiefs

3:00-3:30PM: Pre-call (ICE/CBP/DHS only)

3:30-4:30PM: Conference call with Major City Police Chiefs Association

Conference Line: (b)(7)(E)

PIN: (b)(7)(E)

Overview: On Friday, February 14, the *New York Times* reported CBP would deploy BORTAC agents to assist ICE with immigration enforcement operations in several cities across the United States, including Chicago, New York, San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit, and Newark. CBP confirmed the agency would deploy 100 agents/officers to work, “in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.” Several major city police chiefs have expressed concerns about these deployments and have requested a briefing with ICE/CBP. (“Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities”, *New York Times*: <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>)

Purpose: The purpose of this conference call is to provide additional information about the deployment of CBP agents/officers to assist ICE. The police chiefs will likely ask about the scope of CBP agents’/officers’ duties and CBP’s vs. ICE’s roles and authorities. They will also likely ask about the appearance of CBP personnel (i.e., uniform, equipment, will their apparel be labeled “police”). IPL tasked the attached Q&A document to CBP and ICE Exec Sec components to address potential questions from the Chiefs. This document will be distributed prior to the phone call.

ICE/CBP/DHS will participate in a 3:00PM phone call to discuss ICE vs. CBP talking points and roles during the 3:30 call with police chiefs. At 3:30PM, the Major Cities Police Chiefs and a representative from the International Association of Chiefs of Police (TBD) will join the call.

Attendees (updates pending):

Major Cities Police Chiefs Association:

Chief Art Acevedo, Houston Police Department, TX
Chief Robert Luna, City of Long Beach Police Department, CA
Chief Mike Brown, Salt Lake City Police Department, UT
Director Anthony Ambrose, City of Newark Department of Public Safety, NJ
Assistant Chief Horace Frank, Los Angeles Police Department, CA
TDB, Los Angeles County Sheriff’s Department, CA
Chief Erika Shields, Atlanta Police Department, GA
Commissioner Dermot Shea, New York City Police Department, NY

CBP:

Chief Scott, USBP
EAC Owen, OFO
XD Todd Hoffman, OFO
XD Tim Quinn, IPL
DXD (b)(6), (b)(7)(C), IPL
LE Branch Chief (b)(6), (b)(7)(C), IPL

ICE:

EAD (b)(6), (b)(7)(C), ICE/ERO
AD (b)(6), (b)(7)(C), ICE Office for Partnership and Engagement

DHS/OPE:

A/S John Hill, OPE
D/AS (b)(6), OPE

POC: Please direct any questions regarding this call to (b)(6), (b)(7)(C)

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

Appointment

From: (b)(6), (b)(7)(C), (b)(7)(E)

Sent: 2/18/2020 5:15:23 PM

To: (b)(6), (b)(7)(C), (b)(7)(E) PAYNE, LAWRENCE R

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

(b)(6), (b)(7)(C), (b)(7)(E) QUINN, TIMOTHY

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

(b)(6), (b)(7)(C), (b)(7)(E) HOFFMAN, TODD A

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

(b)(6), (b)(7)(C), (b)(7)(E) Hill, John

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

CC: Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C), (b)(7)(E) SCOTT, RODNEY S

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

(b)(6), (b)(7)(C) HASTINGS, BRIAN S

(b)(6), (b)(7)(C) SCUDDER, KATHLEEN

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

Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE

Attachments: Q&A - Call with Police Chiefs - 2.15.2020.docx

Location: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN (b)(7)(E))

Start: 2/18/2020 8:00:00 PM
End: 2/18/2020 9:30:00 PM
Show Time As: Tentative

I want to make sure you are aware of this. Not sure if you want to task it out.

-----Original Appointment-----

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>
Sent: Tuesday, February 18, 2020 9:18 AM
To: (b)(6), (b)(7)(C) QUINN, TIMOTHY; (b)(6), (b)(7)(C) (NCO); HOFFMAN, TODD A; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Hill, John; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: Owen, Todd C (EAC OFO); SCOTT, RODNEY S; (b)(6), (b)(7)(C) HASTINGS,
BRIAN S; SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)
Subject: CBP/ICE Conference Call with Major City Police Chiefs - CBP Agents/Officers to Assist ICE
When: Tuesday, February 18, 2020 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Room 2.4A - OFO Conference Room, (b)(7)(E) (PIN: (b)(7)(E))

CBP/ICE Conference Call with Major City Police Chiefs

3:00-3:30PM: Pre-call (ICE/CBP/DHS only)
3:30-4:30PM: Conference call with Major City Police Chiefs Association

Conference Line: (b)(7)(E)
PIN: (b)(7)(E)

Overview: On Friday, February 14, the *New York Times* reported CBP would deploy BORTAC agents to assist ICE with immigration enforcement operations in several cities across the United States, including Chicago, New York, San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit, and Newark. CBP confirmed the agency would deploy 100 agents/officers to work, “in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.” Several major city police chiefs have expressed concerns about these deployments and have requested a briefing with ICE/CBP. (“Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities”, *New York Times*: <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>)

Purpose: The purpose of this conference call is to provide additional information about the deployment of CBP agents/officers to assist ICE. The police chiefs will likely ask about the scope of CBP agents’/officers’ duties and CBP’s vs. ICE’s roles and authorities. They will also likely ask about the appearance of CBP personnel (i.e., uniform, equipment, will their apparel be labeled “police”). IPL tasked the attached Q&A document to CBP and ICE Exec Sec components to address potential questions from the Chiefs. This document will be distributed prior to the phone call.

ICE/CBP/DHS will participate in a 3:00PM phone call to discuss ICE vs. CBP talking points and roles during the 3:30 call with police chiefs. At 3:30PM, the Major Cities Police Chiefs and a representative from the International Association of Chiefs of Police (TBD) will join the call.

Attendees (updates pending):

Major Cities Police Chiefs Association:

Chief Art Acevedo, Houston Police Department, TX
Chief Robert Luna, City of Long Beach Police Department, CA
Chief Mike Brown, Salt Lake City Police Department, UT
Director Anthony Ambrose, City of Newark Department of Public Safety, NJ
Assistant Chief Horace Frank, Los Angeles Police Department, CA
TDB, Los Angeles County Sheriff’s Department, CA

Chief Erika Shields, Atlanta Police Department, GA
Commissioner Dermot Shea, New York City Police Department, NY

CBP:

Chief Scott, USBP
EAC Owen, OFO
XD Todd Hoffman, OFO
XD Tim Quinn, IPL
DXD (b)(6), (b)(7)(C), IPL
LE Branch Chief (b)(6), (b)(7)(C) IPL

ICE:

EAD (b)(6), (b)(7)(C) ICE/ERO
AD (b)(6), (b)(7)(C) ICE Office for Partnership and Engagement

DHS/OPE:

A/S John Hill, OPE
D/AS (b)(6) OPE

POC: Please direct any questions regarding this call to (b)(6), (b)(7)(C)

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

Message

From: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov
Sent: 2/27/2020 10:21:01 PM
To: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C), (b)(7)(E) [redacted]
(b)(6), (b)(7)(C), (b)(7)(E) [redacted]
CC: (b)(6), (b)(7)(C), (b)(7)(E) [redacted]
Subject: RE: Photo request

Thank you. Appreciate it!

Sent with BlackBerry Work
(www.blackberry.com)

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov>
Date: Thursday, Feb 27, 2020, 4:59 PM
To: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov>
Cc: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov>
Subject: Re: Photo request

Exactly. Baffling.

I will do some digging.

On Feb 27, 2020, at 4:52 PM, (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov> wrote:

We are just trying to figure out who at CBP HQ is requesting photos and for what purpose, ie external release. Normally at ICE, any request like this would go through public affairs channels for release process so our operators are asking us for any guidance/info we have on the request.

Thanks, (b)(6), (b)(7)(C) [redacted]

Sent with BlackBerry Work
(www.blackberry.com)

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov>
Date: Thursday, Feb 27, 2020, 4:45 PM
To: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov>
Cc: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov>
Subject: Re: Photo request

I wasn't aware. Let me know what you need on this

On Feb 27, 2020, at 4:43 PM, (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov> wrote:

Hello Rusty — do you know anything about this photo request? Our people are asking us and we are not tracking. Thanks, (b)(6), (b)(7)(C)

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6), (b)(7)(C) @ice.dhs.gov>
Date: Thursday, Feb 27, 2020, 8:49 AM
To: (b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C) @ice.dhs.gov>
Subject: RE: NYT Article

I've not heard about this request. But something like this would definitely need to be coordinated at the HQ level before moving forward. Thanks for flagging.
Adding (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C) @ice.dhs.gov>
Date: Thursday, Feb 27, 2020, 8:42 AM
To: (b)(6), (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C) @ice.dhs.gov>
Subject: RE: NYT Article

10-4. Copying (b)(6) here as well.

(b)(6), (b)(7)(C)
Public Affairs Officer/Spokesperson
US Immigration and Customs Enforcement
970 Broad Street
Newark, NJ 01702
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C) @ice.dhs.gov>
Sent: Thursday, February 27, 2020 8:40 AM
To: (b)(6), (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6), (b)(7)(C) @ice.dhs.gov> (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @ice.dhs.gov>
Subject: FW: NYT Article

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

Can you check with OPA-HQ regarding this BP request. I do not know anything about this.

Thanks,

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

Assistant Field Office Director
Fugitive Operations
ICE-Enforcement & Removal Operations
Newark Field Office
970 Broad Street – 11th Floor
Newark, NJ 07102

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

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

From: (b)(6), (b)(7)(C) @ice.dhs.gov>

Sent: Thursday, February 27, 2020 8:37 AM

To: (b)(6), (b)(7)(C) @ice.dhs.gov>

Subject: FW: NYT Article

Good morning (b)(6), (b)(7)(C)

Do you know anything about the photo requests?

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

Date: Wednesday, Feb 26, 2020, 6:29 PM

To: (b)(6), (b)(7)(C) @ice.dhs.gov>

Subject: FW: NYT Article

From: (b)(6), (b)(7)(C) @cbp.dhs.gov>

Sent: Saturday, February 15, 2020 2:50:50 PM

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

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

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

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

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

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

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

(b)(6), (b)(7)(C) @CBP.DHS.GOV>; (b)(6), (b)(7)(C) @cbp.dhs.gov>;

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

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

Subject: Re: NYT Article

HQ is requesting some operational pics or videos of any enforcement actions (with context) the the ERO support team can take. Make sure they clear with ERO before sending. We will vet them at SOG first before forwarding to HQ to protect the teams' identities.

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

Chief Patrol Agent

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

From: (b)(6), (b)(7)(C)

Sent: Friday, February 14, 2020 1:57:05 PM

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

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

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

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

(b)(6), (b)(7)(C) @CBP.DHS.GOV> (b)(6), (b)(7)(C) @cbp.dhs.gov>;

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

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

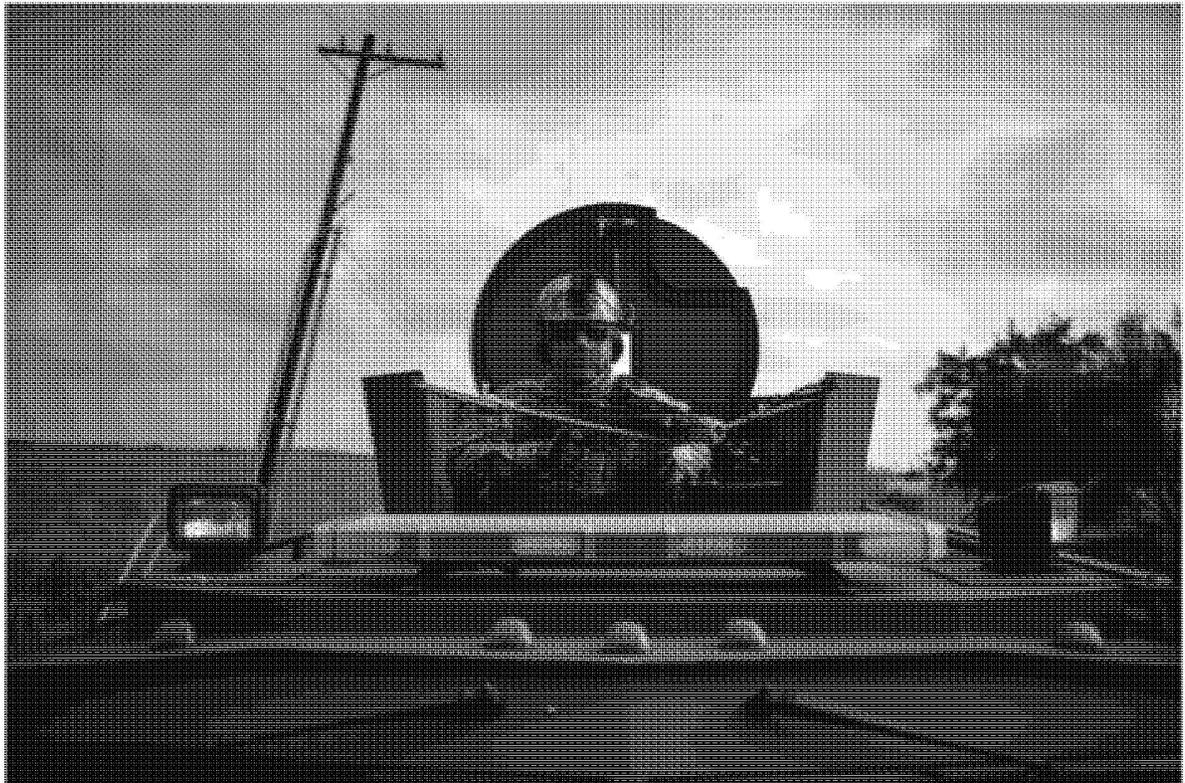
Subject: NYT Article

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

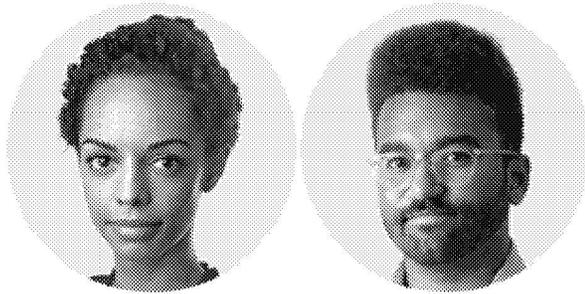
Share this with guys on the ground for Sub Zero so they have awareness.

Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities

Agents from a special tactical team that normally confronts smugglers on the border are being sent to sanctuary cities across the country.



An agent with the U.S. Border Patrol Tactical Unit, known as BORTAC, an elite group that functions essentially as the SWAT of Border Patrol. Credit...Adrees Latif/Reuters



By Caitlin Dickerson and Zolan Kanno-Youngs

• Feb. 14, 2020 Updated 3:02 p.m. ET

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The Trump administration is deploying law enforcement tactical units from the southern border as part of a supercharged arrest operation in sanctuary cities across the country, an escalation in the president's battle against localities that refuse to participate in immigration enforcement.

The specially trained officers are being sent to cities including Chicago and New York to boost the enforcement power of local ICE officers, according to two officials who are familiar with the secret operation. Additional agents are expected to be sent to San Francisco, Los Angeles, Atlanta, Houston, Boston, New Orleans, Detroit and Newark, N.J.

The move reflects President Trump's persistence in cracking down on sanctuary cities, localities that have refused to cooperate in handing over immigrants targeted for deportation to federal authorities. It comes soon after the Justice Department and Department of Homeland Security announced a series of measures that will affect both American citizens and immigrants living in those places.

Lawrence Payne, a spokesman for Customs and Border Protection, confirmed the agency was deploying 100 officers to work with Immigration and Customs Enforcement, which conducts arrests in the interior of the country, "in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security."

The deployment of the teams will run from February through May, according to an email sent to Customs and Border Protection personnel, which was read to The New York Times by one official familiar with the planning.

Among the agents being deployed to sanctuary cities are members of the elite tactical unit known as BORTAC, which acts essentially as the SWAT team of the Border Patrol. With additional gear such as stun grenades and

enhanced Special Forces-type training, including sniper certification, the officers typically conduct high-risk operations targeting individuals who are known to be violent, many of them with extensive criminal records.

The unit's work often takes place in the most rugged and swelteringly hot areas of the border. It can involve breaking into stash houses maintained by smuggling operations that are known to be filled with drugs and weapons.

In sanctuary cities, the BORTAC agents will be asked to support interior officers in run-of-the-mill immigration arrests, the officials said. Their presence could spark new fear in immigrant communities that have been on high alert under the stepped-up deportation and detention policies adopted after Mr. Trump took office.

In a statement, ICE's acting director, Matthew T. Albence, said the deployment comes in response to policies adopted by sanctuary cities, which have made it harder for immigration agents to do their jobs.

"As we have noted for years, in jurisdictions where we are not allowed to assume custody of aliens from jails, our officers are forced to make at-large arrests of criminal aliens who have been released into communities," he said. "When sanctuary cities release these criminals back to the street, it increases the occurrence of preventable crimes, and more importantly, preventable victims."

But Gil Kerlikowske, the former commissioner of C.B.P., which oversees tactical units along the border, said sending the officers to conduct immigration enforcement within cities, where they are not trained to work, could escalate situations that are already volatile. He called the move a "significant mistake."

"If you were a police chief and you were going to make an apprehension for a relatively minor offense, you don't send the SWAT team. And BORTAC is the SWAT team," said Mr. Kerlikowske, who is the former chief of police in Seattle. "They're trained for much more hazardous missions than this."

The Border Patrol squads will be charged with backing up ICE agents during deportation operations and standing by as a show of force, the officials said.

ICE agents typically seek out people with criminal convictions or multiple immigration violations as their primary targets for deportation, but family members and friends are often swept up in the enforcement net in what are known as "collateral" arrests, and many such people could now be caught up in any enhanced operations.

ICE leadership requested the help in sanctuary jurisdictions because agents there often struggle to track down undocumented immigrants without the help of the police and other state and local agencies. Law enforcement officers in areas that refuse to cooperate with ICE and the Border Patrol — which include both liberal and conservative parts of the country — often

argue that doing so pushes undocumented people further into the shadows, ultimately making cities less safe because that segment of the population becomes less likely to report crimes or cooperate with investigations.

The goal of the new joint operation, one of the officials said, was to increase arrests in the sanctuary jurisdictions by at least 35 percent.

The operation reflects an increasingly hawkish approach to immigration enforcement, following the firings and resignations of leaders who have been viewed in the White House as unwilling to take the harsh steps Mr. Trump and his advisers view as necessary to slow illegal immigration.

Other recent attempts at aggressive enforcement by ICE have faltered, such as a series of raids targeting more than 2,000 migrant families that were planned during the summer of 2019. Mr. Trump's advance warnings on Twitter led many of those who were targeted to refuse to open their front doors, and ultimately, only 35 of those who had been targeted were arrested in the operation's first several weeks.

Even with the added show of force from BORTAC, agents will be limited in their abilities compared to the police or sheriff's deputies. Unlike operations on the border, where BORTAC agents may engage in armed confrontations with drug smuggling suspects using armored vehicles, immigration agents in cities are enforcing civil, rather than criminal infractions. They are not allowed to forcibly enter properties in order to make arrests, and the presence of BORTAC agents, while helpful in boosting the number of agents on the ground, may prove most useful for the visual message it sends.

The agents will not be busting down doors or engaging in shootouts, said one official with direct knowledge of the operation, who like the other official would not be identified because he was not authorized to discuss it.

Many ICE agents say their jobs have become increasingly difficult, three years into Mr. Trump's presidency, because of robust campaigns by immigrant advocacy organizations seeking to safeguard undocumented immigrants by educating them on the legal limitations that ICE officers face. As a result, in many communities where undocumented immigrants live, when ICE agents are spotted, people now turn immediately to their phones to alert neighbors that they should stay inside.

Mr. Trump campaigned on a promise to crack down on sanctuary cities. Within a few months of taking office, the Justice Department moved to withhold certain federal funds from the jurisdictions. Last week, the Justice Department filed suit against state and local governments in California, New Jersey and Washington over sanctuary policies there. Also this month, the Department of Homeland Security announced it would ban New Yorkers from enrolling in programs that allow travelers to speed through customs checkpoints in airports and at the border as a result of the state's decision to offer drivers licenses to undocumented immigrants and bar Homeland Security agencies from accessing the state's motor vehicle database.

The president again highlighted the issue in his State of the Union address, arguing that sanctuary cities “release dangerous criminal aliens to prey upon the public.”

In January, a New York City Council member wrote an open letter for his fellow councilors expressing concern about increasing ICE activity in the region, including collateral arrests. Last week, an acquaintance of a man in New York who was being arrested by ICE was shot in an incident that the agency later blamed on sanctuary policies.

The aggressive immigration enforcement tactics being implemented around the country are not limited to any one agency. In a widely circulated video recorded in El Paso, Texas, on Tuesday night, Border Patrol agents are shown subduing and using a Taser to apprehend a man in a Burger King restaurant.

The video shows the man pleading repeatedly with the agents while shouting that he had done nothing wrong. A female bystander asks the agents to leave the restaurant, as she cries while witnessing the episode. While the man was writhing in pain on the floor after being stunned repeatedly, another woman in the video approached the agents and asked, “Why are you still hitting him?”

A Border Patrol spokesman said in a statement that the apprehended man was a “suspected alien smuggler,” without offering any evidence to support that assertion. The spokesman did not respond to a request for the man’s name and nationality.

“The man refused to cooperate with the verbal instructions and attempted to avoid being handcuffed and a struggle ensued,” the Border Patrol spokesman said.

In the same statement, the spokesman said that a “citizen” had notified law enforcement of a suspicious vehicle parked on his property. The Border Patrol said the man apprehended by the agents on Tuesday was the driver of the vehicle and that “record checks indicated that the man was in the country illegally and had a positive criminal history.”

An ICE spokesman declined to comment on the specifics of the latest effort in sanctuary cities, citing the agency’s policy against sharing information about enforcement operations before they have taken place. However, the spokesman added that the agency had “made it abundantly clear for years that, in jurisdictions where we are not allowed to assume custody of aliens from jails, our officers would be redirected to make at-large arrests.”

Simon Romero, Miriam Jordan and Annie Correal contributed reporting.

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

CHIEF PATROL AGENT

U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP

OFFICE: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) @CBP.DHS.GOV

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)
Sent: 2/14/2020 2:36:20 AM
To: (b)(6), (b)(7)(C)@ice.dhs.gov
CC: (b)(6), (b)(7)(C)@cbp.dhs.gov
Subject: Re: Operation SUB zERO - CBP support to ICE/ERO statement

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Sounds good. thank you guys for the late night coordination.

I'm sure there will be more tomorrow :)

Thanks,

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Sent with BlackBerry Work
(www.blackberry.com)

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C)@cbp.dhs.gov>
Date: Thursday, Feb 13, 2020, 8:22 PM
To: (b)(6), (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6), (b)(7)(C)@cbp.dhs.gov>
Subject: Re: Operation SUB zERO - CBP support to ICE/ERO statement

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Subject: Re: Operation SUB zERO - CBP support to ICE/ERO statement

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May be easiest to go separately.

Sent from my iPhone

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Rusty,

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Or keep separate?

Statement:

(b)(5)

Sent from my iPhone

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

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We hadn't sent this yet.. but here's where we were going to send. I'm adding in the rest of our press crew watching this.. so please feel free to respond to all and add any you need to on your end.

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From: "PAYNE, LAWRENCE R" (b)(6), (b)(7)(C) @cbp.dhs.gov>
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From: "PAYNE, LAWRENCE R"
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Date: February 13, 2020 at 7:06:12 PM EST
To: "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C) @cbp.dhs.gov>
Cc: (b)(6), (b)(7)(C) @cbp.dhs.gov>

Subject: Operation SUB zERO - CBP support to ICE/ERO statement

Debbie- The New York Times has asked for comment on CBP providing personnel assistance to ICE/ERO on a temporary basis as a result of the Gonzalez decision. We anticipate further media inquiries and would like to use the following statement. We seek FO concurrence:

(b)(5)

Thank you,

Rusty Payne

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

From: PAYNE, LAWRENCE R; (b)(6), (b)(7)(C), (b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)
Sent: 2/14/2020 2:18:01 AM
To: (b)(6)@nytimes.com
Subject: CBP statement

Just making sure you got this:

“CBP is deploying 100 officers and agents to supplement ICE Enforcement Removal Operations in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.”

Message

From: PAYNE, LAWRENCE R [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E)
[REDACTED] (b)(6), (b)(7)(C), (b)(7)(E)
Sent: 2/14/2020 3:00:03 AM
To: Kanno-Youngs, Zolan [REDACTED] (b)(6) [REDACTED]@nytimes.com]
Subject: RE: CBP statement

From a senior DHS official:

- o Los Angeles, CA
- o Atlanta, GA
- o Chicago, IL
- o San Francisco, CA
- o Boston, MA
- o New Orleans, LA
- o Houston, TX
- o Newark, NJ
- o Detroit, MI

From: Kanno-Youngs, Zolan [REDACTED] (b)(6) [REDACTED]@nytimes.com>
Sent: Thursday, February 13, 2020 9:58 PM
To: PAYNE, LAWRENCE R [REDACTED] (b)(6), (b)(7)(C) [REDACTED]@cbp.dhs.gov>
Subject: Re: CBP statement

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the CBP Security Operations Center with questions or concerns.

anything that addresses BORTAC? I'm also told they're heading to NY, Chicago, San Francisco, LA, ATL, Houston, Boston, New Orleans, Detroit, and Newark.

Let me know if I'm missing something.

On Thu, Feb 13, 2020 at 9:45 PM Kanno-Youngs, Zolan [REDACTED] (b)(6) [REDACTED]@nytimes.com> wrote:

Thank you

On Thu, Feb 13, 2020 at 9:18 PM PAYNE, LAWRENCE R [REDACTED] (b)(6), (b)(7)(C) [REDACTED]@cbp.dhs.gov> wrote:

Just making sure you got this:

“CBP is deploying 100 officers and agents to supplement ICE Enforcement Removal Operations in order to enhance the integrity of the immigration system, protect public safety, and strengthen our national security.”

--

Zolan Kanno-Youngs
Homeland Security Correspondent
The New York Times

Cell/WhatsApp/Signal: (b)(6)

(b)(6)

--

Zolan Kanno-Youngs
Homeland Security Correspondent
The New York Times

Cell/WhatsApp/Signal: (b)(6)

(b)(6)

Sent: 2/14/2020 3:15:48 PM

From: Kanno-Youngs, Zolan (b)(6)@nytimes.com>

Sent: Friday, February 14, 2020 9:59 AM

To: PAYNE, LAWRENCE R (b)(6), (b)(7)(C)@cbp.dhs.gov>

Subject: Re: CBP statement

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the [CBP Security Operations Center](#) with questions or concerns.

Thanks for this yesterday. Also want to give you another chance to respond to criticism. We've got some folks saying the tactical units like BORTAC shouldn't be helping ERO in urban areas. They say it's out of their jurisdiction and those units usually work in the wilderness or rural areas. And the unit is akin to a SWAT team, making it odd they would support administrative arrests.

Let me know.

From: LAWRENCE.R.PAYNE [REDACTED]@cbp.dhs.gov
Sent: 2/14/2020 1:53:02 PM
To: SWIFT, HEATHER [REDACTED]@hq.dhs.gov
Subject: Fwd: NYT Inquiry

Begin forwarded message:

From: "Kanno-Youngs, Zolan" [REDACTED]@nytimes.com>
Date: February 13, 2020 at 5:51:13 PM EST
To: [REDACTED]@cbp.dhs.gov>, [REDACTED]
[REDACTED]@cbp.dhs.gov>, cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Subject: NYT Inquiry

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Hello all,

My colleagues and I are preparing to publish a story that says CBP has approved an ICE request to send agents, including the special operations group BORTAC, to cities across the US, including so-called "sanctuary cities" to help ERO with immigration enforcement. Please let me know if you have comment or added context for this.

I will need something ASAP as this could publish later tonight online.

Thanks,
Zolan

--

Zolan Kanno-Youngs
Homeland Security Correspondent
The New York Times
Cell/WhatsApp/Signal: [REDACTED]
[REDACTED]

From: LAWRENCE.R.PAYNE@cbp.dhs.gov (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov]
Sent: 2/14/2020 2:36:19 AM
To: (b)(6), (b)(7)(C) [redacted]@ice.dhs.gov]
CC: (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov]
Subject: Re: Operation SUB zERO - CBP support to ICE/ERO statement

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Rusty Payne

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

Message

From: mark.a.morgan; (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov
Sent: 3/4/2020 12:42:07 AM
To: SCOTT, RODNEY S; (b)(6), (b)(7)(C), (b)(7)(E) [redacted]
CC: SEGUIN, DEBBIE W; (b)(6), (b)(7)(C), (b)(7)(E) [redacted]; PEREZ, ROBERT E
(b)(6), (b)(7)(C), (b)(7)(E) [redacted]; BARKER, TONY L
(b)(6), (b)(7)(C), (b)(7)(E) [redacted]; DURST, CASEY OWEN
Subject: Re: heads up - media attention

Appreciate the heads-up.

Sent from my iPhone

On Mar 3, 2020, at 7:27 PM, SCOTT, RODNEY S; (b)(6), (b)(7)(C) [redacted]@cbp.dhs.gov> wrote:

FYSA – I was just advised by the SOG team supporting ERO in Chicago that they will be shadowed by a CNN crew tomorrow. We have one BORTAC SBPA and one BPAI assigned to the ERO unit that will be shadowed. It appears this was coordinated/approved by the ERO CoC. They have been instructed to let ERO handle all the interviews, but I'm sure the NYT article will be a point of discussion.

(b)(6), (b)(7)(C) [redacted]
Chief
US Border Patrol
US Customs and Border Protection
(b)(6), (b)(7)(C) [redacted]