



Office of Information Governance and Privacy

U.S. Department of Homeland Security
500 12th St., SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

February 28, 2022

Hart Wood
American Oversight
1030 15th St. NW, B255
Washington, DC 20005
Hart.wood@americanoversight.org

RE: **AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF HOMELAND SECURITY-
1:21-cv-01171-TNM**
ICE FOIA Case Number 2021-ICLI-00064
Second Release

Dear Mr. Hart:

This letter is the second interim response to your client's Freedom of Information Act (FOIA) requests to U.S. Immigration and Customs Enforcement (ICE), dated July 16, 2021. Your FOIA request seeking records related to all final talking points prepared for Secretary Nielsen regarding the MPP and issues related to it, such as plans for lodging asylum seekers in Tijuana, plans for transporting migrants to and from Tijuana, expansion of the protocol to additional ports of entry, etc.

ICE has considered your request under the FOIA, 5 U.S.C. § 552.

A total of 506 pages of records were reviewed for this interim production. These 506 pages of records were located pursuant to a search of the Director's Office. After review of these documents, ICE has determined that 352 pages were deemed non-responsive and 16 pages were duplicative. The responsive 138 pages of records are as follows: 43 are attached and have been marked 2021-ICLI-00064 276 to 2021-ICLI-00064 318, 91 pages were sent for consultations to other agencies for their review and input, and 4 were referred to other agencies for processing and direct response to you.

ICE has applied FOIA Exemptions (b)(5), (b)(6), and (b)(7)(C) to portions of the pages produced as described below.

FOIA Exemption 5 protects inter-agency or intra-agency deliberative process privilege, attorney work-product privilege, or attorney-client privilege information. Exemption 5 protects the integrity of the decision-making processes within the agency by exempting from mandatory disclosure

www.ice.gov

opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

FOIA Exemption 6 exempts from disclosure information in personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes when production of such could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interests in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate.

If you have any questions about this letter, please contact Assistant United States Attorney Sean Michael Tepe at sean.tepe@usdoj.gov.

Sincerely,

LYNNEA A
SCHURKAMP

Digitally signed by
LYNNEA A SCHURKAMP
Date: 2022.02.28
15:46:06 -05'00'

Lynnea Schurkamp
Deputy FOIA Officer

Enclosure(s): 43 page(s)

cc: Sean Michael Tepe
Assistant United States Attorney
sean.tepe@usdoj.gov

1. Please see attached for updated data on CBP encounters with Brazilian nationals at the southwest border, and note 48% decline in apprehensions from 3 weeks ago.
2. We will follow up regarding time/number in custody and MPP returns.
3. Please include CBP in any future small groups.

Thanks!

(b)(6); (b)(7)(C)

From: Asher, Nathalie R
Sent: Mon, 11 Feb 2019 22:30:12 +0000
To: (b)(6); [REDACTED] Davis, Mike P
Cc: Seguin, Debbie; Marin, David A; Kelly, Christopher S (b)(6); (b)(7)(C) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Thx (b)(6); [REDACTED]

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>
Date: Monday, Feb 11, 2019, 5:26 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, Davis, Mike P (b)(6); [REDACTED]@ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, Marin, David A (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, Short, Tracy (b)(6); [REDACTED]@ice.dhs.gov>, Padilla, Kenneth (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>, Loiacono, Adam V (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>
Subject: RE: MPP - ICE memo

We will clean the documents up and send around for one last look.

From: Asher, Nathalie R
Sent: Monday, February 11, 2019 5:25 PM
To: Davis, Mike P (b)(6); [REDACTED]@ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov> (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov> (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov> (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>; Short, Tracy (b)(6); [REDACTED]@ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>
Subject: FW: MPP - ICE memo
Importance: High

Mike –

We have to do a call with WH at 5:30 so will be a bit later this evening.

Concur with omitting attachments referenced in the ERO memo.

We can get out under ERO broadcast once final is signed.

NRA

From: Davis, Mike P
Sent: Monday, February 11, 2019 5:19 PM
To: Seguin, Debbie (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) [REDACTED]@ice.dhs.gov>;

Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo
Importance: High

I just got the go-ahead from OGC. Can we get the OD and ERO docs finalized ASAP, please? I'm attaching almost "clean" versions of them here with today's date on them and just a couple of

(b)(5)

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6)office) | 202.904.(b)(6)mobile)
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Seguin, Debbie
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Subject: RE: MPP - ICE memo

Mike,
Just to confirm, are we still waiting for the final versions to be sent to us from OGC?

My folks are standing by to blue folder.

Debbie

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(www.blackberry.com)

From: Davis, Mike P (b)(6); @ice.dhs.gov>
Date: Monday, Feb 11, 2019, 12:20 PM
To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: MPP - ICE memo

From: Blank, Thomas
Sent: Thu, 27 Dec 2018 22:19:56 +0000
To: Kelly, Christopher S; Simon, Joseph D
Subject: RE: Phone call

Thank you.

Sent with BlackBerry Work
(www.blackberry.com)

From: Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Thursday, Dec 27, 2018, 5:16 PM
To: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: Phone call

I just spoke to Matt about this.

(b)(6); (b)(7)(C); (b)(5)

From: Blank, Thomas
Sent: Thursday, December 27, 2018 4:52 PM
To: Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: Phone call

Chris

(b)(5) What do you say?

Tom

From: Davis, Mike P
Sent: Mon, 11 Feb 2019 22:26:03 +0000
To: Asher, Nathalie R
Cc: Seguin, Debbie; Marin, David A; Kelly, Christopher S (b)(6); (b)(7)(C)
(b) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V
Subject: RE: MPP - ICE memo

Awesome. Thanks so much!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6); (b)(7)(C) office | 202.904 (b)(6); (b)(7)(C) mobile
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Concur with (b)(5)

(b)(5)

NRA

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Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); (b)(7)(C) @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam (b)(6); (b)(7)(C) @ice.dhs.gov>

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Subject: RE: MPP - ICE memo

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Debbie

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Subject: FW: MPP - ICE memo

Looking like we may need to pull the trigger on our MPP docs today.

From: Murphy, Matthew R
Sent: Wed, 6 Feb 2019 23:04:42 +0000
To: Kelly, Christopher S; Seguin, Debbie
Cc: Blank, Thomas; Davis, Mike P
Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Thanks all for the quick turn!

Sent with BlackBerry Work
(www.blackberry.com)

From: Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Wednesday, Feb 06, 2019, 6:04 PM
To: (b)(6); (b)(7)(C)@ice.dhs.gov>, Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>, Davis, Mike P <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Cleared for ODD.

From: (b)(6); (b)(7)(C)@ice.dhs.gov
Sent: Wednesday, February 6, 2019 6:02 PM
To: Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>; Davis, Mike P <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Thanks Debbie, Chris I'll wait for ODD clearance before passing back to DHS.

Sent with BlackBerry Work
(www.blackberry.com)

From: Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Wednesday, Feb 06, 2019, 5:58 PM
To: Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>, Murphy, Matthew R <(b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Blank, Thomas <(b)(6); (b)(7)(C)@ice.dhs.gov>, Davis, Mike P <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Chris, Matt,

Just one comment from OPP (b)(5)

(b)(5)

Debbie

From: Davis, Mike P

Sent: Wednesday, February 6, 2019 5:32 PM

To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Murphy, Matthew R

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

Cc: Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

I have no comments. This just repeats what is in the existing proclamation, upon which we commented extensively. Thanks.

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.73(b)(6); (b)(7)(C) office | 202.904(b)(6); (b)(7)(C) mobile)

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

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From: Seguin, Debbie

Sent: Wednesday, February 6, 2019 5:28 PM

To: Murphy, Matthew R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Matt,

Will do. Just went through the comments for DHS and it seems that most (b)(5) We are likely good with OPLA and OPP review.

Mike,

If you could please provide the document with OPLA's input, I'll merge the two and send to DD and OD.

Thank you,

Debbie

From: Murphy, Matthew R

Sent: Wednesday, February 6, 2019 5:10 PM

To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; Blank, Thomas (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: FW: QUICK TURN: CLOSE HOLD - Draft 212(f) Proclamation Addressing Mass Migration

Debbie,

From: Kelly, Christopher S
Sent: Wed, 3 Jul 2019 21:59:16 +0000
To: Albence, Matthew
Cc: Asher, Nathalie R; Davis, Mike P
Subject: 2 updates from Policy

Matt:

Wanted to flag a couple of things based on a call I just had with (b)(6);

First, it appears that the MPP planning documents have been broken up into two documents—one that relates to setting up the facilities, and the other for maintaining and running them. While both currently have language citing that “CBP or ICE” is responsible for various activities, it would seem to appear that this is being set up for a bifurcation.

Second, (b)(6) advised that following a meeting at EOP that I believe OGC attended, we’ve been advised that the Flores rule must contain provisions that maintain ICE’s authority to release non-UAC minors to individuals other than a parent or legal guardian. No one from ICE was at this meeting, and obviously this would impact ICE interpretation of the TVPRA, have operational impacts for ERO, and could presumably affect the timing of the Flores rule being finalized. Sara has set up an internal meeting for Monday morning to discuss pushing back.

Christopher S. Kelly

(A) Chief of Staff
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security

(b)(6); @ice.dhs.gov

(o) (202) 732-(b)(6);
(c) (202) 489-(b)(7)(C)

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From: Davis, Mike P
Sent: Tue, 12 Feb 2019 00:52:27 +0000
To: Marin, David A (b)(6); Asher, Nathalie R
Cc: Seguin, Debbie; Kelly, Christopher S (b)(6); (b)(7)(C) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V
Subject: RE: MPP - ICE memo

No objection to this change.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6); office) | 202.904 (b)(6); mobile)
(b)(6); (b)(7)(C) @ice.dhs.gov

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From: Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Monday, Feb 11, 2019, 7:48 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>, Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>, Davis, Mike (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, Short, Tracy (b)(6); @ice.dhs.gov>, Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>, Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

ERO is good

From: (b)(6);
Sent: Monday, February 11, 2019 7:47 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>
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Subject: RE: MPP - ICE memo

One edit to the AD1 memo in the attached after discussion with Nathalie and Dave. (b)(5)

See page 2, first full paragraph:

(b)(5)

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

Sent: Monday, February 11, 2019 7:12 PM

To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>;

Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono,

Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Hi everyone,

Finalized clean versions are attached. We deleted the references to attachments as requested in the ERO EAD memo. The blue folder for AD1's signature is ready barring any final edits.

Also, on the website, we have been working with OPA on this and they are ready to upload the documents as soon as they are signed.

Thanks,

(b)(6);
(b)(7)(C)

From: Asher, Nathalie R

Sent: Monday, February 11, 2019 5:25 PM

To: Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C)

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Importance: High

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Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

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(b)(5)

Thanks!

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.732.5401 (office) | 202.904.1273 (mobile)

(b)(6); @ice.dhs.gov

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To: Davis, Mike P (b)(6); @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Mike,

Just to confirm, are we still waiting for the final versions to be sent to us from OGC?

My folks are standing by to blue folder.

Debbie

Sent with BlackBerry Work

(www.blackberry.com)

From: Davis, Mike P (b)(6); @ice.dhs.gov>

Date: Monday, Feb 11, 2019, 12:20 PM

From: Davis, Mike P
Sent: Mon, 11 Feb 2019 20:56:05 +0000
To: Asher, Nathalie R; Seguin, Debbie; Kelly, Christopher S (b)(6);
Cc: (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Exactly.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.734 (b)(6); (b)(7)(C) fice) | 202.904 (b)(6); (b)(7)(C) mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Monday, Feb 11, 2019, 3:55 PM
To: Davis, Mike P (b)(6); (b)(7)(C)@ice.dhs.gov>, Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov> (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

I'm good with it.

As we discussed earlier, (b)(5)

From: Davis, Mike P
Sent: Monday, February 11, 2019 3:55 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>; Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov> (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

If asked, are we good with Nathalie's memo being posted online? We drafted it with that in mind, but I wanted to confirm.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); (b)(7)(C) office) | 202.904.(b)(6); (b)(7)(C) mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Monday, Feb 11, 2019, 3:51 PM
To: Davis, Mike P (b)(6); (b)(7)(C)@ice.dhs.gov>, Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

10/4 – standing by.

Thx Mike!

From: Davis, Mike P
Sent: Monday, February 11, 2019 3:47 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>; Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: MPP - ICE memo

FYI. Nader responder that this jived with his recollection but was seeking confirmation from (b)(6); (b)(7)(C) I spoke with (b)(6); (b)(7)(C) at 2, and he said he'd talk to Nader.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); (b)(7)(C) office) | 202.904.(b)(6); (b)(7)(C) mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Davis, Mike P (b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Monday, Feb 11, 2019, 1:19 PM

To: (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@hq.dhs.gov> (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@hq.dhs.gov>
(b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@hq.dhs.gov>, Baroukh, Nader (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@HQ.DHS.GOV>
Cc: Short, Tracy (b)(6); <(b)(6); <(b)(6); (b)(7)(C)@ice.dhs.gov>, Loiacono, Adam V (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: MPP - ICE memo

(b)(6); (b)(7)(C) Nader—

In light of Gene's email below, it looks like we're mostly ready to pull the trigger on the ICE guidance documents. Just to ensure that there is no confusion on our end, this is OPLA's understanding as to status/correct version of each of the four ICE implementation documents:

1. AD1 Vitello memo: The version George sent to DOJ on 1/31 is now OGC (and WHCO/DOJ)-cleared for Mr. Vitiello's signature. Please see first attachment. This will be posted publicly on www.ice.gov.
2. ERO memo: The version George sent to DOJ on 2/5 is now OGC (and WHCO/DOJ)-cleared for EAD Nathalie Asher's signature. We basically took DOJ's comment about

(b)(5)

3. ERO SOP Template: The version Nader sent to DOJ on 2/8 is OGC (and WHCO/DOJ)-cleared for rollout to the field. Please see third attachment. This will not be posted publicly.
4. OPLE Guidance: The version I sent back this morning incorporating DOJ's custody-related comment from yesterday is pending OGC's concurrence (a minor redline to fn. 3). Please see second document enclosed within the fourth attachment.

(b)(5)

If you gentlemen could kindly confirm that our understandings vis-à-vis each of the four documents are correct (and let us know where OGC HQ stands on the two issues I flagged in red above, i.e., public posting of the ERO memo and clearance of the OPLA memo with DOJ edit), we'll work with our affected ICE client offices to get these materials promptly signed, distributed, and (as appropriate) posted.

Thanks so much!
Mike

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6) office | 202.904 (b)(6) (mobile)
(b)(6); <(b)(6); <(b)(6); (b)(7)(C)@ice.dhs.gov>

From: (b)(6); (b)(7)(C)
Sent: Wed, 13 Feb 2019 22:25:58 +0000
To: Davis, Mike P; Marin, David A; Asher, Nathalie R
Cc: Seguin, Debbie; Kelly, Christopher S (b)(6); (b)(7)(C) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Hi Mike,

We are still waiting to receive the ice.gov links from OPA, but in the interim, the AD1 memo is available on the ICE Policy Manual (b)(7)(E)

(b)(7)(E)

We will send around the public facing links once we have them.

Thanks,

(b)(6);
(b)(7)(C)

From: Davis, Mike P
Sent: Wednesday, February 13, 2019 4:55 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); (b)(7)(C) @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

Hi (b)(6); (b)(7)(C) Sorry to be a pest. Just following up on this. We're waiting on Tracy's guidance until we have a live hyperlink to the Director's memo. Thanks!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6) (office) | 202.904 (b)(6) (mobile)
(b)(6); (b)(7)(C) @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: (b)(6);
Sent: Wednesday, February 13, 2019 8:11 AM
To: Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Thanks, Mike! Yes, we will share the links once they are live.

From: Davis, Mike P (b)(6); @ice.dhs.gov>
Date: Wednesday, Feb 13, 2019, 8:09 AM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>, Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>, Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>, (b)(6); (b)(7)(C) @ice.dhs.gov>, Short, Tracy (b)(6); @ice.dhs.gov>, Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>, Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

(b)(6);
(b)(7)(C)

This broadcast looks fine to me. When everything has been issued and posted online, would you please let me know and send me the hyperlink, so I can get that over to OGC?

Thanks so much!
Mike

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6); office | 202.904 (b)(6) mobile)
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: (b)(6);
Sent: Tuesday, February 12, 2019 5:49 PM
To: Davis, Mike (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

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

Subject: RE: MPP - ICE memo

Hi Mike,

We have the signed AD1 memo, but are trying to time posting with the ERO EAD memo and broadcast message to the FODs. OPA indicated that as soon as the memos are uploaded alerts will go out to the media so we want to make sure ERO's broadcast can go out simultaneously.

With that, attached is a draft broadcast message for both legal review from OPLA and ERO edits as well. Sorry for getting this to you all so late in the day!

Please let us know if you have edits/comments and we can clean everything up and forward to OPA. We gave them a heads-up that we were getting close to having everything finalized.

Thanks,

(b)(6);
(b)(7)(C)

From: Davis, Mike P

Sent: Tuesday, February 12, 2019 5:41 PM

To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S

(b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy

(b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V

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

Subject: RE: MPP - ICE memo

Any updates on the AD1 or ERO memos? OGC pinged us a couple of times today.

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.732 (b)(6); office) | 202.904 (b)(6); mobile)

(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: (b)(6);

Sent: Tuesday, February 12, 2019 9:29 AM

To: Davis, Mike P (b)(6); @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S

(b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy
(b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V
(b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

10-4. We just took AD1 memo blue folder to OD for signature. Will keep you posted.

From: Davis, Mike P
Sent: Tuesday, February 12, 2019 9:25 AM
To: Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

Can you please let me know when the memos have been signed and posted online, so that I can inform OGC? Thanks!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6) (office) | 202.904 (b)(6) (mobile)
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Marin, David A
Sent: Monday, February 11, 2019 7:48 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

ERO is good

From: (b)(6);
Sent: Monday, February 11, 2019 7:47 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

One edit to the AD1 memo in the attached after discussion with Nathalie and Dave (b)(5)

(b)(5)

See page 2, first full paragraph:

(b)(5)

From: (b)(6);

Sent: Monday, February 11, 2019 7:12 PM

To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Hi everyone,

Finalized clean versions are attached. We deleted the references to attachments as requested in the ERO EAD memo. The blue folder for AD1's signature is ready barring any final edits.

Also, on the website, we have been working with OPA on this and they are ready to upload the documents as soon as they are signed.

Thanks,

(b)(6);
(b)(7)(C)

From: Asher, Nathalie R

Sent: Monday, February 11, 2019 5:25 PM

To: Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: FW: MPP - ICE memo

Importance: High

Mike –

We have to do a call with WH at 5:30 so will be a bit later this evening.

Concur with omitting attachments referenced in the ERO memo.

We can get out under ERO broadcast once final is signed.

NRA

From: Davis, Mike P

Sent: Monday, February 11, 2019 5:19 PM

To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>;

Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla,

Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Importance: High

I just got the go-ahead from OGC. Can we get the OD and ERO docs finalized ASAP, please? I'm attaching almost "clean" versions of them here with today's date on them and just a couple of things flagged in each document that will need to be ironed out before they are physically signed. Also, query whether there will be an ICE broadcast on this and/or an ERO broadcast. For our part, we're working on an OPLA broadcast. Once these are signed, we'll need to get the AD1 and ERO EAD memo posted online, which I assume OPA will help us out with. Thanks!

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.732.(b)(6) (office) | 202.904.(b)(6) mobile)

(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Seguin, Debbie

Sent: Monday, February 11, 2019 2:59 PM

To: Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Mike,

Just to confirm, are we still waiting for the final versions to be sent to us from OGC?

From: (b)(6);
Sent: Wed, 13 Feb 2019 23:28:55 +0000
To: Davis, Mike P; Marin, David A; Asher, Nathalie R
Cc: Seguin, Debbie; Kelly, Christopher S (b)(6); (b)(7)(C) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Link for the public facing page: <https://www.ice.gov/factsheets/migrant-protection-protocols-mpp>

From: Davis, Mike P
Sent: Wednesday, February 13, 2019 4:55 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov; (b)(6); (b)(7)(C) @ice.dhs.gov; Short, Tracy (b)(6); @ice.dhs.gov; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov; (b)(6); (b)(7)(C) @ice.dhs.gov
Subject: RE: MPP - ICE memo

Hi, (b)(6); Sorry to be a pest. Just following up on this. We're waiting on Tracy's guidance until we have a live hyperlink to the Director's memo. Thanks!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); office | 202.904.(b)(6); mobile
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: (b)(6);
Sent: Wednesday, February 13, 2019 8:11 AM
To: Davis, Mike P (b)(6); @ice.dhs.gov; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov; (b)(6); (b)(7)(C) @ice.dhs.gov; Short, Tracy (b)(6); @ice.dhs.gov; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov; (b)(6); (b)(7)(C) @ice.dhs.gov
Subject: RE: MPP - ICE memo

Thanks, Mike! Yes, we will share the links once they are live.

From: Davis, Mike <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Wednesday, Feb 13, 2019, 8:09 AM
To: (b)(6); (b)(7)(C)@ice.dhs.gov>, Marin, David A (b)(6); (b)(7)(C)@ice.dhs.gov>, Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov>, (b)(6); (b)(7)(C)@ice.dhs.gov>, Short, Tracy (b)(6); (b)(7)(C)@ice.dhs.gov>, Padilla, Kenneth (b)(6); (b)(7)(C)@ice.dhs.gov>, Loiacono, Adam V (b)(6); (b)(7)(C)@ice.dhs.gov> (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

(b)(6);
(b)(7)(C)

This broadcast looks fine to me. When everything has been issued and posted online, would you please let me know and send me the hyperlink, so I can get that over to OGC?

Thanks so much!
Mike

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6) (office) | 202.904.(b)(6); (b)(7)(C) (mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 12, 2019 5:49 PM
To: Davis, Mike P (b)(6); (b)(7)(C)@ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C)@ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>; Short, Tracy (b)(6); (b)(7)(C)@ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C)@ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C)@ice.dhs.gov> (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

Hi Mike,

We have the signed AD1 memo, but are trying to time posting with the ERO EAD memo and broadcast message to the FODs. OPA indicated that as soon as the memos are uploaded alerts will go out to the media so we want to make sure ERO's broadcast can go out simultaneously.

With that, attached is a draft broadcast message for both legal review from OPLA and ERO edits as well. Sorry for getting this to you all so late in the day!

Please let us know if you have edits/comments and we can clean everything up and forward to OPA. We gave them a heads-up that we were getting close to having everything finalized.

Thanks,

(b)(6); [redacted]

From: Davis, Mike P

Sent: Tuesday, February 12, 2019 5:41 PM

To: (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); [redacted] @ice.dhs.gov>; Kelly, Christopher S

(b)(6); (b)(7)(C) [redacted] @ice.dhs.gov> (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Short, Tracy

(b)(6); [redacted] @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Loiacono, Adam V

(b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Any updates on the AD1 or ERO memos? OGC pinged us a couple of times today.

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.732 (b)(6) (office) | 202.904 (b)(6); [redacted] mobile)

(b)(6); [redacted] @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Shaw, Sara

Sent: Tuesday, February 12, 2019 9:29 AM

To: Davis, Mike P (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Kelly, Christopher S

(b)(6); (b)(7)(C) [redacted] @ice.dhs.gov> (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Short, Tracy

(b)(6); [redacted] @ice.dhs.gov> (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>; Loiacono, Adam V

(b)(6); (b)(7)(C) [redacted] @ice.dhs.gov> (b)(6); (b)(7)(C) [redacted] @ice.dhs.gov>

Subject: RE: MPP - ICE memo

10-4. We just took AD1 memo blue folder to OD for signature. Will keep you posted.

From: Davis, Mike P

Sent: Tuesday, February 12, 2019 9:25 AM

To: Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

Can you please let me know when the memos have been signed and posted online, so that I can inform OGC? Thanks!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6); (b)(7)(C) office | 202.904 (b)(6); (b)(7)(C) mobile)
(b)(6); (b)(7)(C) @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Marin, David A
Sent: Monday, February 11, 2019 7:48 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

ERO is good

From: (b)(6); (b)(7)(C)
Sent: Monday, February 11, 2019 7:47 PM
To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

One edit to the AD1 memo in the attached after discussion with Nathalie and Dave. (b)(5)
(b)(5)

(b)(5)

See page 2, first full paragraph:

(b)(5)

From: (b)(6);

Sent: Monday, February 11, 2019 7:12 PM

To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>;

Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Hi everyone,

Finalized clean versions are attached. (b)(5)

(b)(5) The blue folder for AD1's signature is ready barring any final edits.

Also, on the website, we have been working with OPA on this and they are ready to upload the documents as soon as they are signed.

Thanks,

(b)(6);
(b)(7)(C)

From: Asher, Nathalie R

Sent: Monday, February 11, 2019 5:25 PM

To: Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>;

D (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: FW: MPP - ICE memo

Importance: High

Mike –

We have to do a call with WH at 5:30 so will be a bit later this evening.

Concur with (b)(5)

We can get out under ERO broadcast once final is signed.

NRA

From: Davis, Mike P

Sent: Monday, February 11, 2019 5:19 PM

To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Importance: High

I just got the go-ahead from OGC. Can we get the OD and ERO docs finalized ASAP, please? I'm attaching almost "clean" versions of them here with today's date on them and just a couple of things flagged in each document that will need to be ironed out before they are physically signed. Also, query whether there will be an ICE broadcast on this and/or an ERO broadcast. For our part, we're working on an OPLA broadcast. Once these are signed, we'll need to get the AD1 and ERO EAD memo posted online, which I assume OPA will help us out with. Thanks!

Michael P. Davis

Executive Deputy Principal Legal Advisor

U.S. Immigration and Customs Enforcement

202.732 (b)(6) office) | 202.904 (b)(6) mobile)

(b)(6); @ice.dhs.gov

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From: Seguin, Debbie

Sent: Monday, February 11, 2019 2:59 PM

To: Davis, Mike (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Mike,

Just to confirm, are we still waiting for the final versions to be sent to us from OGC?

My folks are standing by to blue folder.

Debbie

Sent with BlackBerry Work

(www.blackberry.com)

From: (b)(6);
Sent: Tue, 12 Feb 2019 23:17:02 +0000
To: Davis, Mike P; Marin, David A; Asher, Nathalie R
Cc: Seguin, Debbie; Kelly, Christopher S (b)(6); (b)(7)(C) Short, Tracy; Padilla, Kenneth; Loiacono, Adam V; (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Circling back, we have the signed ERO memo as well.

OPLA, pending any edits to the broadcast message we are ready to post materials. Please let us know if there are any show stoppers.

From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 12, 2019 5:49 PM
To: Davis, Mike P (b)(6); @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

Hi Mike,

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(b)(6);
(b)(7)(C)

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Sent: Tuesday, February 12, 2019 5:41 PM
To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
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Subject: RE: MPP - ICE memo

Any updates on the AD1 or ERO memos? OGC pinged us a couple of times today.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); office) | 202.904.(b)(6); mobile)
(b)(6); @ice.dhs.gov

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From: (b)(6);
Sent: Tuesday, February 12, 2019 9:29 AM
To: Davis, Mike (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

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From: Davis, Mike P
Sent: Tuesday, February 12, 2019 9:25 AM
To: Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>
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Subject: RE: MPP - ICE memo

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Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); office) | 202.904.(b)(6); mobile)
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Marin, David A

Sent: Monday, February 11, 2019 7:48 PM

To: (b)(6); (b)(7)(C) @ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly, Christopher S

(b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>; Short, Tracy

(b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono, Adam V

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

Subject: RE: MPP - ICE memo

ERO is good

From: (b)(6);

Sent: Monday, February 11, 2019 7:47 PM

To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>;

Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono,

Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

One edit to the AD1 memo in the attached after discussion with Nathalie and Dave. (b)(5)

(b)(5)

See page 2, first full paragraph:

(b)(5)

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

Sent: Monday, February 11, 2019 7:12 PM

To: Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>; Davis, Mike P (b)(6); @ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C) @ice.dhs.gov>; Kelly,

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Short, Tracy (b)(6); @ice.dhs.gov>; Padilla, Kenneth (b)(6); (b)(7)(C) @ice.dhs.gov>; Loiacono,

Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>

Subject: RE: MPP - ICE memo

Hi everyone,

Finalized clean versions are attached. We deleted the references to attachments as requested in the ERO EAD memo. The blue folder for AD1's signature is ready barring any final edits.

Also, on the website, we have been working with OPA on this and they are ready to upload the documents as soon as they are signed.

Thanks,

(b)(6);
(b)(7)(C)

From: Asher, Nathalie R

Sent: Monday, February 11, 2019 5:25 PM

To: Davis, Mike R (b)(6); (b)(7)(C)@ice.dhs.gov>

Cc: Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>; Marin, David A (b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly,

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(b)(6); (b)(7)(C)@ice.dhs.gov>; Short, Tracy (b)(6); (b)(7)(C)@ice.dhs.gov>; Padilla, Kenneth

(b)(6); (b)(7)(C)@ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C)@ice.dhs.gov>

Subject: FW: MPP - ICE memo

Importance: High

Mike –

We have to do a call with WH at 5:30 so will be a bit later this evening.

Concur with omitting attachments referenced in the ERO memo.

We can get out under ERO broadcast once final is signed.

NRA

From: Davis, Mike P

Sent: Monday, February 11, 2019 5:19 PM

To: Seguin, Debbie (b)(6); (b)(7)(C)@ice.dhs.gov>; Asher, Nathalie R (b)(6); (b)(7)(C)@ice.dhs.gov>;

Kelly, Christopher S (b)(6); (b)(7)(C)@ice.dhs.gov> (b)(6); (b)(7)(C)@ice.dhs.gov>

Cc: (b)(6); (b)(7)(C)@ice.dhs.gov>; Short, Tracy (b)(6); (b)(7)(C)@ice.dhs.gov>; Padilla,

Kenneth (b)(6); (b)(7)(C)@ice.dhs.gov>; Loiacono, Adam V (b)(6); (b)(7)(C)@ice.dhs.gov>

Subject: RE: MPP - ICE memo

Importance: High

I just got the go-ahead from OGC. Can we get the OD and ERO docs finalized ASAP, please? I'm attaching almost "clean" versions of them here with today's date on them and just a couple of things flagged in each document that will need to be ironed out before they are physically signed. Also, query whether there will be an ICE broadcast on this and/or an ERO broadcast. For our part, we're working on an OPLA broadcast. Once these are signed, we'll need to get the AD1 and ERO EAD memo posted online, which I assume OPA will help us out with. Thanks!

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); office) | 202.904.(b)(6); mobile)
(b)(6); @ice.dhs.gov

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From: Seguin, Debbie
Sent: Monday, February 11, 2019 2:59 PM
To: Davis, Mike <(b)(6); (b)(7)(C)@ice.dhs.gov>; Asher, Nathalie R <(b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher S <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: MPP - ICE memo

Mike,
Just to confirm, are we still waiting for the final versions to be sent to us from OGC?

My folks are standing by to blue folder.

Debbie

Sent with BlackBerry Work
(www.blackberry.com)

From: Davis, Mike <(b)(6); @ice.dhs.gov>
Date: Monday, Feb 11, 2019, 12:20 PM
To: Seguin, Debbie <(b)(6); (b)(7)(C)@ice.dhs.gov>; Asher, Nathalie R <(b)(6); (b)(7)(C)@ice.dhs.gov>; Kelly, Christopher <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: FW: MPP - ICE memo

Looking like we may need to pull the trigger on our MPP docs today.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); office) | 202.904.(b)(6); mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Davis, Mike P
Sent: Mon, 11 Feb 2019 17:06:35 +0000
To: Seguin, Debbie; Asher, Nathalie R; Kelly, Christopher S
Subject: FW: Fwd: MPP - ICE memo
Attachments: MPP Counsel Access Considerations.docx,
235(b)(2)(C)OPLAMPPImplementationParameters(Draft 01.30.19forOGCReview-CLEAN)(GC2-5-2019)(002)(DOJ edit 02.11.19).doc

For your reference.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732(b)(6); (b)(7)(C) office) | 202.904(b)(6); (b)(7)(C) mobile)
(b)(6); (b)(7)(C)@ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Davis, Mike P <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Monday, Feb 11, 2019, 10:25 AM
To: Baroukh, Nader (b)(6); (b)(7)(C)@HQ.DHS.GOV>, Short, Tracy (b)(6); (b)(7)(C)@ice.dhs.gov>, Loiacono, Adam (b)(6); (b)(7)(C)@ice.dhs.gov>
Cc: (b)(6); (b)(7)(C)@hq.dhs.gov> (b)(6); (b)(7)(C)@hq.dhs.gov>,
KOLLER, JULIE (OCC (b)(6); (b)(7)(C)@cbp.dhs.gov>
Subject: RE: Fwd: MPP - ICE memo

Nader,

Below, in red, we offer our thoughts in response to DOJ's comments (which I've collected and numbered below). DOJ's feedback seems more of the "food-for-thought" variety, rather than anything crying out for a response, and we had actually considered most of the issues they thoughtfully raised when drafting our documents.

(b)(5)

(b)(5)

(b)(5)

Also, just as a reminder, our records show that OGC-cleared versions of Acting Director Vitiello's MPP memo and the ERO MPP SOP template went over to WHCO/DOJ (on 1/31 and 2/8 respectively), but that we had not yet heard back on those specific documents. **Please confirm.**

Thanks,
Mike

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
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(b)(6); @ice.dhs.gov

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From: Davis, Mike P
Sent: Monday, February 11, 2019 8:14 AM
To: Baroukh, Nader (b)(6); (b)(7)(C) @HQ.DHS.GOV>; Short, Tracy (b)(6); @ice.dhs.gov>;
Loiacono, Adam V (b)(6); (b)(7)(C) @ice.dhs.gov>
Cc: (b)(6); (b)(7)(C) @hq.dhs.gov> (b)(6); (b)(7)(C) @hq.dhs.gov>;
KOLLER, JULIE (OCC) (b)(6); (b)(7)(C) @cbp.dhs.gov>
Subject: RE: Fwd: MPP - ICE memo

Nader,

I don't believe we ever heard anything back on Acting Director Vitiello's memo or the ERO local SOP template. Should we expect any WHCO/DOJ comments on those, following OGC's review? And, can OGC confirm that the OPLA memo will not be issued publicly? Once we have these details nailed down, we'll confirm with the client what it can get signed and posted online today.

Thanks,
Mike

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732 (b)(6); office) | 202.904 (b)(6); mobile)
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DRAFT



**U.S. Immigration
and Customs
Enforcement**

OPLA MPP Implementation Guidance
February XX, 2019

(b)(5)

FOR INTERNAL OPLA USE ONLY / DELIBERATIVE

(b)(5)

(b)(5)

(b)(5)

(b)(5)

From: Davis, Mike P
Sent: Mon, 11 Feb 2019 20:45:19 +0000
To: Seguin, Debbie; Asher, Nathalie R; Kelly, Christopher S (b)(6); (b)(7)(C)
Subject: RE: MPP - ICE memo

Yes. I'll send you my email to Nader trying to get clarification.

Michael P. Davis
Executive Deputy Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202.732.(b)(6); (office) | 202.904.(b)(6); (mobile)
(b)(6); @ice.dhs.gov

Please note that this message may contain sensitive and/or legally privileged information (attorney work product, attorney-client communication, deliberative process, personally identifiable information, law enforcement sensitive, etc.) and should be handled accordingly.

From: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Monday, Feb 11, 2019, 2:58 PM
To: Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>, Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov> (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: RE: MPP - ICE memo

Mike,
Just to confirm, are we still waiting for the final versions to be sent to us from OGC?
My folks are standing by to blue folder.
Debbie

Sent with BlackBerry Work
(www.blackberry.com)

From: Davis, Mike P (b)(6); (b)(7)(C) @ice.dhs.gov>
Date: Monday, Feb 11, 2019, 12:20 PM
To: Seguin, Debbie (b)(6); (b)(7)(C) @ice.dhs.gov>, Asher, Nathalie R (b)(6); (b)(7)(C) @ice.dhs.gov>, Kelly, Christopher S (b)(6); (b)(7)(C) @ice.dhs.gov>
Subject: FW: MPP - ICE memo

Looking like we may need to pull the trigger on our MPP docs today.

Michael P. Davis

From: Kelly, Christopher S
Sent: Thu, 27 Dec 2018 22:38:20 +0000
To: Blank, Thomas; (b)(6); (b)(7)(C)
Subject: RE: Phone call

10-4.

Sent with BlackBerry Work
(www.blackberry.com)

From: Blank, Thomas; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Thursday, Dec 27, 2018, 5:28 PM
To: Kelly, Christopher S; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: Phone call

On another topic. Nothing from (b)(6) on the daily SitRep format. It was promised so we are set to go with what ERO produces and Matt clears.

Sent with BlackBerry Work
(www.blackberry.com)

From: Kelly, Christopher S; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>
Date: Thursday, Dec 27, 2018, 5:16 PM
To: Blank, Thomas; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>; (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)@ice.dhs.gov>
Subject: RE: Phone call

I just spoke to Matt about this.

(b)(5)