American Oversight

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1030 15th Street NW
Suite B255
Washington, DC, 20005

05/06/2022

CBP-2019-074748

Dear American Oversight,

This is a final response to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP), requesting communications between CBP and anyone with an email address ending in eop.gov regarding Fisher Industries or We Build The Wall.

CBP is granting your request under the FOIA, Title 5 U.S.C. §552. Upon initial review of your request, we have determined that the following documents can be found on the internet at the following link: https://www.cbp.gov/document/foia-record/we-build-wall

This completes the CBP response to your request. You may contact CBP's FOIA Public Liaison, Charlyse Hoskins, by sending an email via your FOIAonline account, mailing a letter to 90 K St, NE MS 1181, Washington DC, 20229 or by calling 202-325-0150. (If you need telecommunication relay service (TRS) assistance to communicate with the CBP FOIA Office and you are in the United States, please dial 711 to obtain TRS assistance and notify the Communications Assistant that you want to contact the CBP FOIA Office at the telephone number (202) 325-0150). The FOIA Public Liaison is able to assist in advising on the requirements for submitting a request, assist with narrowing the scope of a request, assist in reducing delays by advising the requester on the type of records to request, suggesting agency offices that may have responsive records and receive questions or concerns about the agency's FOIA process.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with the response to this request, you have a right to appeal the final disposition. Should you wish to do so, you must file your appeal within 90 days of the date of this letter following the procedures outlined in the DHS regulations at Title 6 C.F.R. §5.8. Please include as much information as possible to help us understand the grounds for your appeal. You should submit your appeal via FOIAonline by clicking on the "Create Appeal" button that appears when you view your initial request. If you do not have a FOIAonline account, you must send your appeal and a copy of this letter to: FOIA Appeals, Policy and Litigation Branch, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, DC 20229-1177. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia. Additional information can be found at the following link https://www.cbp.gov/document/guidance/exemption-definitions.

Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS), which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Please note that contacting the CBP FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.

Please notate file number CBP-2019-074748 on any future correspondence to CBP related to this request.

Sincerely,

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U.S. Customs and Border Protection

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Border Wall Donation Acceptance Checklists

I. Real Estate and Environmental Considerations

Real Estate - Verification of landownership and permission for use or access.

- Construction footprint:
  - Federal lands
    - Title search/policy and a copy of the deed of transfer to the federal government or patent by the Bureau of Land Management indicating the land is within the border area reserved for border enforcement activities under the Roosevelt Proclamation.
    - Issuance of a permit or memorandum of agreement by the Government allowing access and construction.
  - Private lands
    - Title search/policy and a copy of the deed of transfer to the current owner.
    - Written permission for access on the property to complete the construction project which typically consists of a Right of Entry for Construction.
- Staging and Laydown Areas and Access roads to construction footprint/border:
  - Federal lands
    - Title search/policy and a copy of the deed of transfer to the federal government or patent by the Bureau of Land Management indicating the land is within the border area reserved for border enforcement activities under the Roosevelt Proclamation.
    - Issuance of a permit or memorandum of agreement by the Government allowing use of area or road(s).
  - Private lands
    - Title search/policy and a copy of the deed of transfer to the current owner.
    - Written permission for use of the property during construction for laydown or access which can consist of a temporary right of entry, memorandum of agreement, or formal lease.

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Environmental

A construction project requiring permitting by a state or federal agency will require compliance with the National Environmental Policy Act (NEPA) and its supporting laws and regulations (e.g. the National Historic Preservation Act, the Endangered Species Act, the Clean Water Act, etc.) in order for the appropriate state or Federal agency to issue a permit. If a Federal agency requires the issuance of a permit for execution of the project or access to Federal lands, compliance with NEPA will be required. Almost all construction projects that involve soil excavation and grading will require a Storm Water permit (401/404 Permit) under the Clean Water Act, issued by the state in which the project occurs and/or by the U.S. Army Corps of Engineers. Therefore, most construction projects (privately funded or federally funded) require compliance with NEPA and/or compliance with the specific state environmental planning regulations.

- Compliance with NEPA includes:
    - Identification of the proposed project and alternatives
    - Initial outreach and consultation with Federal, state, and local agencies and the public to inform them of the planned project.
    - Completion of all appropriate environmental surveys to include but not limited to biological, cultural, waters of the U.S., and environmental due diligence for the possible presence of contaminated sites on the proposed site or adjacent properties.
    - Consultation with the State Historic Preservation Officer (SHPO) and potentially affected Native American Tribes in accordance with Section 106 of the National Historic Preservation Act.
    - Development of a draft environmental planning document (an Environmental Assessment or Environmental Impact Statement).
        - An Environmental Assessment is appropriate when there are no significant environmental impacts anticipated from the proposed action.
        - An Environmental Impact Statement is appropriate where there are known or anticipated significant environmental impacts or there is potential for public controversy and litigation.
    - Publication of the availability for public, Federal, state, and local agency review and comment of the draft environmental planning document (30 to 90 days).
    - Finalization of the environmental planning documentation and determination of a Finding of No Significant Impact (FONSI) when completing an Environmental Assessment or execution of a Record of Decision when completing an Environmental Impact Statement.

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- Obtaining all necessary environmental permits from Federal, state, and local agencies such as a storm water permit, air permit, etc.
- Compliance with all permits during construction.
- Stabilization of the construction foot print in compliance with the appropriate storm water permit.
- Proper agency notification and termination of all permits upon completion of the project and stabilization of the site.

II. Design and Engineering Considerations

Wall design shall comply with the following design criteria and most recent editions of cited references, unless specifically directed or approved otherwise:

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

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

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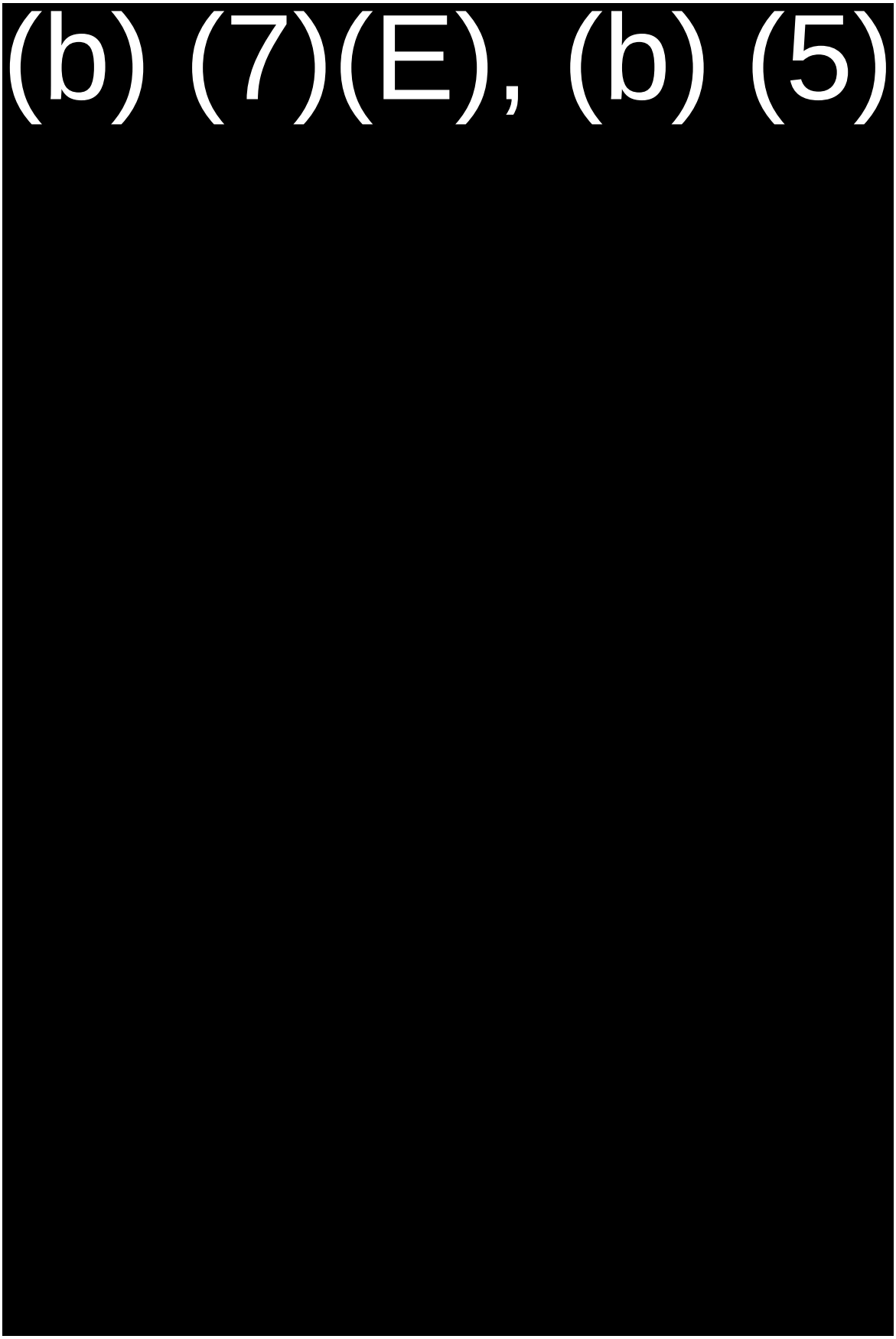

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- o (b) (7)(E), (b) (5)

III. Legal and Ethical Considerations

Privately Constructed Border Barrier Checklist:

- (b) (5)
-
-
-
-
-
-
-

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- (b) (5)
  - [redacted]

Additional Risks and Considerations for Accepting Privately Constructed Border Barrier:

- **Real Estate**
  - (b) (5) [redacted]
    - (b) (5) [redacted]
- **Treaty**
  - (b) (5) [redacted]
    - (b) (5) [redacted]

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- (b) (5)
  - [redacted]

- **Environmental**
  - (b) (5)
  - [redacted]

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- (b) (5)
  - [redacted]
  - [redacted]
  - [redacted]
  - Surveys
    - (b) (5)
      [redacted]
  - Site assessment and Remediation

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        - (b) (5) [redacted]

    - General environmental compliance
        - (b) (5) [redacted]

- **IIRIRA Waiver**
    - (b) (5) [redacted]
    -
    -

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- (b) (5)

- **Ethical concerns**
  - (b) (5)

- **Procurement**
  - (b) (5)

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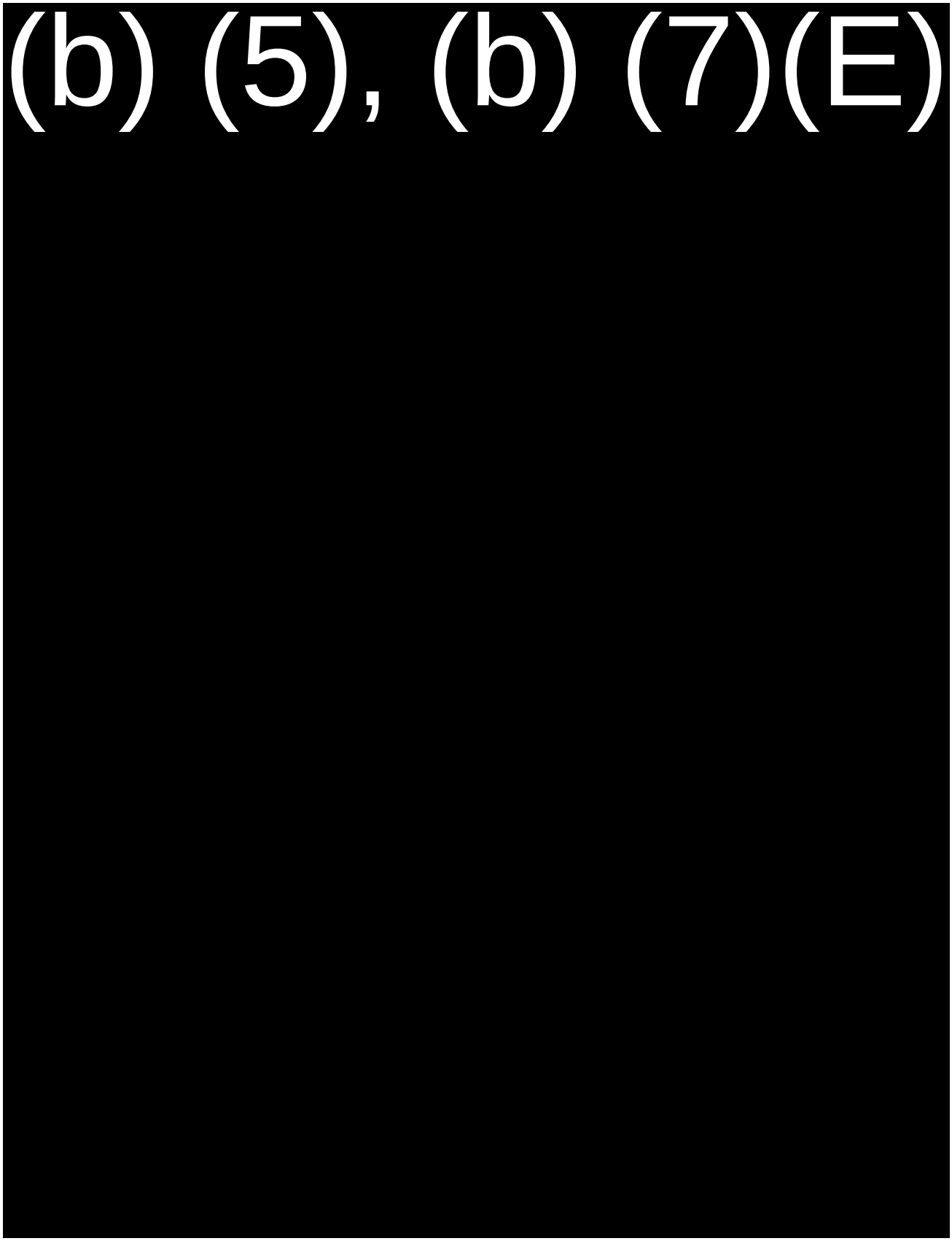
IV. Operational Requirement Considerations



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

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PURPOSE:

This assessment provides detailed information related to the operational viability of (b) (7)(E) border barrier privately funded and constructed through the "We Build the Wall" campaign. The barrier is located in the El Paso Sector Area of Responsibility (AOR). The report assesses the barriers suitability for meeting the U.S. Border Patrol's operational requirements for impedance and denial. The report makes recommendations for improvements or enhancements to the structure where applicable, and identifies risks and risk mitigations associated with the barriers use in Border Patrol operations.

EXECUTIVE SUMMARY:

On June 9, 2019, the "We Build the Wall" campaign completed construction of approximately one half mile of border barrier in Sunland Park, New Mexico near El Paso, Texas. The stretch of barrier is located along the international border of the United States and Mexico in Zone (b) (7) of the (b) (7)(E) Border Patrol Station's AOR. The barrier is constructed on private property belonging to the American Brick Company. While this remains the only completed barrier construction by "We Build the Wall", the campaign has publicly stated their intent to build additional sections of wall in other parts of the US/Mexico border. Additionally, they have expressed the desire to transfer ownership of this barrier and potentially other barriers, to the US Government, most specifically, the US Border Patrol for its use in border security operations.

On July 8th and 9th, 2019, the US Border Patrol's Operational Requirements Management Division (ORMD) visited the site for the purpose of assessing the barrier and its utility in supporting Border Patrol operations. The visit included operational, engineering and environmental assessments of the barrier, barrier location, current and planned technology enhancements as well identifying potential liabilities and risks associated with Customs and Border Protection's (CBP) ownership and use. Engineering and Environmental professionals accompanied ORMD to the site and their observations, concerns and recommendations are part of this assessment. Lastly, Border Patrol Agents and Command Staff from the (b) (7)(E) Border Patrol Station were interviewed to aid with assessing the barrier's current and expected impacts.

In summary, and in the short amount of time since its construction, the barrier has and continues to have a positive operational impact on the border area of (b) (7)(E) Station. Agents report that it is impeding the entry of illicit activity into an area (b) (7)(E). The same agents advise that it is redirecting the flow of "self-surrender" illegal migrants toward the Port of Entry; creating a safer border environment for illegal migrants and agents alike. The barrier is made of similar material and constructed to similar specifications as border barrier built and deployed by Customs and Border Protection in other areas of the border. While the assessment has noted several areas where improvements can be made, the barrier is already having a positive operational impact within the area of its deployment. The following provides a brief summary of significant Operational, Engineering, and Environmental concerns identified as a result of the site assessment:

Operational:

- Barrier is positioned along border in what would typically be considered a "primary" barrier location (b) (7)(E).

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

Engineering:

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

Environmental:

- CBP requires further information on environmental clearances/impacts related to this project to fully understand potential liabilities.
- (b) (5)
-

OPERATIONAL ASSESSMENT:

The US Border Patrol utilizes border barrier to accomplish three primary operational objectives: Deterrence and Impedance, Containment and Denial, and Reduction of the Enforcement Footprint. The ability to accomplish these objectives is essential to achieving operational control of the border. Prior to deploying barrier to any given area, the USBP assesses the area's operational activity, location, and threat characteristics to determine what barrier attributes are necessary to achieve the desired objectives. Barrier attributes include (b) (7)(E) (b) (7)(E) Early assessments of construction material indicated that all USBP border barrier will be constructed of (b) (7)(E) (b) (7)(E) While the construction material remains constant, other attributes are determined through analysis and are specific to that area's needs.

The described attribute analysis has been applied to the area where the "We Build the Wall" barrier is constructed (Zone (b) (7)(E) of the (b) (7)(E) Station AOR). That analysis indicates that USBP requires a (b) (7)(E) barrier equipped with (b) (7)(E)

The following matrix provides a scoring assessment that indicates how closely the "We Build the Wall" barrier meets USBP (b) (7)(E) requirements. (b) (7)(E), (b) (5)

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

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OPERATIONAL OBJECTIVE	USBP REQUIREMENT	Criteria Considered in Meeting Requirement	Typical Barrier Characteristics Used to Meet Requirement	Scoring Matrix: Does existing/planned infrastructure support operational requirement? Meets Requirement	Somewhat Meets Requirement	Does Not Meet Requirement
(b) (7)(E), (b) (5)						

TOTALS =

GRAND TOTAL SCORE =

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Requirement Critieria	Concern/Issue	Risk	Mitigation
(b) (7)(E), (b) (5)			

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

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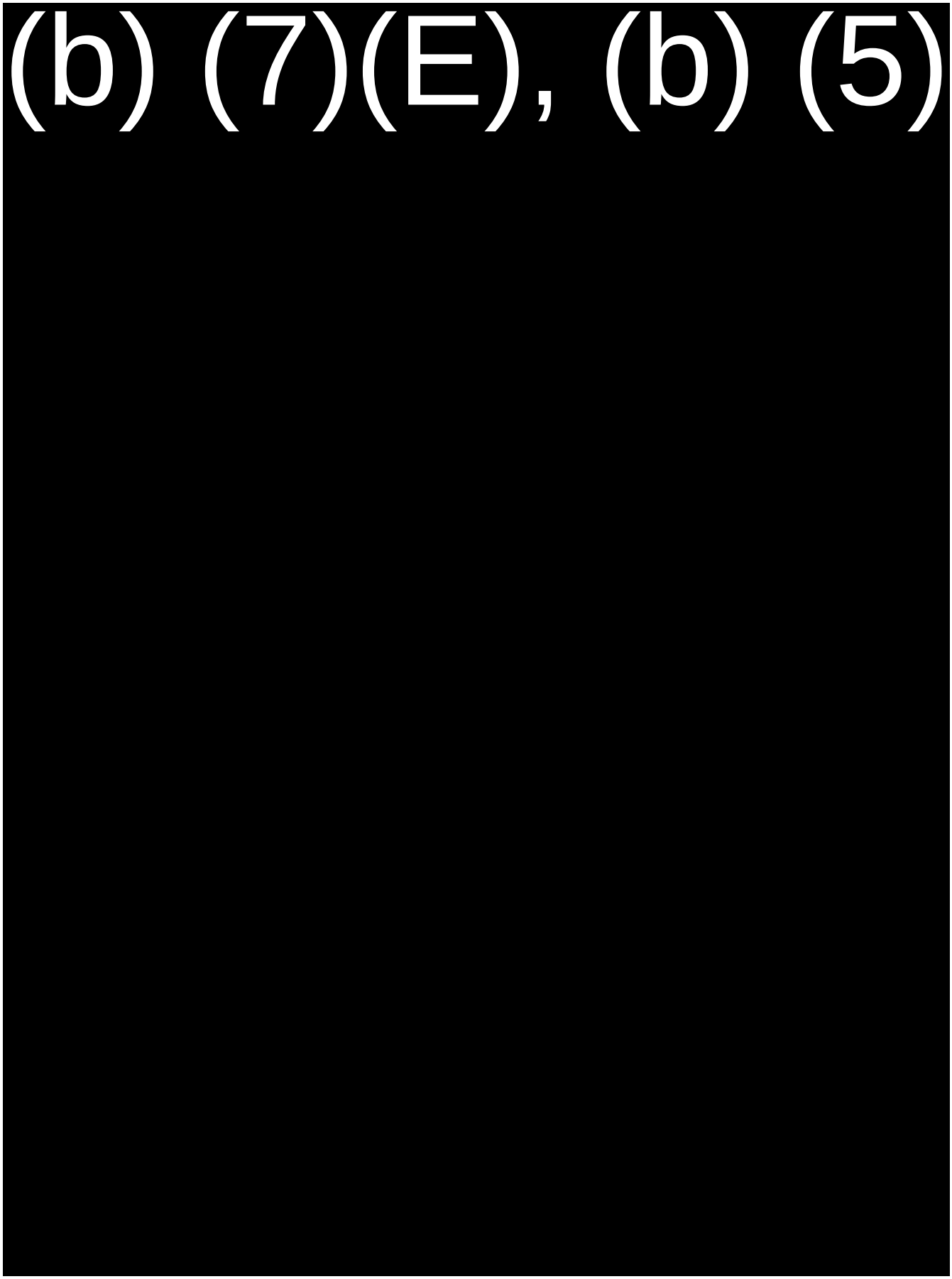

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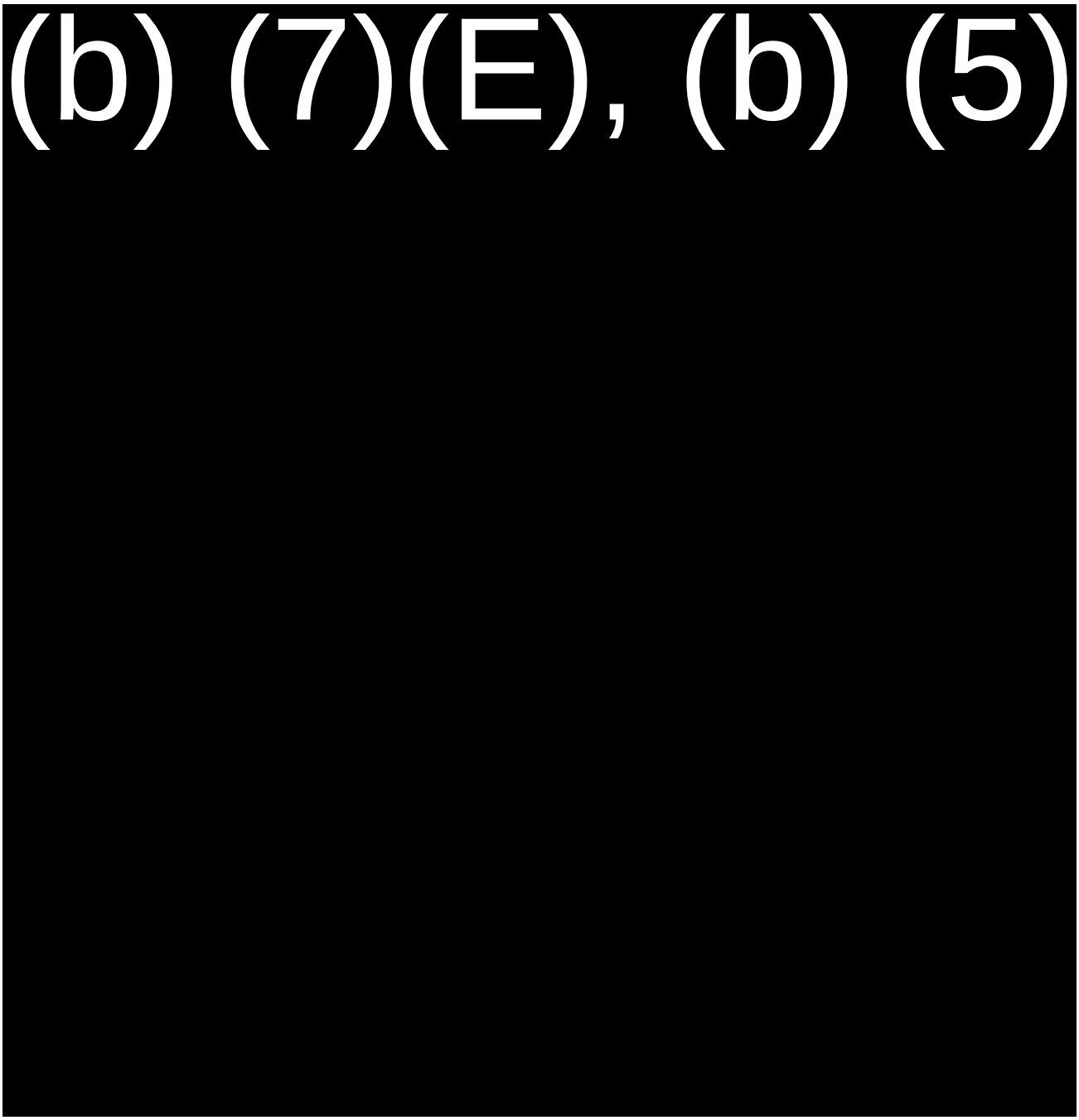
ENGINEERING ASSESSMENT:



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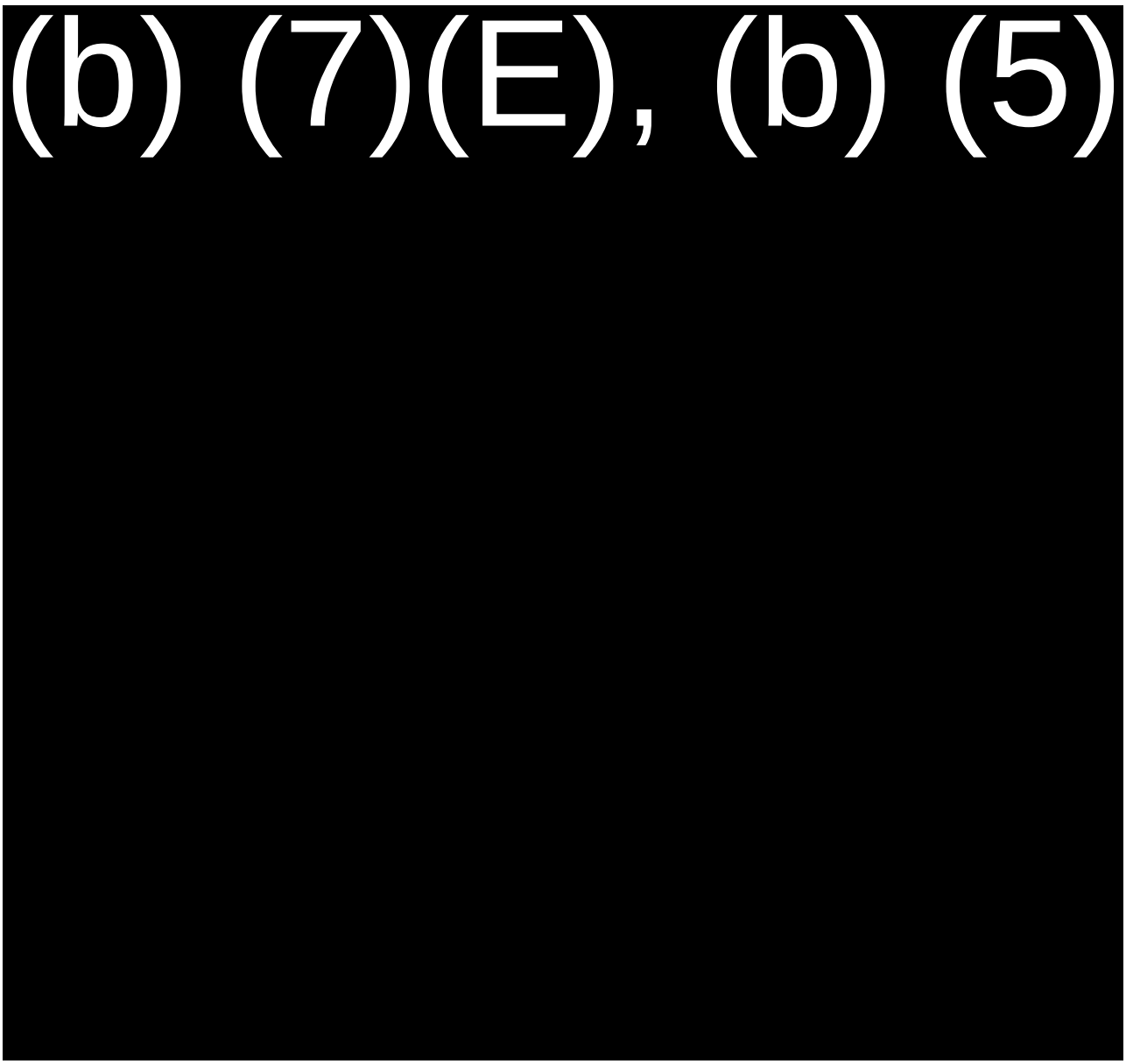

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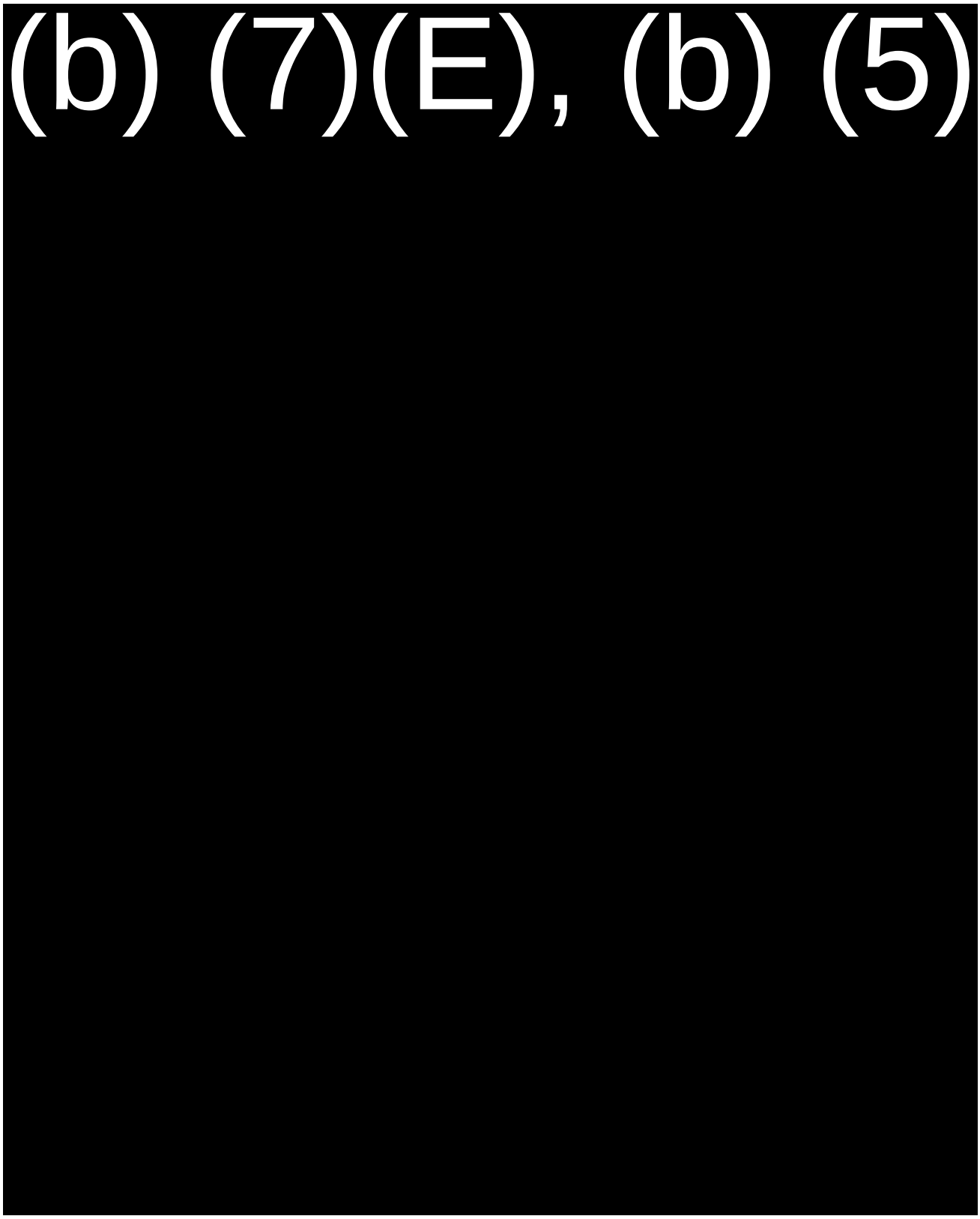

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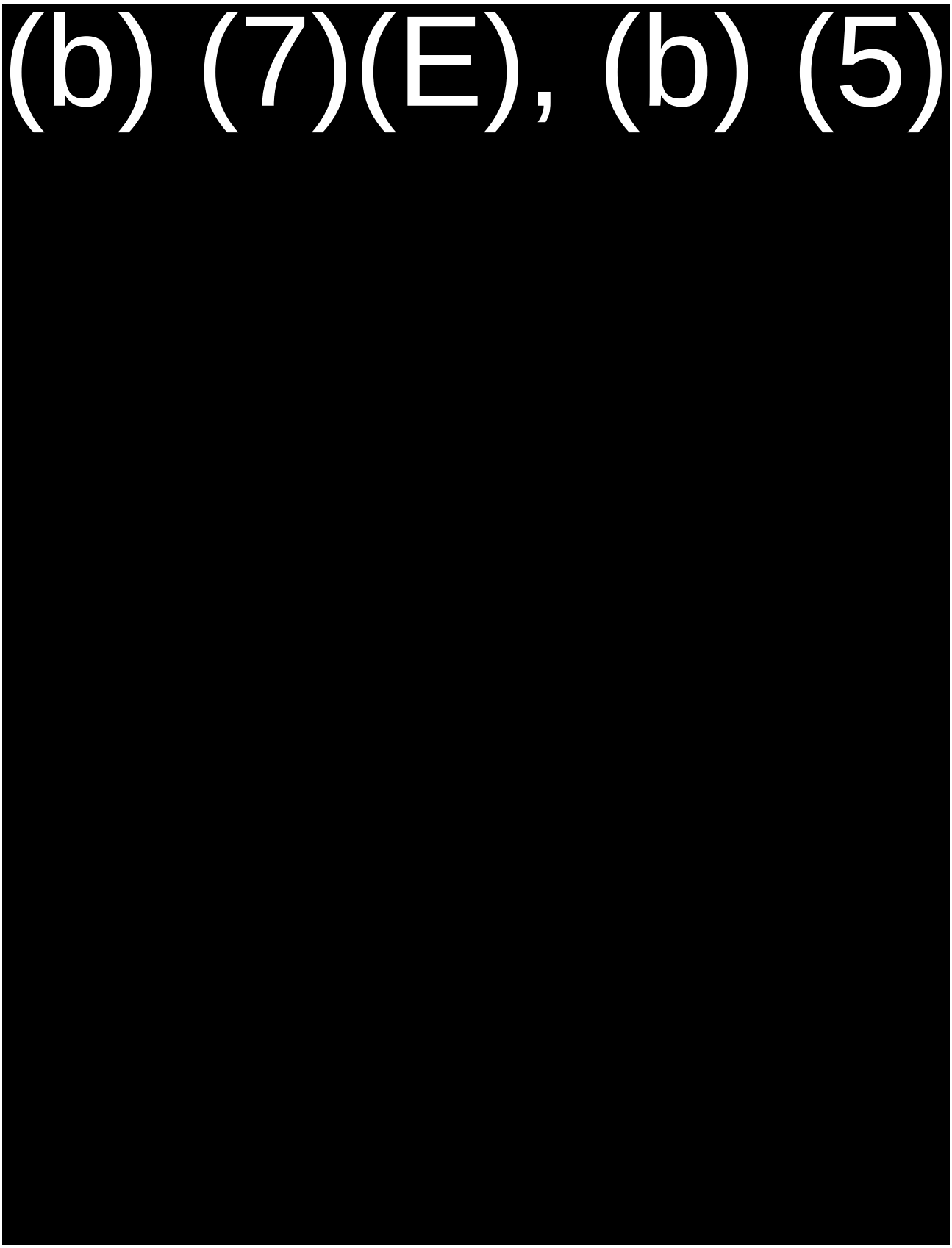

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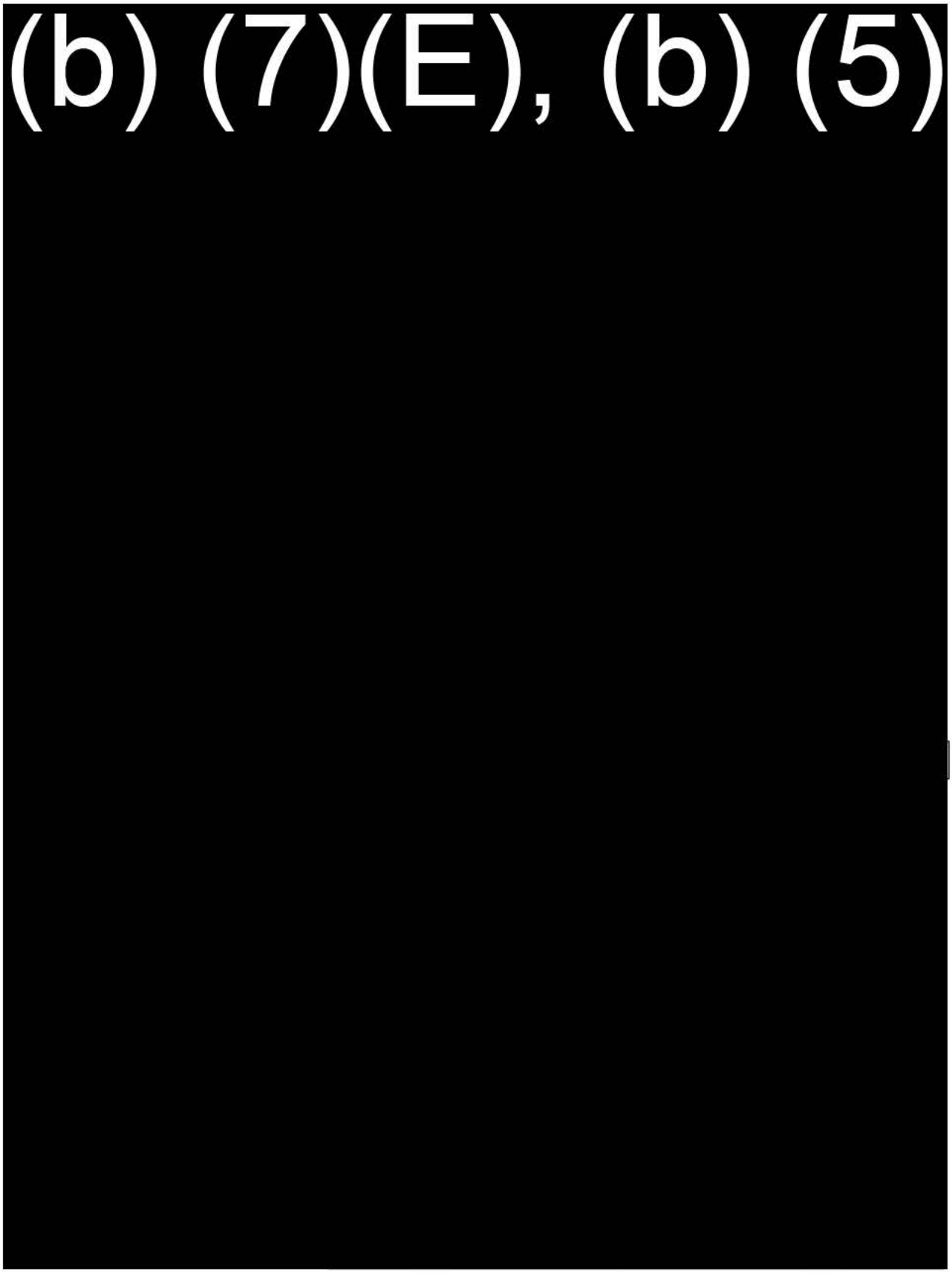

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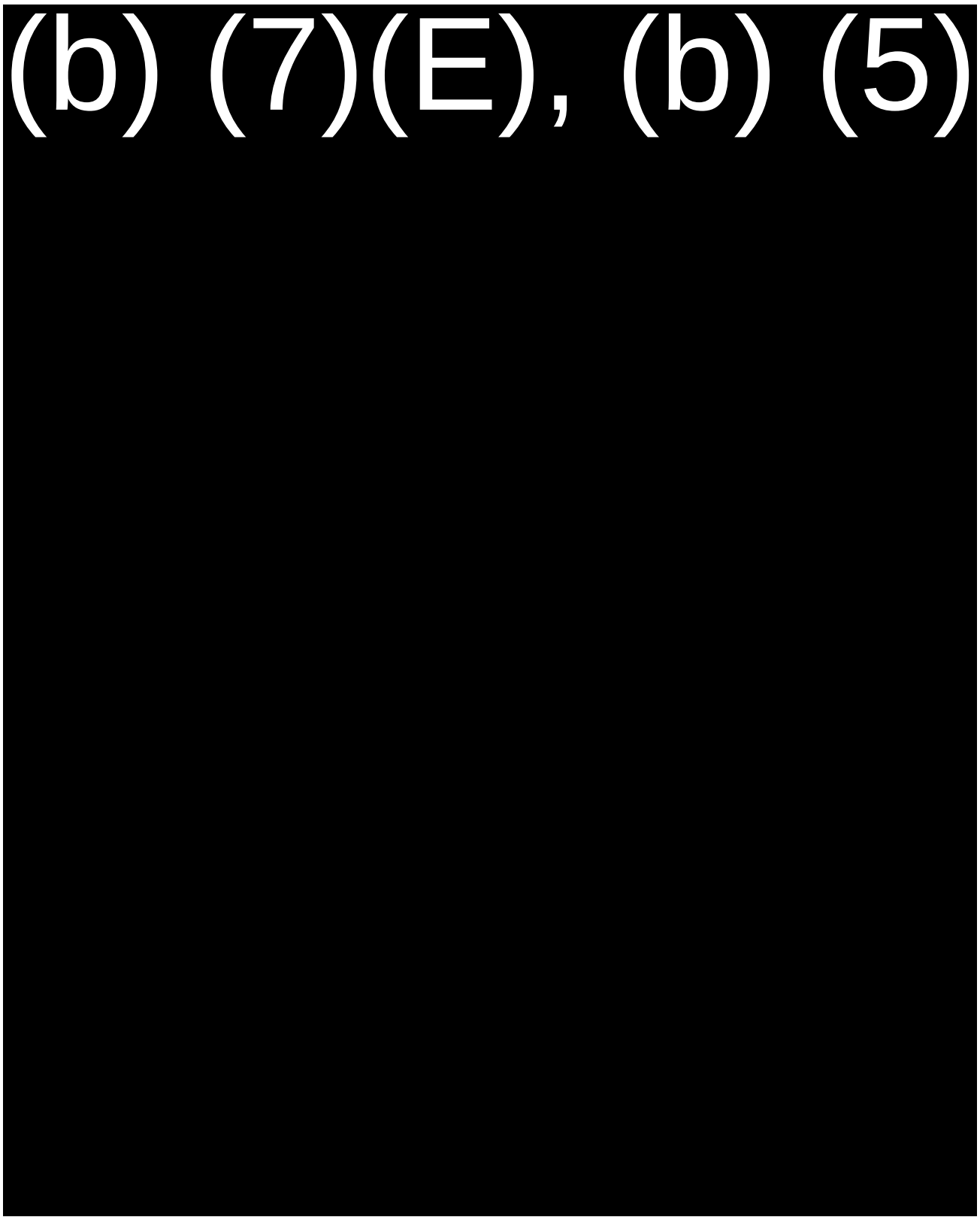

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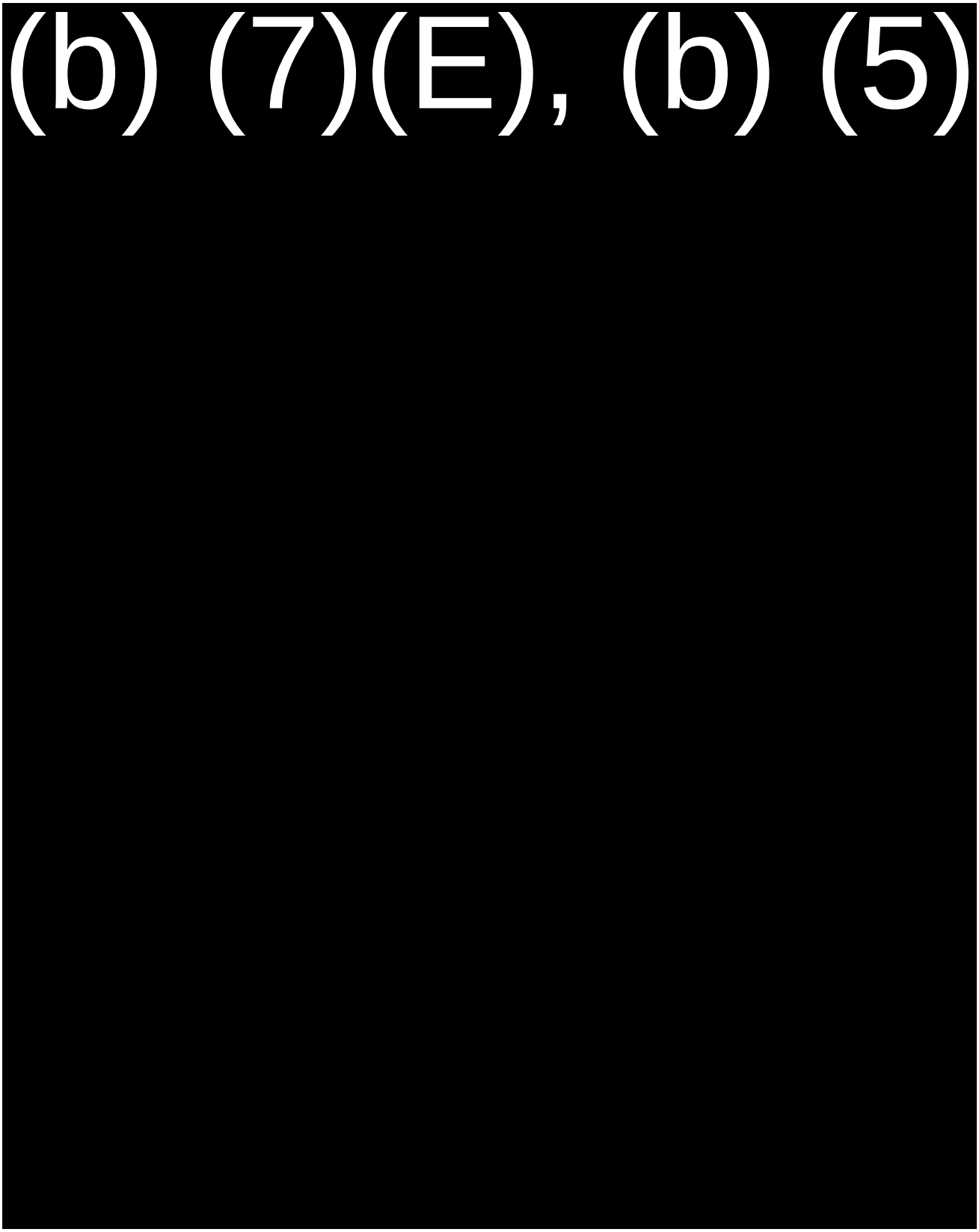

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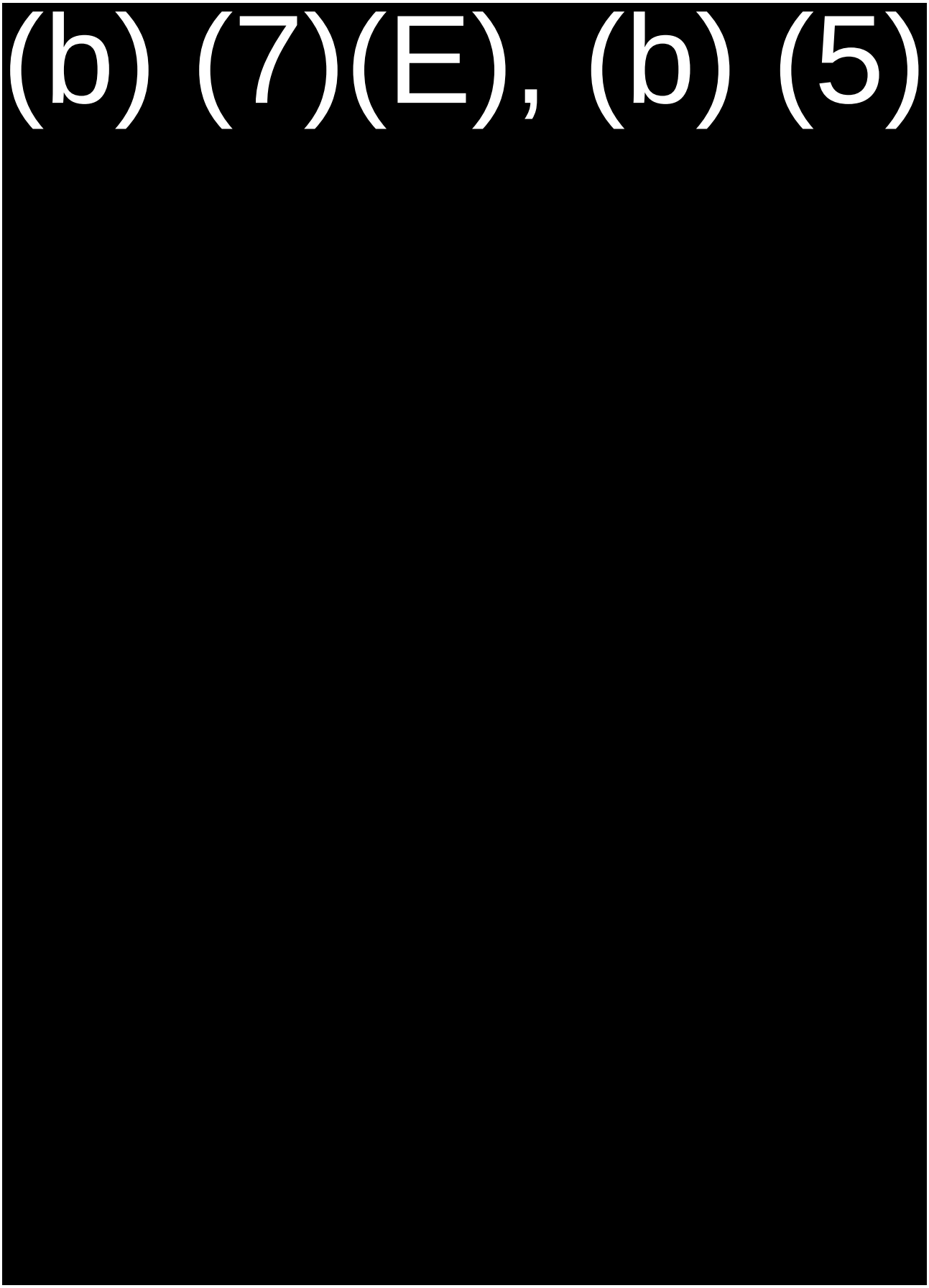

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FUTURE EFFORTS:

The following is a short list of items that should be used to work with the "We Build the Wall" organization if they contemplate any future construction they would like to turn over to BP.

- Checklist: A checklist should be developed for a pre-final and final acceptance inspection to ensure all operational requirements are met.
- Geotechnical Information and Hydrology Study: Use and sharing of this information will reduce the questions at the end when correction could be very costly. In addition, the hydrology study may need to be shared with IBWC to ensure that treaty requirements are adhered to.
- Alignment: The operational requirement for a primary wall is for a [redacted] offset from the border. This needs to be maintained [redacted] (b) (5)
- Debris/spoils removal: [redacted] (b) (5)
- QA on TI standards (outside hired by WBTW, not Contractor): [redacted] (b) (5)

ENVIRONMENTAL NOTES AND CONSIDERATIONS:

Completed Project in Sunland Park & Proposed Project [redacted] (b) (5)

- [redacted] (b) (5), (b) (7)(E)

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

- Treaty Implications

(b) (5)

- Acceptance of Donations

(b) (5)

Background – Proposed Project (b) (7)(E)

Real Estate Ownership

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

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

Challenges with Construction of Barrier

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

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

Background – Completed Project in Sunland Park

- *We Build the Wall* is completing their project, currently finishing lights and (b) (7)(E) installation. Bollard panel installation was completed on or about June 6th/7th, approximately 1 week behind schedule (per *We Build the Wall*'s schedule claims).
- Specific components of their project are:
  - Approximately (b) (7)(E) steel bollard wall with (b) (7)(E)
  - (b) (7)(E)
  - Paved road
  - 14 Light Poles with 3 LED lights per pole
  - (b) (7)(E)
  - Manual sliding gate installed on east end of project

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

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- [redacted]
  - [redacted]
  - [redacted]
  - [redacted]

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U.S. BORDER PATROL
EL PASO SECTOR
REAL ESTATE OWNERSHIP (b) (7)(E)

Initial Real Estate Ownership Information

- (b) (7)(E)

(b) (7)(E)

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Real Estate Certification

- In order to fully certify real estate ownership of this area by the U.S. Government, a title records search to include review of the Bureau of Land Management Deeds prepared for the areas included in the Roosevelt Proclamation and adjoining private parcels would be required.
- While current data suggests there is a 60 foot wide swath of land along the border owned by the U.S. Government, USACE/CBP have previously identified poor records or errors in records for the 60 foot wide swath of land reserved for border enforcement activities by President Roosevelt (i.e. the Roosevelt Reservation). A recent example is land to the west of the (b) (7)(E) area near the (b) (7)(E) where prior border fence was constructed in 2007 in area believed to be owned by the Government but subsequently identified as owned by the State of New Mexico.

Real Estate Access to the Border

- (b) (7)(E)

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Area of Criteria			Considerations	Characteristics Used to Meet Requirement	Completed
REAL ESTATE					
Real Estate	Verification of landownership and permission for use or access.		Verification of landownership and permission for use or access.		
			1 (b) (5)		
		Construction Footprint	Federal lands:		
			2 (b) (5)		
			3		
			Private lands:		
			4 (b) (5)		
		Staging & Laydown Areas & Access roads to construction footprint/border	Federal lands:		
			5 (b) (5)		
			6		
			Private lands:		
			7 (b) (5)		
			8		
			9		
ENVIRONMENTAL					
Environmental		Compliance with NEPA	10 (b) (5)		
			11		
			12 a. (b) (5)		
			b.		
			c.		
			d.		
			e.		
			f.		
			13 (b) (5)		

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DESIGN & ENGINEERING

Design and Engineering

		17		(b) (5), (b) (7)(E)			
		18					
		19					
		20					
		21					
		22					
		23					
		24					
		25					
		26					
	Wall design shall comply with the following design criteria and most recent editions of cited references, unless specifically directed or approved otherwise.	27	a.	(b) (5), (b) (7)(E)			
			b.				
			c.				
		28		(b) (5), (b) (7)(E)			
		29		(b) (5), (b) (7)(E)			
		30					
		31					
		32					
		33					
		34	a.	(b) (5), (b) (7)(E)			
			b.				
			c				
			d.				

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LEGAL

LEGAL

		(b) (5)	
35	a.	(b) (5)	
36		(b) (5)	
37			
38			

OPERATIONAL REQUIREMENTS

OPERATIONAL REQUIREMENTS

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

The following questions are intended to provide a better understanding of the U.S. Border Patrol's requirements of a border wall system, and to provide guidance on minimum construction standards.

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From: (b)(6);(b)(7)(C)
To:
Subject: FW: After Action Report - We Build the Wall
Date: Wednesday, August 28, 2019 8:59:10 AM
Attachments: Barrier Donation Checklist v11 (distributed copy).pdf

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As requested.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 27, 2019 6:20 PM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc: PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C); SINGLETON, RUYNARD R (b)(6);(b)(7)(C); HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: After Action Report - We Build the Wall

Deputy Commissioner – Below please find a high level summary/after action from today's meeting with the team from We Build the Wall for your information and to share as needed.

Meeting Summary/After Action:

CBP Leadership, including Acting Commissioner (AC1) Morgan, Deputy Commissioner Perez, Directorate Chief Brian Martin, and Deputy Executive Director (b)(6);(b)(7)(C), along with representatives of the Office of Chief Counsel sat down with Kris Kobach, (b) (6) and (b) (6) of We Build the Wall (WBTW) to discuss the privately funded wall project recently completed in Sunland Park, New Mexico.

AC1 Morgan started the meeting by thanking the WBTW for having the meeting and for their positive interaction they have had with CBP. AC1 Morgan provided insight into the enhanced safety WBTW's project provides for the Border Patrol Agents working in that area. WBTW informed CBP of the challenges they went through with the initial "go fund me" process, and the ongoing challenges relating to the land acquisition process.

U.S. Border Patrol (USBP) representatives outlined the results of the operational assessment that was conducted on the project and identified some areas of concern and other approaches USBP takes when undertaking similar projects. WBTW representatives asked for clarification on what a donation offer would need to look like and whether CBP would be amenable to acceptance if an offer were made. Deputy Commissioner Perez expressed that CBP is interested in exploring all available options if an offer were made.

WBTW asked further questions about USBP priorities and border wall system specifications. WBTW asked if CBP would be open to considering a proposal for a project in the (b) (7)(E) New

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Mexico) area. CBP communicated that we would consider proposals if they were submitted. WBTW asked about specific timeframes regarding the proposal, and was informed that specific timelines are difficult at this stage of the process and that CBP would need the proposal to evaluate first. WBTW indicated that they are exploring projects in the following areas:

- (b) (7)(E)

The meeting concluded on a positive note with WBTW being provided the USBP Barrier Checklist (attached) and expressed a desire for further communication. CBP will reach out to WBTW for follow up in 2-3 weeks.

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile
(b)(6);(b)(7)(C)

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Area of Criteria			Considerations		Characteristics Used to Meet Requirement	Completed
REAL ESTATE						
Real Estate	Verification of landownership and permission for use or access.		Verification of landownership and permission for use or access.			
			1	(b) (5)		
		Construction Footprint	Federal lands:			
			2	(b) (5)		
			3			
			Private lands:			
			4	(b) (5)		
		Staging & Laydown Areas & Access roads to construction footprint/border.	Federal lands:			
			5	(b) (5)		
			6			
			Private lands:			
			7	(b) (5)		
			8			
			9			
ENVIRONMENTAL						
Environmental		Compliance with NEPA:	10	(b) (5)		
			11			
			12			
			a.	(b) (5)		
			b.			
			c.			

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Envi			d.	(b) (5)		
			e.			
			f.			
		13		(b) (5)		
DESIGN & ENGINEERING						
gn and Engineering		17		(b) (5), (b) (7)(E)		
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		26				
	Wall design shall comply with the following design criteria and most recent editions of cited references, unless specifically directed or approved otherwise.	27				
		28				

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Desi		29	(b) (5), (b) (7)(E)		
		30			
		31			
		32			
		33			
		34			
LEGAL					
LEGAL		35	(b) (5)		
		36			
		37			
		38			
OPERATIONAL REQUIREMENTS					
		39	(b) (5), (b) (7)(E)		

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OPERATIONAL REQUIREMENTS

The following questions are intended to provide a better understanding of the U.S. Border Patrol's requirements of a border wall system, and to provide guidance on minimum construction standards.

40	(b) (5), (b) (7)(E)		
41			
42			
43			
44			
45			
46			

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

AMERICAN OVERSIGHT

From:	MARTIN, JERRY B
To:	kkobach@gmail.com
Cc:	MARTIN, JERRY B; (b)(6);(b)(7)(C)
Subject:	Proposed Donation of Border Wall, (b) (7)(E), New Mexico
Date:	Friday, January 31, 2020 8:25:30 AM
Attachments:	Wall Attachments V2 01292020.pdf Gift Donation Form 112-02.pdf

Mr. Kobach,

Thank you for your recent communication regarding We Build the Wall's (WBTW) proposed donation of border wall. It is my understanding that WBTW, a private entity, would like to start construction on approximately (b) (7)(E) of border wall in (b) (7)(E) New Mexico. Upon completion, WBTW would like to donate this wall as a gift to U.S. Customs and Border Protection (CBP). CBP has reviewed the information WBTW has provided to date regarding the proposed donation. To the extent that WBTW intends to make a formal donation offer to CBP, set out below is the additional information that should be included in the submission. CBP would require this information in order to consider and potentially act upon WBTW's donation offer.

SUBMISSION PROCESS

In order to make a formal offer of donation or gift, WBTW must first submit a formal letter of intent to the Department of Homeland Security (DHS) and CBP. In order to properly evaluate WBTW's gift, CBP needs the information required by DHS Form 112-02. For your convenience, enclosed is a copy of DHS Form 112-02. Those requirements include a detailed description of the gift along with any donor's name and address, as well as any past, present, or pending matters and activities involving the Department and the circumstances regarding donation of the gift. Additionally, the Department's gift acceptance policies further require the donor's estimate of the gift's value, which for non-cash gifts should be the gift's estimated market value.

In addition to the items listed above, WBTW's submission should address the items listed below. The items listed below will assist CBP in its evaluation of WBTW's gift and/or any CBP authorization to construct on federal land that is under CBP's administrative jurisdiction. From our previous discussions, we understand WBTW has offered to fund all design and construction and all real estate and environmental documentation and permitting for the proposed project and will ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.

ALIGNMENT MAP

WBTW must provide an alignment map that is sufficiently identifies the location the proposed border wall segment. The map will allow CBP to evaluate the proposed location relative to United States Border Patrol (USBP) operations. It is CBP's understanding, based on materials previously submitted by WBTW, that the proposed (b) (7)(E) wall project is (b) (7)(E) (Location coordinates – Start: (b) (7)(E) Stop: (b) (7)(E). For your convenience, enclosed you will find a map that shows CBP's understanding of the proposed project location. WBTW's submission should confirm this understanding and show precisely where the proposed wall will be situated.

DESIGN & CONSTRUCTION

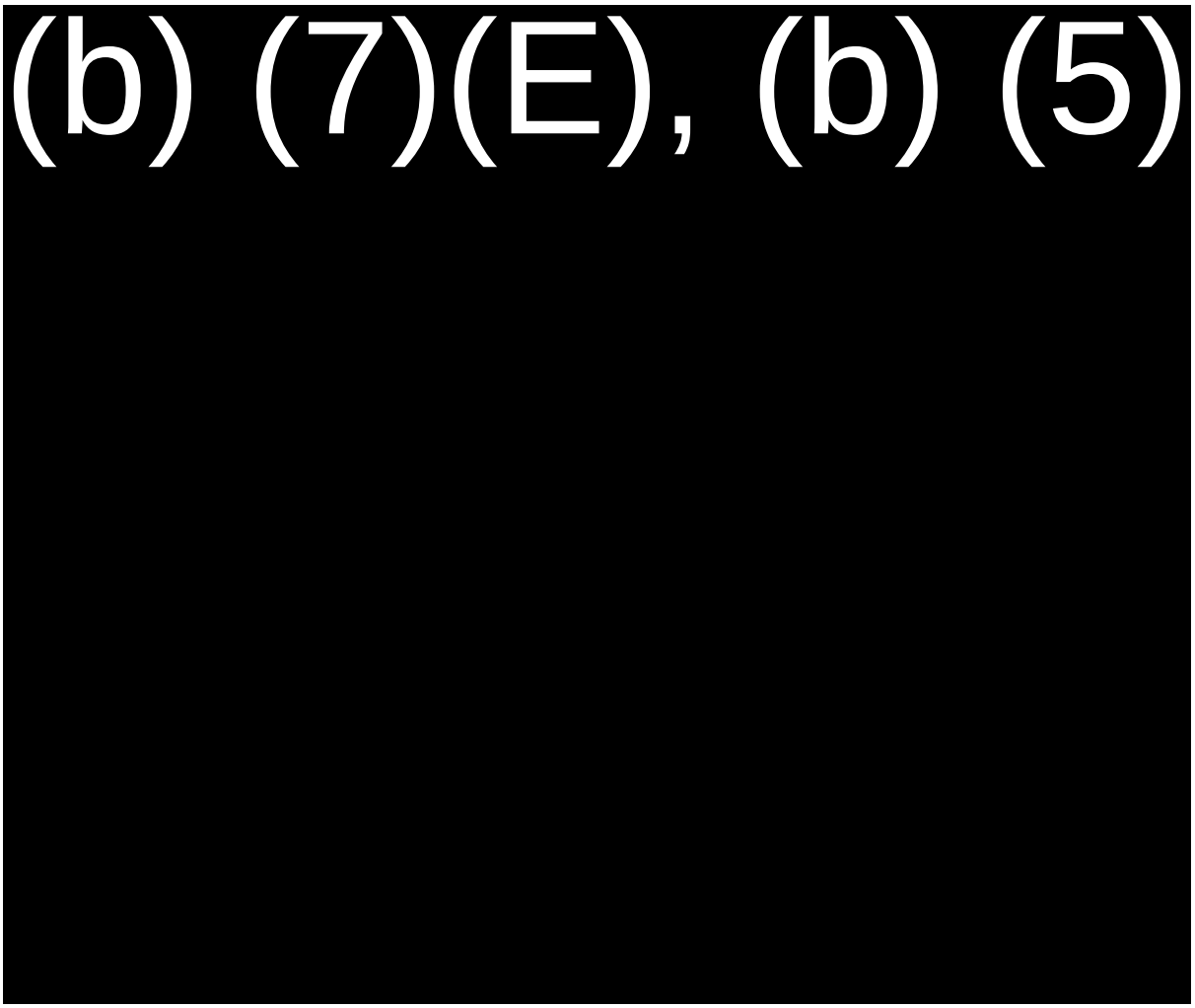
As a part of its submission, WBTW must confirm that the proposed wall segment will adhere to the USBP Tactical Infrastructure (TI) Design Standards as the design criteria for the wall design and that WBTW will consult with USBP on any design and construction questions to

AMERICAN OVERSIGHT

ensure the wall meets the operational requirements of USBP.

Those design standards include the following requirements or conditions:

Design



Construction

- All wall should be constructed in accordance with the TI Design Standards.
- Regular communication with USBP personnel, to include providing a high-level milestone schedule, to ensure construction does not adversely impact operations.
- Consultation with USBP subject matter experts prior to start of design to discuss and incorporate such items as wall alignment, design criteria, construction criteria into the design.
- Consultation with USBP subject matter experts during preliminary design and prior to design completion to receive feedback regarding design progress.
- Regular meetings with USBP subject matter experts on a weekly basis but no less than once per month throughout construction of the wall to discuss progress, construction testing, questions and issues encountered by the contractor.

REAL ESTATE & ENVIRONMENTAL

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WBTW's submission should also address real estate and environmental issues, to include the following:

Environmental

- Regarding the need for 404 permits under the Clean Water Act, WBTW has stated that the U.S. Army Corps of Engineers (USACE) "has no interest" in the proposed project areas, as there are no Waters of the United States that are within the proposed project area or elsewhere that will be affected by the proposed project. WBTW cites to a "hydro analysis" that was performed in making this determination.
    - WBTW should include a copy of the hydrological analysis and/or any delineation survey that was performed and copies of the correspondence with USACE showing its determination that no 404 or other Clean Water Act permits are required.
- WBTW has already provided CBP with the results of cultural/historical assessment that has been performed concerning the proposed project area.
    - WBTW should provide any correspondence or feedback it has received from the New Mexico State Historic Preservation Officer concerning such assessment and the potential impacts of the proposed project.
- As to other potential environmental obligations, as has been discussed, CBP may be required to comply with the National Environmental Policy Act, the Endangered Species Act, or other environmental statutes in accepting a gift or authorizing construction on federal property. WBTW's donation intent should discuss whether it has the ability to assist with such compliance by CBP. Such assistance would likely come in the form of, among other things, providing project information, conducting additional resource surveys of the project area, or providing a consultant to assist in the preparation of required environmental documents.

CONSTRUCTION CLOSE-OUT

Finally, as a part of its submission WBTW should include or discuss the items that will be provided once construction is complete.

- Final construction close-out package shall be provided by the construction contractor prior to acceptance of the project and consideration for acceptance by CBP. The construction close out package shall include, but not be limited to:
    - Results of all materials testing conducted by a third party consultant.
    - Certification that quality assurance was conducted by an independent third party consultant and associated documentation.
    - Shop and fabrication drawings.
    - Final as-built plans certified by the contractor including, but not limited to, final surveyed location of the wall, plans, profiles, notes and details.

ENCLOSURES:

1. DHS GIFT DONATION FORM 112-02
2. (b) (7)(E) MAP
3. PROJECT RENDERING

Should you have questions or concerns, please do not hesitate to reach out to our team – Chief

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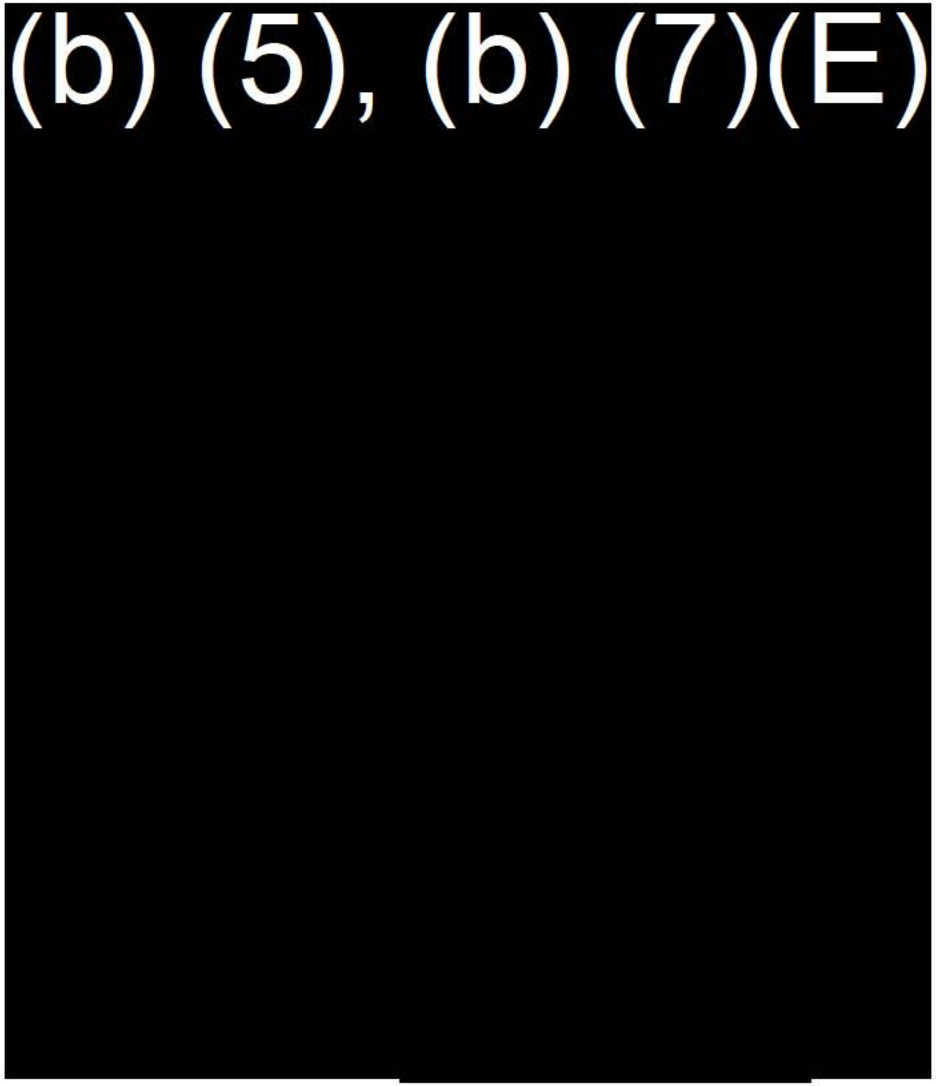
Martin or DXD (b)(6);(b)(7)(C) CC'd here – who will address your questions and coordinate any additional communications with me.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-

AMERICAN OVERSIGHT

Project Rendering



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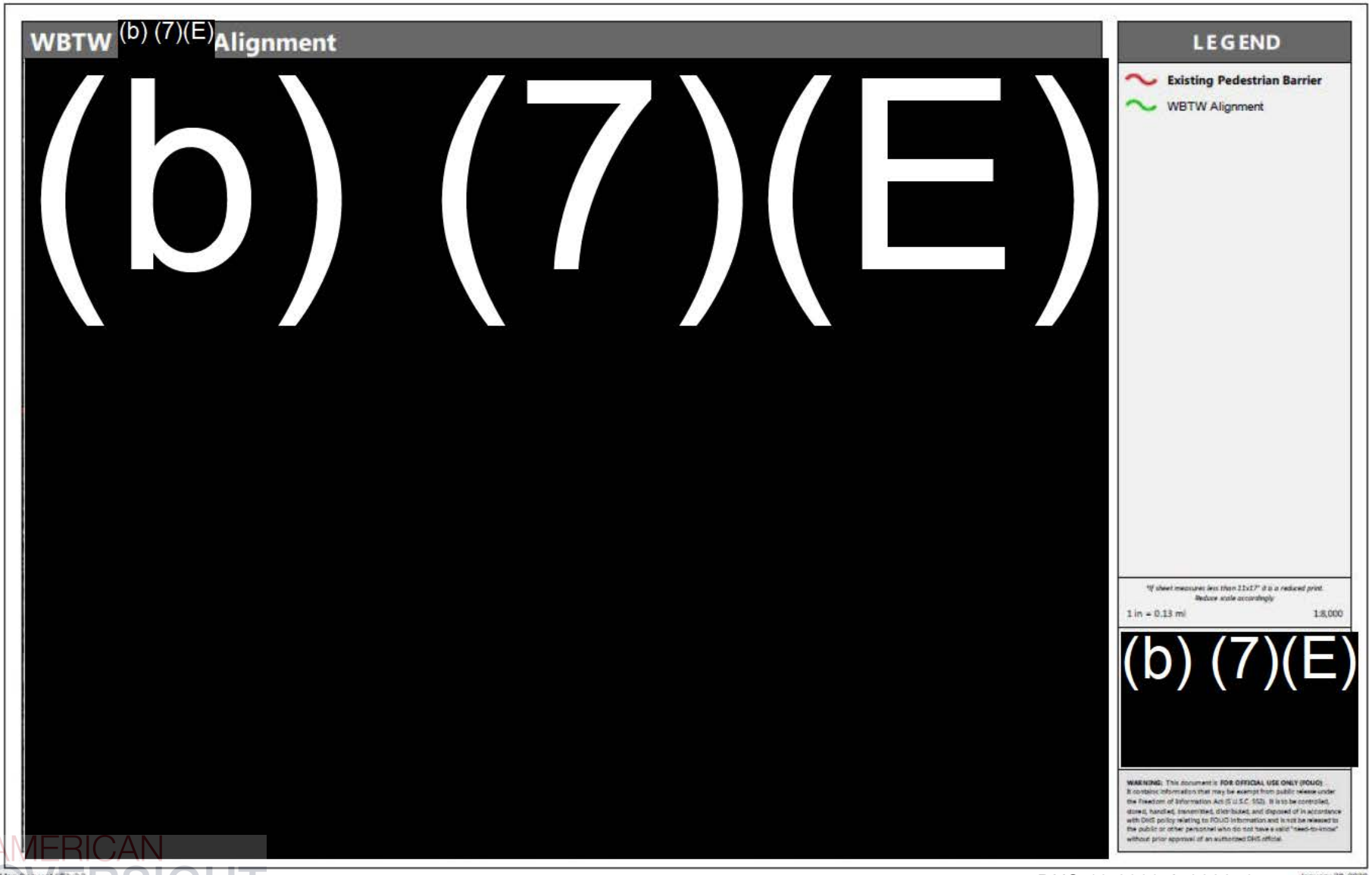
(b) (7)(E), NM Alignment Map



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ATTACHMENT 1

GIFT DONATION FORM
DEPARTMENT HOMELAND SECURITY

This form must be completed upon receipt of a gift offer and forwarded to:

Chief Administrative Officer
Department of Homeland Security
Washington, DC 20528

The following gift was offered to the Department of Homeland Security:

_____

Description of gift: *Please ensure that the donor of the property understands that this property is given to the Department of Homeland Security and will become the property of the United States Government. Also, the donor must understand this donation is irreversible and the donor will retain no personal rights of use, ownership, or possession.*

_____

Donor's Name: _____

Donor's Full Address:

_____

Present/past business with the Department: _____

_____

Circumstances regarding donation of gift: _____

_____

How gift will aid and facilitate the Department's mission_____

_____

Gift Value: _____ if non-cash, list the donor's estimated fair market value: _____

Note: The value listed above is the donor's estimate, whether by fair market value or appraised value. The Department of Homeland Security does not confirm or endorse this as the value of the gift nor make any representation of the value of this gift for any tax purpose.

Restrictions on the use of the gift: _____

Pending Matters/Activities: Please indicate below any matters pending or likely to arise in the future that might involve the donor or the donor's organization. Give consideration to all individuals or members of an organization (if applicable) involved in the donation of this gift:

_____

_____

Identify the Department of Homeland employee who received the gift donation and under what circumstances: _____

If the gift was solicited, indicate the date of approval by the Secretary/Deputy Secretary:

_____

I have determined that the acceptance of this gift is appropriate in accordance with the current Directive and accept the offer on behalf of the Department of Homeland Security

Concurrence by Authorized Agency Official's Ethics Officer:

_____ _____
Ethics Officer Date

_____ _____
Secretary or Authorized Agency Official Date

DHS Form 112-02 (1/08)

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: (b) (6), (b) (7)(C) SINGLETON, RUYNARD R; (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
BORDERWALLTASKS
Subject: RE: Formal Letter of Intent re (b) (7)(E) Project
Date: Thursday, February 13, 2020 4:12:28 PM

(b)
(6)

Thank you for the quick review and response.

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

We have no issues or concerns with the donation package as submitted. Please advise once you have completed your review and are ready to provide opinion.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b) (6), (b) (7)(C)
M

From: (b) (6), (b) (7)(C)
Sent: Thursday, February 13, 2020 2:56 PM
To: MARTIN, JERRY B (b) (6), (b) (7)(C) ; SINGLETON, RUYNARD R
(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
<(b) (6), (b) (7)(C)
BORDERWALLTASKS <borderwalltasks@cbp.dhs.gov>
Subject: RE: Formal Letter of Intent re (b) (7)(E) Project

XD Singleton and Chief Martin – (b) (6), (b) (7)(C) and team reviewed this morning and the Border Wall Team has no issue with the donation as laid out in the offer letter. The letter addresses all design/execution/RE/ENV/closeout components.
Thanks,
(b) (6), (b) (7

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
Senior Communications Analyst
Agile Group
Infrastructure Portfolio
Program Management Office Directorate
United States Border Patrol
Mobile: (b) (6), (b) (7)(C)
Desk (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Monday, February 10, 2020 1:07 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: MARTIN, JERRY B (b) (6), (b) (7)(C) ; SINGLETON, RUYNARD R (b) (6), (b) (7)(C) ; BORDERWALLTASKS (b) (7)(E)
Subject: Fwd: Formal Letter of Intent re (b) (7)(E) Project

All - We have received an official donation offer from WBTW that needs to be thoroughly and thoughtfully adjudicated in as expeditious a manner as possible. After speaking with (b) (6), (b) (7)(C) I think we agree that OCC needs to be the official shepherds of such a request. That said, we still need to provide our thoughts and assessment of the operational (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and execution (b) (6), (b) (7)(C)) elements as part of any adjudication. Please review and provide your individual assessments to XD Singleton and Chief Martin for final review by COB Thursday.

(b) (6), (b) (7)(C) - In the interim, I think you all can also get started. We'll send you our thoughts by Friday. I was able to tap some old OFAM colleagues to find the POC for CBP's larger DAP program in case we need further counsel as well.

From OFAM:
The OFO DAP Branch Chief is (b) (6), (b) (7)(C) and the POC's are (b) (6), (b) (7)(C)
The office of Chief Counsel POC is (b) (6), (b) (7)(C)

Sent from my iPad

Begin forwarded message:

From: "kkobach@gmail.com" <kkobach@gmail.com>
Date: February 7, 2020 at 9:48:50 PM EST

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To: "MARTIN, JERRY B" [redacted]
[redacted]
Cc: [redacted]
Subject: Formal Letter of Intent re [redacted] **Project**

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.

Brian,

Please find attached We Build the Wall's formal letter of intent. Attachments include:

1. DHS GIFT DONATION FORM 112-02
2. ALIGNMENT MAP
3. PROJECT RENDERING
4. HYDRO ANALYSIS
5. RAINFALL DATA

As we discussed at our meeting last week, we would appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.

Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.

Kris

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MARTIN, JERRY B

From: MARTIN, JERRY B
Sent: Tuesday, July 30, 2019 10:17 AM
To: kkobach@gmail.com
Subject: Re: WBTW Permitting Question

Mr. Kobach,

Unfortunately the letter is considered official government correspondence and I'm able to send externally. I will say that our letter advocates (b) (5), (b) (7)(E) (b) (5) (b) (5)

Regards,

Brian

Sent from my iPhone

On Jul 25, 2019, at 5:44 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:

> Brian,
>
> That's great news. Is there any chance you could email me a copy of the letter, so that I am fully informed when I next speak with Commissioner Harkins?
>
> If you need to reach me quickly don't hesitate to text me at my cell number below. Thanks.
>
> Kris
> Cell number (b) (6)
>
> On Jul 25, 2019, at 2:00 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:
>
> > Mr. Kobach,
> >
> > I am following up on your conversation with Deputy Commissioner Perez today regarding the U.S. International Boundary and Water Commission's statement (b) (7)(E) (b) (7)(E) (b) (7)(E) A letter has been sent from USBP leadership to Commissioner Harkins indicating our request (b) (7)(E) (b) (7)(E) Feel free to follow up with Commissioner Harkins and do not hesitate to reach out if we can be of further assistance.
> >
> > VR,
> > Brian
> >
> > ***Brian Martin***
> > ***U.S. Border Patrol***
> > ***Chief of Strategic Planning and Analysis***

AMERICAN OVERSIGHT

Washington, DC
O-(b)(6);(b)(7)(C)
M-

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 24, 2019 9:33 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Re: WBTW Permitting Question

Brian,

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a (b) (7)(E) strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at (b) (7)(E) DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

> Mr. Kobach,
>
> As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.
>
> Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally,

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acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or new (b) (7)(E) (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast, acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.

That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-

AMERICAN OVERSIGHT

~~FOR OFFICIAL USE ONLY~~

WE BUILD THE WALL TALKING POINTS
February 12, 2020

- We Build the Wall (WBTW), a private entity, sent CBP an official donation offer on February 7, 2020.
- This donation includes the offer of (b) (7)(E) border wall in (b) (7)(E) New Mexico.
- (b) (5)
- [redacted]
- [redacted]
- [redacted]

INTERNAL NOTE for C1: (b) (5), (b) (7)(E) [redacted]

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Homeland Security

AGENDA
August 27, 2019
14:00-15:00

1 Opening Remarks

2 Constructed Border Barrier in El Paso Sector

- Assessment
  - Benefits
    - The structure is having a positive operational impact in the area of its deployment:
    - Field personnel report [redacted (b) (7)(E)].
  - Challenges/Considerations
    - [redacted (b) (7)(E), (b) (5)]

3 Donation Consideration

- In evaluating whether to accept a gift, the government must understand:
  - Specifications on all included infrastructure
  - Clarity on ownership of both land and physical barriers
  - Fair market value of the gift
  - Contractual or other relationships between parties

4 Future Privately Funded Border Barrier Construction

- CBP Checklist

5 Closing Remarks – DHS & CBP

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Additional Risks and Considerations for Accepting Privately Constructed Border Barrier

- Real Estate
  - (b) (5) [redacted]
- Treaty
  - (b) (5) [redacted]
- Environmental
  - (b) (5) [redacted]

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- (b) (5) [redacted]

[redacted]

Checklist Items

- Surveys
  - (b) (5) [redacted]
- Site assessment and Remediation
  - (b) (5) [redacted]
- General environmental compliance
  - (b) (5) [redacted]

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- (b) (5) [redacted]
- Procurement
  - (b) (5) [redacted]

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Border Wall Donation
(b) (7)(E)

OVERVIEW

- We Build the Wall (WBTW), a private entity, would like to start border wall construction in (b) (7)(E) Upon completion, WBTW would like to donate this wall as a gift to the U.S. Customs and Border Protection (CBP).
- WBTW must first submit a formal letter of intent to the Department of Homeland Security (DHS) and CBP.
  - In order to properly evaluate WBTW's gift, CBP needs the information required by DHS Form 112-02 (ATTACHED). Those requirements include a detailed description of the gift along with any donor's name and address, as well as any past, present, or pending matters and activities involving the Department and the circumstances regarding donation of the gift. Additionally, the Department's gift acceptance policies further require the donor's estimate of the gift's value, which for non-cash gifts should be the gift's estimated market value. With respect to WBTW's gift, the estimated total market value should include both the value of the barrier itself and any related construction costs.
- (b) (5)
- (b) (5)
  - (b) (5)
    - (b) (5)
  - (b) (5)
    - (b) (5)

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- (b) (5)
- (b) (5) ill ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.
- WBTW must provide an alignment map that is sufficient to USBP operations.
  - (b) (7)(E)
- (b) (5)
- (b) (5)

DESIGN

WBTW must agree to the following conditions:

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

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- (b) (5) .

CONSTRUCTION

- (b) (5)
- (b) (5)
- (b) (5)
- (b) (5)

REAL ESTATE & ENVIRONMENTAL

- (b) (5)
  - (b) (5)
- (b) (5)
  - (b) (5) .
- (b) (5)
  - (b) (5)

ATTACHMENTS:

1. DHS GIFT DONATION FORM 112-02
2. (b) (7)(E) MAP
3. PROJECT RENDERING

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Checklist Item No. 4: *The privately-constructed barrier must be in compliance with applicable environmental laws and regulations*

Background:

- (b) (5)
- [redacted]
- [redacted]

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- (b) (5)
  - (b) (5)
  -
- (b) (5)
  -

IIRIRA Waiver

- (b) (5)
  -

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- (b) (5) [redacted]
- [redacted]

Proposed Checklist Requirements

- Environmental Surveys: (b) (5) [redacted].
  - (b) (5) [redacted]
- Environmental Site Assessment and Remediation: (b) (5) [redacted]
  - Internal notes: (b) (5) [redacted]

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(b) (5) [redacted]

- Environmental Compliance: (b) (5) [redacted]
    - Internal notes: (b) (5) [redacted]

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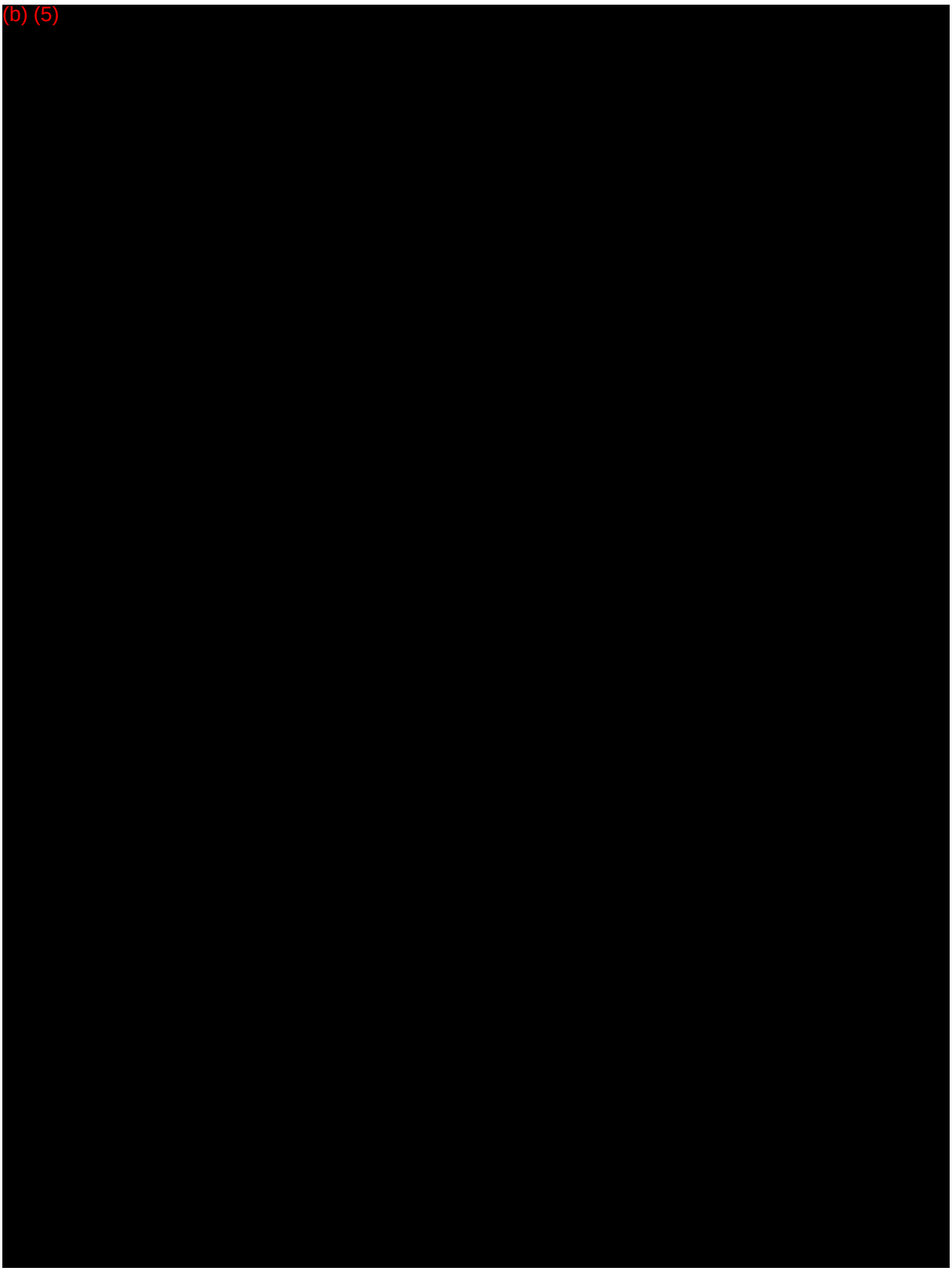
Privately Constructed Border Barrier Checklist

(b) (5)



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From: kkobach@gmail.com
To: MARTIN, JERRY B; [redacted]
Cc: [redacted]
Subject: Formal Letter of Intent re [redacted] Project
Date: Friday, February 7, 2020 9:48:51 PM
Attachments: WBTW Final Letter to CBP - [redacted].docx
Gift Donation Form 112-02 - Filled.pdf
[redacted] - Alignment Map.pdf
WBTW [redacted] Project Rendering.png
[redacted] - WBTW - Hydro Analysis.pdf
[redacted] - WBTW - NOAA Precipitation Data.pdf

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.

Brian,

Please find attached We Build the Wall's formal letter of intent. Attachments include:

1. DHS GIFT DONATION FORM 112-02
2. ALIGNMENT MAP
3. PROJECT RENDERING
4. HYDRO ANALYSIS
5. RAINFALL DATA

As we discussed at our meeting last week, we would appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.

Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.

Kris

AMERICAN OVERSIGHT

Kris W. Kobach
General Counsel
P.O. Box 155
Lecompton, KS 66050

February 7, 2020

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
1300 Pennsylvania Ave., NW
Washington, DC 20229

Dear Chief Martin,

We Build the Wall (WBTW), a private entity, would like to commence construction on approximatel (b) (7)(E) of border wall in (b) (7)(E) New Mexico, extending the existing barrier to (b) (7)(E) (b) (7)(E) Upon completion, WBTW would like to donate this wall as a gift to U.S. Customs and Border Protection (CBP). WBTW initially extended this offer to the DHS Acting Secretary on June 6, 2019. It is my understanding that CBP has reviewed the information WBTW has provided to date regarding the proposed donation. This letter is a formal letter of intent to donate this proposed section of border wall to CBP.

Please find attached a completed DHS Form 112-02, regarding gifts to DHS. As we have discussed, the project site is entirely on federal land that is under CBP's administrative jurisdiction, so WBTW is also seeking authorization to enter the land for the purpose of constructing the proposed border wall. As we have also discussed, WBTW is offering to fund all design and construction and all real estate and environmental documentation and permitting for the proposed project and will ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.

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ALIGNMENT MAP

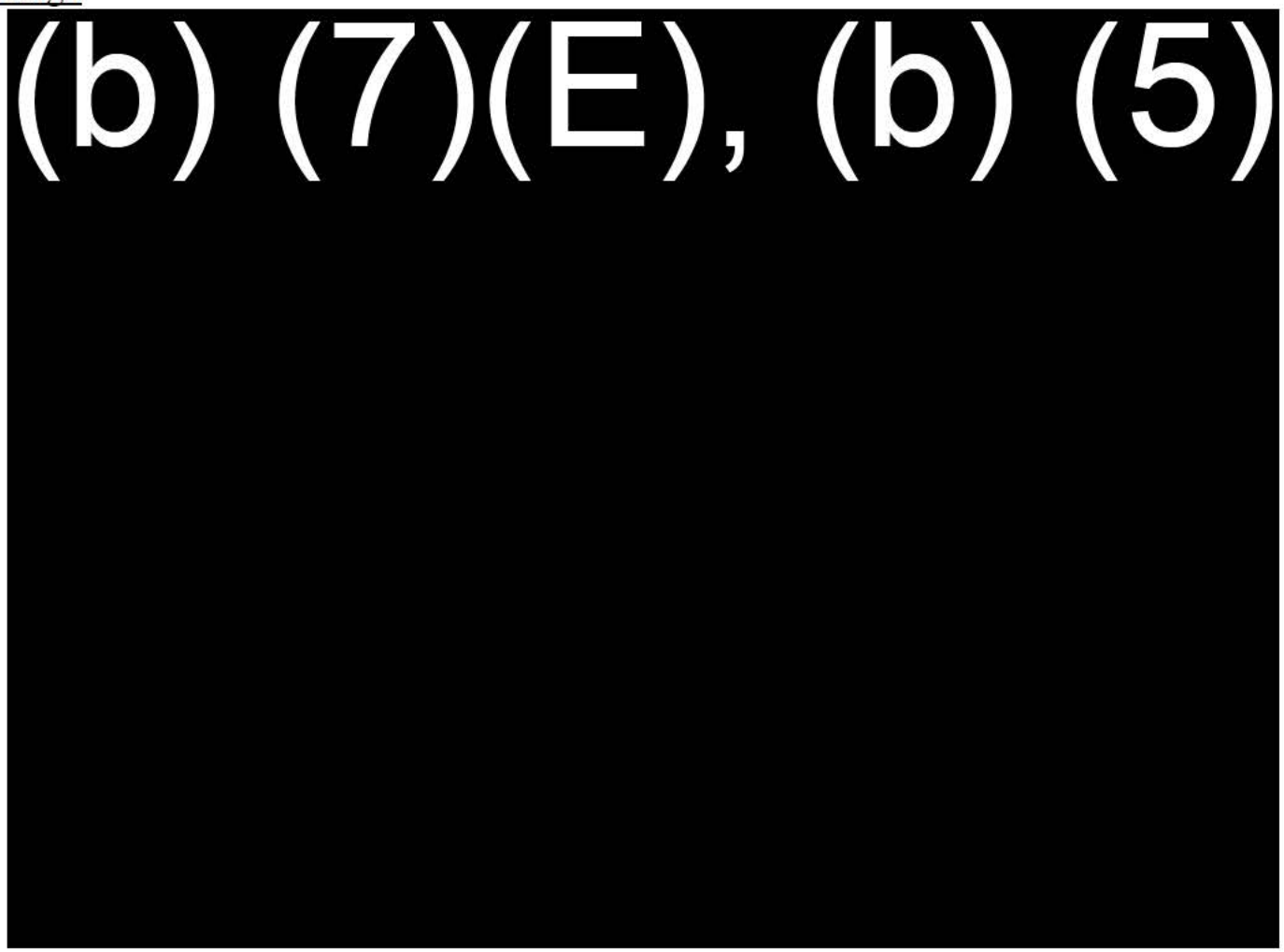
Please also find attached an alignment map that identifies the location of the proposed border wall segment. As noted above, the proposed (b) (7)(E) wall project is approximately (b) (7)(E) long. (Location coordinates – Start: (b) (7)(E) Stop: (b) (7)(E)

DESIGN & CONSTRUCTION

The proposed wall segment will adhere to the United States Border Patrol (USBP) Tactical Infrastructure (TI) Design Standards as the design criteria for the wall design. WBTW will consult with USBP on any design and construction questions to ensure the wall meets the operational requirements of USBP. The proposed wall segment will be as follows:

Design

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



Construction

- The wall will be constructed in accordance with the TI Design Standards.

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- Regular communication will occur with USBP personnel, to include providing a high-level milestone schedule, to ensure construction does not adversely impact operations.
- Consultation will occur with USBP subject matter experts prior to start of design to discuss and incorporate such items as wall alignment, design criteria, construction criteria into the design.
- Consultation will occur with USBP subject matter experts during preliminary design and prior to design completion to receive feedback regarding design progress.
- Regular meetings will occur with USBP subject matter experts on a weekly basis but no less than once per month throughout construction of the wall to discuss progress, construction testing, questions and issues encountered by the contractor.

REAL ESTATE & ENVIRONMENTAL

Environmental

- Regarding the need for 404 permits under the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has no legal interest in the proposed project areas, as there are no Waters of the United States that are within the proposed project area or elsewhere that will be affected by the proposed project. See hydro analysis and rainfall/watershed documents attached. USACE will confirm this understanding.
- WBTW has already provided CBP with the results of cultural/historical assessment that has been performed concerning the proposed project area. WBTW will provide any correspondence or feedback it has received from the New Mexico State Historic Preservation Officer concerning such assessment and the potential impacts of the proposed project.
- If CBP is required to comply with the National Environmental Policy Act, the Endangered Species Act, or other environmental statutes in accepting a gift or authorizing construction on federal property, WBTW will assist with such compliance by CBP. WBTW is willing to, among other things, provide project information, conduct additional resource surveys of the project area, or provide a consultant to assist in the preparation of required environmental documents.

CONSTRUCTION CLOSE-OUT

- Final construction close-out package shall be provided by the construction contractor prior to acceptance of the project and consideration for acceptance by CBP. The construction close-out package shall include, but not be limited to:
    - Results of all materials testing conducted by a third-party consultant.
    - Certification that quality assurance was conducted by an independent third-party consultant and associated documentation.
    - Shop and fabrication drawings.

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- Final as-built plans certified by the contractor including, but not limited to, final surveyed location of the wall, plans, profiles, notes and details.

Please let me know as soon as possible when WBTW may commence construction. If you have any questions, please do not hesitate to ask. We look forward to working with you to advance the security of the border in this crucial area.

Yours sincerely,

Kris W. Kobach
c. (b) (6)

ENCLOSURES:

1. DHS GIFT DONATION FORM 112-02
2. ALIGNMENT MAP
3. PROJECT RENDERING
4. HYDRO ANALYSIS
5. RAINFALL DATA

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ATTACHMENT 1

GIFT DONATION FORM
DEPARTMENT HOMELAND SECURITY

This form must be completed upon receipt of a gift offer and forwarded to:

Chief Administrative Officer
Department of Homeland Security
Washington, DC 20528

The following gift was offered to the Department of Homeland Security:

Description of gift: *Please ensure that the donor of the property understands that this property is given to the Department of Homeland Security and will become the property of the United States Government. Also, the donor must understand this donation is irreversible and the donor will retain no personal rights of use, ownership, or possession.*

Donor's Name: We Build the Wall

Donor's Full Address: 9300 Emerald Coast Parkway W.
Miramar Beach, FL 32550

Present/past business with the Department: N/A

Circumstances regarding donation of gift: We Bui seeks to construct a (b) (7)(E) section order wall at (b) (7)(E) , extending the existing wall to the (b) (7)(E)

How gift will aid and facilitate the Department's mission This new section of border wall will close off one of the most heavily trafficked human- and drug-smuggling corridors in the El Paso Sector, improving border security.

Gift Value: _____ if non-cash, list the donor's estimated fair market value: $8,000,000.
Note: The value listed above is the donor's estimate, whether by fair market value or appraised value. The Department of Homeland Security does not confirm or endorse this as the value of the gift nor make any representation of the value of this gift for any tax purpose.

Restrictions on the use of the gift: None. We Build the Wall would like to have access to the wall in the future for events and to add commemorative plaques or bricks.

Pending Matters/Activities: Please indicate below any matters pending or likely to arise in the future that might involve the donor or the donor's organization. Give consideration to all individuals or members of an organization (if applicable) involved in the donation of this gift:
None.

Identify the Department of Homeland employee who received the gift donation and under what circumstances: It would not be given to a single employee. Rather it would belong to DHS/CBP as a whole.

If the gift was solicited, indicate the date of approval by the Secretary/Deputy Secretary:
N/A

I have determined that the acceptance of this gift is appropriate in accordance with the current Directive and accept the offer on behalf of the Department of Homeland Security

Concurrence by Authorized Agency Official's Ethics Officer:

_____ _____
Ethics Officer Date

_____ _____
Secretary or Authorized Agency Official Date

DHS Form 112-02 (1/08)

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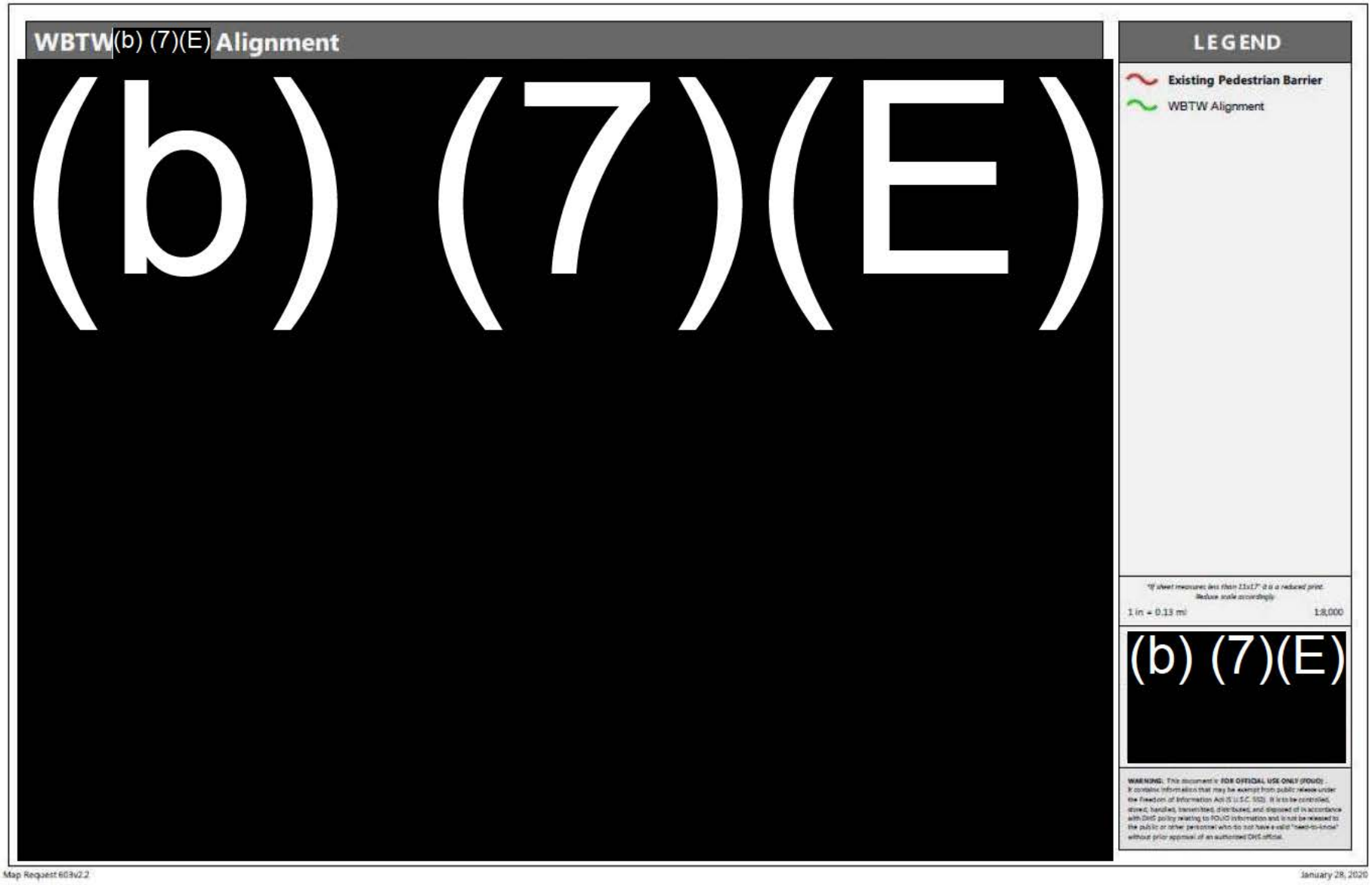
(b) (7)(E) NM Alignment Map



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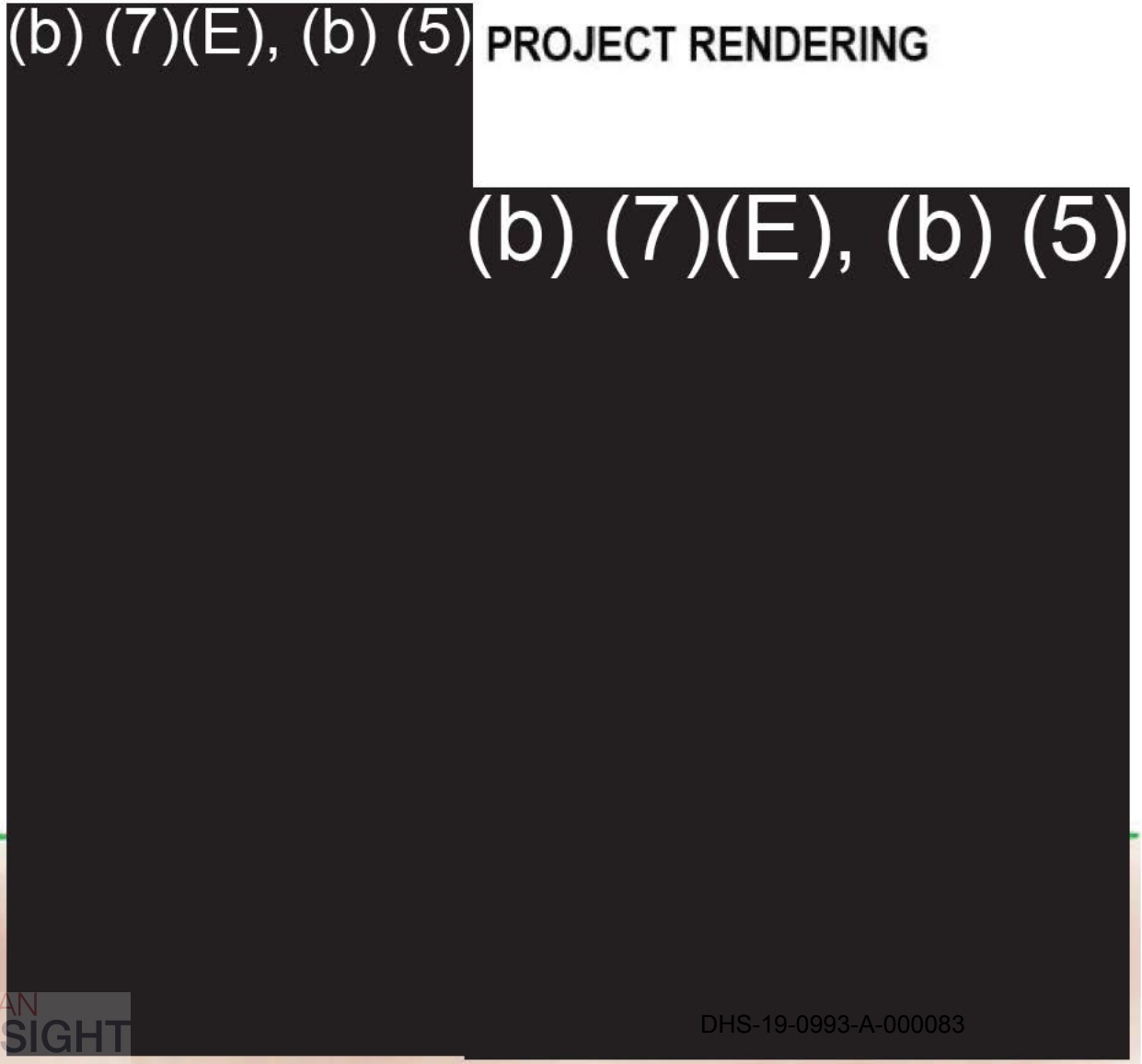
(b) (7)(E), (b) (5)

PROJECT RENDERING

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



AMERICAN OVERSIGHT

September 18, 2019

We Build The Wall
P.O. Box 131567
Houston, TX. 77219-1567

Attn: (b) (6)
Legal Counsel, We Build The Wall

RE: Bollard Project; (b) (7)(E) New Mexico
Subject: Drainage Report for (b) (7)(E)

Greetings,

Please be advised that upon completion of this Project all of the off-property drainage patterns and capacity at this site will continue to allow for the free passage onto, through and continuing downslope from this site. No significant volumes of drainage will be blocked by the installation of the new bollard fence and the small amount of additional on-site drainage that sheet flows from the new road surface to the south will not significantly increase the volumes handled by the existing washes.

Our review of the topography indicates that there are three small watersheds, each of which will contribute flow to drainages that will cross south into Mexico. We will construct low-flow crossings at the three identified outlet locations. The length of these low-flow crossings will be determined by the volume of flow calculated for the 50 year event to pass through the spacing in the bollard fence system. Each watershed will drain to it's own corresponding low-flow crossing.

Thank you for your time regarding this issue. Please feel free to call if you have any questions or require any additional information.

Regards,

(b) (6)

Civil Engineer

Cc: (b) (6) President, FSG, TGR

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ATTACHMENT: We Build The Wall; Project at (b) (7)(E) LETTER dated September 18, 2019

i = 3.23 inches/hour for the 50 year 30 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average 5-15%) is determined to be 4 ft./sec.

CCR area	surface	C	A(ac.)	Q (cfs)
W1	rocky soil	0.2	8.3	5.39
W2	rocky soil	0.2	2.8	1.81
W3	rocky soil	0.2	2.0	1.28

The peak flow rates for these three watersheds has been determined as listed above for the 50 year event. These flow rates will be handled by the existing washes and tributaries and will pass through the bollards at the appropriately sized low-flow crossings.

(b) (6)

(b) (6)

(b) (6)



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NOAA Atlas 14, Volume 1, Version 5
Location name: (b) (7)(E) New Mexico, USA*
Latitude: (b) (7)(E)
Elevation: (b) (7)(E)
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	2.59 (2.27-2.93)	3.35 (2.94-3.80)	4.51 (3.97-5.10)	5.41 (4.74-6.12)	6.64 (5.78-7.50)	7.63 (6.61-8.63)	8.66 (7.46-9.77)	9.74 (8.34-11.0)	11.2 (9.49-12.7)	12.4 (10.5-14.1)
10-min	1.97 (1.72-2.23)	2.55 (2.24-2.90)	3.43 (3.02-3.89)	4.12 (3.61-4.66)	5.05 (4.40-5.71)	5.81 (5.03-6.56)	6.59 (5.68-7.44)	7.41 (6.35-8.38)	8.53 (7.22-9.65)	9.45 (7.96-10.7)
15-min	1.63 (1.42-1.84)	2.11 (1.85-2.39)	2.84 (2.50-3.21)	3.40 (2.98-3.85)	4.18 (3.64-4.71)	4.80 (4.16-5.43)	5.44 (4.69-6.15)	6.12 (5.25-6.92)	7.05 (5.97-7.97)	7.81 (6.57-8.85)
30-min	1.10 (0.960-1.24)	1.42 (1.25-1.61)	1.91 (1.68-2.16)	2.29 (2.01-2.59)	2.81 (2.45-3.17)	3.23 (2.80-3.65)	3.67 (3.16-4.14)	4.12 (3.53-4.66)	4.75 (4.02-5.37)	5.26 (4.43-5.96)
60-min	0.678 (0.594-0.768)	0.878 (0.772-0.997)	1.18 (1.04-1.34)	1.42 (1.24-1.61)	1.74 (1.52-1.96)	2.00 (1.73-2.26)	2.27 (1.96-2.56)	2.55 (2.19-2.88)	2.94 (2.49-3.32)	3.25 (2.74-3.69)
2-hr	0.387 (0.342-0.438)	0.503 (0.446-0.572)	0.686 (0.610-0.778)	0.832 (0.731-0.940)	1.03 (0.902-1.16)	1.19 (1.03-1.34)	1.37 (1.17-1.54)	1.55 (1.32-1.74)	1.80 (1.51-2.03)	2.01 (1.67-2.27)
3-hr	0.272 (0.242-0.307)	0.352 (0.313-0.396)	0.476 (0.424-0.536)	0.573 (0.506-0.643)	0.708 (0.622-0.793)	0.816 (0.711-0.912)	0.932 (0.805-1.04)	1.06 (0.901-1.18)	1.23 (1.03-1.38)	1.37 (1.14-1.54)
6-hr	0.156 (0.139-0.174)	0.200 (0.179-0.224)	0.265 (0.236-0.297)	0.316 (0.280-0.353)	0.385 (0.339-0.430)	0.440 (0.384-0.490)	0.497 (0.431-0.554)	0.558 (0.479-0.623)	0.642 (0.544-0.718)	0.709 (0.596-0.796)
12-hr	0.085 (0.076-0.095)	0.109 (0.098-0.122)	0.143 (0.128-0.160)	0.169 (0.151-0.188)	0.204 (0.181-0.227)	0.231 (0.204-0.257)	0.259 (0.228-0.289)	0.288 (0.251-0.322)	0.328 (0.282-0.368)	0.360 (0.307-0.405)
24-hr	0.049 (0.044-0.054)	0.062 (0.056-0.070)	0.083 (0.074-0.093)	0.099 (0.088-0.112)	0.123 (0.107-0.139)	0.141 (0.122-0.161)	0.161 (0.137-0.186)	0.182 (0.152-0.213)	0.212 (0.172-0.254)	0.237 (0.187-0.290)
2-day	0.026 (0.023-0.029)	0.033 (0.030-0.038)	0.045 (0.040-0.050)	0.054 (0.048-0.061)	0.067 (0.058-0.076)	0.079 (0.067-0.090)	0.091 (0.076-0.106)	0.105 (0.085-0.124)	0.125 (0.098-0.152)	0.142 (0.107-0.177)
3-day	0.019 (0.017-0.021)	0.024 (0.021-0.027)	0.032 (0.028-0.036)	0.038 (0.034-0.043)	0.048 (0.042-0.054)	0.056 (0.048-0.064)	0.064 (0.054-0.075)	0.073 (0.060-0.087)	0.087 (0.069-0.106)	0.099 (0.075-0.123)
4-day	0.015 (0.013-0.017)	0.019 (0.017-0.021)	0.025 (0.023-0.029)	0.031 (0.027-0.035)	0.038 (0.033-0.043)	0.044 (0.038-0.051)	0.051 (0.043-0.059)	0.058 (0.047-0.068)	0.068 (0.054-0.083)	0.077 (0.059-0.096)
7-day	0.010 (0.009-0.011)	0.012 (0.011-0.014)	0.017 (0.015-0.019)	0.020 (0.018-0.023)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.034 (0.029-0.039)	0.038 (0.031-0.045)	0.045 (0.036-0.055)	0.051 (0.039-0.063)
10-day	0.007 (0.007-0.008)	0.010 (0.008-0.011)	0.013 (0.011-0.014)	0.016 (0.014-0.018)	0.020 (0.017-0.022)	0.023 (0.019-0.026)	0.026 (0.022-0.030)	0.030 (0.025-0.035)	0.036 (0.028-0.043)	0.040 (0.031-0.049)
20-day	0.005 (0.004-0.005)	0.006 (0.005-0.007)	0.008 (0.007-0.009)	0.010 (0.008-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.017)	0.017 (0.014-0.020)	0.020 (0.016-0.023)	0.022 (0.018-0.027)
30-day	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.011 (0.010-0.013)	0.012 (0.011-0.014)	0.014 (0.012-0.017)	0.016 (0.013-0.019)
45-day	0.003 (0.003-0.003)	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.008 (0.007-0.010)	0.009 (0.008-0.011)	0.010 (0.009-0.012)	0.011 (0.009-0.013)
60-day	0.002 (0.002-0.003)	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.009 (0.007-0.010)	0.010 (0.008-0.011)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: Re: Formal Letter of Intent re (b) (7)(E) Project
Date: Friday, February 7, 2020 10:28:39 PM

Kris,

Thank you for putting this together. We will review and get back as soon as we can.

VR,

Brian

Sent from my iPhone

> On Feb 7, 2020, at 9:48 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> Please find attached We Build the Wall's formal letter of intent. Attachments include:
>
> 1. DHS GIFT DONATION FORM 112-02
> 2. ALIGNMENT MAP
> 3. PROJECT RENDERING
> 4. HYDRO ANALYSIS
> 5. RAINFALL DATA
>
> As we discussed at our meeting last week, we would appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.
>
> Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.
>
> Kris
> <WBTW Final Letter to CBP - (b) (7)(E).docx>
> <Gift Donation Form 112-02 - Filled.pdf>
> <(b) (7)(E) - Alignment Map.pdf>

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<WBTW (b) (7)(E) Project Rendering.png>
<(b) (7)(E) - WBTW - Hydro Analysis.pdf>
<(b) (7)(E) - WBTW - NOAA Precipitation Data.pdf>

AMERICAN OVERSIGHT

From: Kris Kobach
To: MARTIN, JERRY B; (b)(6);(b)(7)(C)
Subject: WBTW updated response to CBP checklist re (b) (7)(E) project
Date: Sunday, January 26, 2020 2:41:51 PM
Attachments: (b) (7)(E) WBTW - Updated answers to CBP Checklist.xlsx
Preliminary Historical Impact Report.pdf

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.

Dep. Cmmr. Perez, Brian, and (b)(6);(b)(7)(C),

Please find attached our updated checklist. The historical/archaeological study of the (b) (7)(E) site has been completed and is being sent to the NM SHPO. There was no adverse impact found. See attached letter. At this point, we believe we are completely in alignment with CBP objectives, and all relevant information has been provided. Hopefully we can get to "yes" very soon. We are eager to break ground and close this serious gap in the El Paso Sector.

Brian, I look forward to meeting with you tomorrow.

Yours,

Kris

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WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - USACE has no interest in site; no waters of the United States exist on site or are affected. No Section 404 permit needed. See also hydro analysis. NEPA - No federal or state permits are required on this site. Historical/archaeological impact site survey and report has been completed. Report is being sent to SHPO. No adverse historical/archaeological impact will occur as a result of barrier construction on the site. See letter attached. There are two minor boundary markers (b) (7)(E) in the affected (b) (7)(E)
12	section of border. WBTW will provide gates to boundary markers if requested by CBP.
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - We will meet CBP requirement of 1.5' offset from national border; unless CBP desires 3' offset to accommodate two minor border monuments.
21	Height - We will meet CBP requirement (b) (7)(E)
22	(b) (7)(E) .
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E) .
26	Spacing - Agreed, (b) (7)(E) spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E) .
40	Time to cross - Agreed.
41	Deterrent to under-digging (b) (7)(E)
42	(b) (7)(E)
43	(b) (7)(E) (b) (7)(E)
44	
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

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Aspen CRM Solutions

Preliminary Report for the Archaeological Survey of a Section of Proposed Border Wall near (b) (7)(E) New Mexico

The archaeological survey of the proposed border wall location was conducted January 17th, 2020. The area inventoried extends (b) (7)(E) (b) (7)(E) though the portion of wall next slated for construction will be built (b) (7)(E) (b) (7)(E)

No archaeological sites were found, but there are three historic border monuments in the surveyed area:

Monument (b) (7)(E) is an obelisk of stone and concrete with a smooth plastered concrete surface on a square concrete pedestal, all recently repainted white (Figure 1). The obelisk portion tapers from a wide base to a pyramidal top. Cast metal plaques in English and Spanish are/were embedded into the north and south faces (the north one is absent). The number (b) (7)(E) inscribed into the east and west faces. Fragments of cement plaster and expanded metal litter the surrounding area.

(b) (7)(E)

Figure 1: Monument (b) (7)(E)

Monument (b) (7)(E) is an obelisk on square pedestal of cast concrete, all recently painted silver. The obelisk has parallel vertical sides and a pyramidal top. Cast metal official plaques in English and Spanish are riveted and embedded in the north and south faces (Figure 2). Separate plaques below are embossed with language admonishing against destruction are of cast metal similarly attached, and the number is embossed on its east face.

(b) (7)(E)

Figure 2: Monument (b) (7)(E)

Monument (b) (7)(E) is a cast-iron obelisk bolted to a square concrete pedestal. The obelisk has slightly tapering sides and pyramidal top and plaques identical to those of Monument (b) (7)(E) The number is embossed on the east face only (Figure 3). The obelisk and top of the pedestal are painted silver while the pedestal remains raw concrete. The number is painted black.

Monument (b) (7)(E) was erected in the 1850s as part of a survey to mark and map the U.S.'s southern border following the signing of the 1848 Treaty of Guadalupe Hidalgo and the conclusion

6 Herrada Way, Santa Fe, NM. 87508
505-466-3162
www.aspencrmsolutions.com

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of the Mexican-American War. The effort resulted in 54 boundary survey maps finalized during the 1856-1857 Joint Boundary Commission meetings in Washington, D.C. A total of 52 such monuments were built between El Paso and San Diego.



Figure 3: Monument (b)(7)(E)

When disputes over the exact location of the border became more frequent, a boundary resurvey was conducted between 1891-1894. An initial reconnaissance found that some of the previously established monuments were missing or in disrepair. The international resurvey team installed 206 additional monuments and employed a lettering sequence to avoid confusion with the existing monument numbers. Monument (b) (7)(E) re two of these monuments.

The New Mexico State Historic Preservation Office has determined that the monuments are eligible for listing in the National Register because of their representation of the events surrounding the establishment of the boundary following the Gadsden Purchase and the Treaty of Guadalupe Hidalgo as well as subsequent events that took place along the border, for their distinctive obelisk form, and for the information that can be gleaned about past historical events in locations where there are camps or other archaeological sites associated with those events. Because the monuments are considered eligible, they need to be protected during any proposed undertaking or their damage or destruction mitigated in some way.

Monuments (b) (7)(E) lie along the route of the currently planned (b) (7)(E) border wall, while Monumen (b)(7)(E) s to the (b)(7)(E) eyond the end of the (b) (7)(E) section (Figure 4). As has been implemented elsewhere, the plan for this segment is to build the wall 3 feet north of the actual border line (and, hence, 3 feet north of the monuments), with gates installed to provide access to the monuments. In this instance, because the monuments will remain undamaged and because there are no associated archaeological materials of any kind (e.g., the remains of a campsite associated with their construction) in the immediate vicinity, the monuments will experience no adverse physical impacts as a result of the construction of the wall.

The wall will adversely impact the monuments' integrity to some degree because it will change their setting, feeling, and association (though not their location, design, materials, or workmanship), but because they represent only a small proportion of the overall number of border monuments (even just of those in New Mexico), the impact is not sufficient to render the international border and the monuments not eligible for listing in the National Register, nor is it irreversible, so the overall impact is unlikely to be something that would require additional mitigation steps. With that said, it should be noted that upon review of the final survey report, the New Mexico State Historic Preservation Office may have additional requirements regarding protection of the monuments during construction of the wall.

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DHS-19-0993-A-000092



Figure 4: Map of project findings. IOs 1 and 2 mark discoveries of an isolated can and tin cup that are historic but not sufficient to be considered archaeological sites requiring protection.

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From: kkobach@gmail.com
To: (b)(6);(b)(7)(C)
Subject: RE: Message to Dep Cmr Perez
Date: Thursday, January 16, 2020 11:40:13 PM

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.

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

Sorry we missed each other again. Are there any time available between 1 and 3 pm ET Friday? If not, we can look at Monday morning. Thanks.

Kris Kobach

From: (b)(6);(b)(7)(C)
Sent: Wednesday, January 15, 2020 7:26 AM
To: kkobach@gmail.com
Subject: RE: Message to Dep Cmr Perez

Hi Mr. Koback,

Happy Wednesday and Happy New Year!

My apologies for yesterday, if you are available to talk today, we can schedule a call this afternoon.

Please feel free to contact me with any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Tuesday, January 14, 2020 12:59 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Message to Dep Cmr Perez

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

Would you be able to set up a time for me to speak with Commissioner Perez on the phone for ten minutes today? Thanks.

Kris Kobach

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 1, 2019 4:26 PM
To: kkobach@gmail.com
Subject: RE: Message to Dep Cmr Perez

Good Evening Mr. Kobach,

Happy Tuesday!

Thank you for your email. The Deputy Commissioner received the attachments.

Have a great evening.

Please feel free to contact me with any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:30 PM
To: (b)(6);(b)(7)(C)
Subject: Message to Dep Cmr Perez

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

I will be emailing you a copy of the (b) (7)(E) wall project proposal for you to forward to Deputy Commissioner Perez. You will be included on the email going to the wall program team. Please forward it to him. Thanks!

Kris Kobach
General Counsel, We Build the Wall

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, September 18, 2019 2:04 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: RE: CBP Deputy Commissioner

Good Afternoon Sir,

Happy Wednesday!

I wanted to introduce myself, my name is (b)(6);(b)(7)(C) and I am the new Special Assistant to Deputy Commissioner Perez. I look forward to working with you.

Please feel free to contact me with any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, September 18, 2019 12:12 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: CBP Deputy Commissioner

Mr. Kobach,

Good afternoon. I just wanted to take a few moments to say that it was wonderful to meet you and work with you on behalf of Deputy Commissioner Perez. In addition, I would like to introduce you to my replacement (b)(6);(b)(7)(C) . My last day here in Washington, DC is today. I am very happy and excited to say that I have accepted a position in (b)(6);(b)(7)(C) with CBP.

If you ever need anything at all please feel free to contact me.

Please see (b)(6);(b)(7)(C) contact information below:

(b)(6);(b)(7)(C)
Desk Phone-(b)(6);(b)(7)(C)
Gov Cell-(b)(6);(b)(7)(C)

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Thank you,
(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) SINGLETON, RUYNARD R; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C); (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal
Date: Tuesday, October 22, 2019 1:12:44 PM

Kris,

As a follow up to our last phone conversation, I want to recap what we discussed and provide clarification on the remaining questions you posed regarding the checklist items below:

1. **Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.**

WBTW Question: WBTW wants to ensure CBP understands that they are looking to build on the Roosevelt Easement (b) (7)(E) track (b) (7)(E) property and not the lot adjacent to (b) (7)(E) at the (b) (7)(E) end of the area. WBTW believes we referenced the incorrect track.

CBP Response: CBP does understand WBTW is referencing the property (b) (7)(E). Access to this portion of the Roosevelt Reservation would only be provided from the existing border road. CBP has an existing agreement to use a UPRR road that runs to the border however additional review of this agreement by CBP Office of Chief Council (OCC) will be needed to determine whether WBTW could use this road. CBP OCC is still reviewing this and will advise.

2. **Environmental: WBTW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at Monument (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.**

WBTW Question: Will a generic impact statement meet this requirement? Other than SHPO there isn't a state or local office to coordinate with on environmental impacts. WBTW believes the area is pre-disturbed and subsequently determined they didn't need to complete an impact statement but if needed they will. WBTW is asking what CBP needs to satisfy this requirement.

CBP Response: Anytime a federal agency is required to issue a permit in association with a private construction project NEPA would be required in order for that federal agency to issue the permit. In this instance, USACE would likely need to issue a 404 storm water general construction permit due to the volume of soil that would be required for excavation. USACE would be unable to issue the permit without a NEPA document from the entity completing the construction. It doesn't appear that WBTW obtained a 404 permit from USACE on their last project (although they ended up obtaining a construction permit from the City of (b) (7)(E)) and this may have been because the project was on private lands.

The standard NEPA process would apply as there would likely be a need for the State of New Mexico

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and USACE to issue a 404/401 storm water permit under the Clean Water Act. Standard NEPA would require consultation with USFWS (under section 7 of the ESA) on the presence of any critical habitat and endangered species (if present) or a determination and concurrence by USFWS that no affects to species or habitat would occur. In addition, consultation with the NM SHPO under section 106 of the NHPA would be required on any cultural or historical sites that have the potential to be affected by the project. Given the close proximity to (b) (7)(E) there is a strong likelihood there are potential visual impacts to the site. Finally, the NEPA process would require public participation and the availability of the NEPA document to be reviewed and commented on by the public

3. The wall should be offset (b) (7)(E) feet as noted in the checklist
WBTW states that they can keep to the (b) (7)(E).
This will meet CBP standards.

4. The wall should be (b) (7)(E) feed as noted in the checklist.
WBTW states that they can build to (b) (7)(E) requirement.
This will meet CBP standards.

5. IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.
WBTW states that IBWC rep informed them that IBWC coordination isn't required as there aren't any monuments within the construction area and they don't have any pre-existing roads or structures.
CBP Response: Even though there are no border monuments in the immediate area, IBWC requires coordination on the survey of the location of the international border to ensure the barrier remains in the U.S.

6. Gates are required at all IBWC monuments per TI standards (2 to 3 monuments may be in this area).
WBTW states that there are not any monuments within the construction area.
CBP concurs.

7. It was stated that fill sections will be filled with "processed fill" – need confirmation that this will be "certified clean fill" as per environmental needs.
WBTW states that they will only use certified clean fill.
CBP states that this will meet requirement.

8. Need an explanation on the "N/A" response from WBTW regarding Procurement process.
WBTW is under the impression that since this is a "gift" that the procurement process rules don't apply. If they do, they are asking what will satisfy this requirement.
CBP Response: CBP's Barrier Donation Checklist included the following item 38: "[t]he donor should indicate whether it has or intends to participate in the federal procurement process for border wall construction, and if so, provide details of that involvement." WBTW's submission in response consisted of: "[p]rocurement process – N/A."

The information specified in item 38 is required specifically for two reasons: the first involves

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effectuating the required ethics review prior to acceptance of any barrier – it is important for that review to be conducted with full knowledge of the donor's previous procurement activities or future intention to participate in a federal procurement for the same or similar services.

Secondly, a full response to item 38 is necessary to ensure that all procurement ethics considerations are taken into account with regards to future border barrier procurements. Specifically, acceptance of a gift from a source with recent CBP contracts, or an imminent intention to participate in a contract competition would require analysis under the *Gratuities* clause of the relevant contract, and should notify CBP of the requirement to conduct an analysis of whether WBTW has an Organizational or Personal Conflict of Interest with regards to a future procurement. While such concerns can generally be effectively mitigated, having full knowledge of WBTW's past and future participation in border barrier procurements will ensure that CBP is taken appropriate actions to safeguard the integrity of its contracting process.

9. Need explanation on how WBTW will (b) (7)(E) when talking about (b) (7)(E)

WBTW doesn't have any idea how to meet this ask and have offered up to allow BP to assess the (b) (7)(E) since they are identical to what they are proposing to install in the (b) (7)(E) project.

CBP Response: CBP can make this determination if provided access to the (b) (7)(E) Project and the allowed to test the equipment as offered above.

Let me know if you would like to discuss of if you have any additional questions.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M

From: MARTIN, JERRY B
Sent: Friday, October 11, 2019 4:24 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) ; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal

Sir,

AMERICAN OVERSIGHT

The team has reviewed the We Build The Wall (WBTW) checklist. I appreciate your patience as we've carefully gone through each of the items. Below are the following issues captured by the team:

1. Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.
2. Environmental: WBTW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.
3. The wall should be (b) (7)(E) feet as noted in the checklist
4. The wall should be (b) (7)(E) feed as noted in the checklist
5. IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.
6. Gates are required at all IBWC monuments per TI standards (2 to 3 monuments may be in this area)
7. It was stated that fill sections will be filled with "processed fill" – need confirmation that this will be "certified clean fill" as per environmental needs.
8. Need an explanation on the "N/A" response from WBTW regarding Procurement process.
9. Need explanation on how WBTW will (b) (7)(E) when talking abou (b) (7)(E)

Please consider these concerns and let me know if you have time to discuss.

Have a great weekend,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, October 11, 2019 4:16 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal

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Brian,

Just left you a voicemail touching base. Please give me a call when you have a chance. Thanks.

Kris

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, October 4, 2019 11:57 AM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b) (7)(E) Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents. Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-

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trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

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From: kkobach@gmail.com
To: MARTIN, JERRY B; (b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal
Date: Friday, September 27, 2019 3:55:27 PM
Attachments: (b) (7)(E) - WBTW - Answers to CBP Checklist.xlsx
- WBTW - Hydro Analysis.pdf
- WBTW - Slope information re hydro analysis.pdf
- WBTW - Profile grades and panel information.pdf
- WBTW - NOAA Precipitation Data.pdf

Dear Brian, (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

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WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - N/A; see hydro analysis, attached.
12	NEPA - No federal or state permits are required on this site. It should be noted that, becase the project extends existing barrier that was built in 2008 to the (b) (7)(by only (b) (7)(E), the same environmental impacts (or lack thereof) in 2008 should apply to the proposed extension of the existing barrier. It should also be noted that the barrier would remain open on the (b) (7)(E) end, so any animals unable to move between the bollards could continue to walk around the (b) (7)(E) end of the project. Finally, with respect to historical preservation, the SHPO has been contacted and informed of proposed project. The SHPO found no adverse impact to historical sites with the construction of the WBTW project (b) (7)(E) (b) (7)(E)
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - Due to the rugged surface condition we will have (b) (7) offset.
21	Height - We will match the existing fence height of (b) (
22	(b) (7)(E) .
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E) .
26	Spacing - Agreed (b) (spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E) .
40	Time to cross - Agreed.
41	Deterrent to under-digging - (b) (7)(E)
42	(b) (7)(E) .
43	(b) (7)(E)
44	(b) (7)(E)
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

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September 18, 2019

We Build The Wall
P.O. Box 131567
Houston, TX. 77219-1567

Attn: (b) (6)
Legal Counsel, We Build The Wall

RE: Bollard Project; (b) (7)(E) New Mexico
Subject: Drainage Report for (b) (7)(E)

Greetings,

Please be advised that upon completion of this Project all of the off-property drainage patterns and capacity at this site will continue to allow for the free passage onto, through and continuing downslope from this site. No significant volumes of drainage will be blocked by the installation of the new bollard fence and the small amount of additional on-site drainage that sheet flows from the new road surface to the south will not significantly increase the volumes handled by the existing washes.

Our review of the topography indicates that there are three small watersheds, each of which will contribute flow to drainages that will cross south into Mexico. We will construct low-flow crossings at the three identified outlet locations. The length of these low-flow crossings will be determined by the volume of flow calculated for the 50 year event to pass through the spacing in the bollard fence system. Each watershed will drain to it's own corresponding low-flow crossing.

Thank you for your time regarding this issue. Please feel free to call if you have any questions or require any additional information.

Regards,
(b) (6)(b) (6)
Civil Engineer

Cc: (b) (6) President, FSG, TGR

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ATTACHMENT: We Build The Wall; Project at (b) (7)(E) LETTER dated September 18, 2019

i = 3.23 inches/hour for the 50 year 30 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average 5-15%) is determined to be 4 ft./sec.

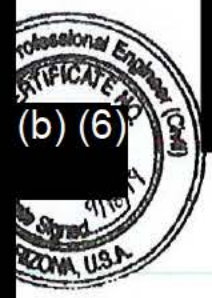
CCR area	surface	C	A(ac.)	Q (cfs)
W1	rocky soil	0.2	8.3	5.39
W2	rocky soil	0.2	2.8	1.81
W3	rocky soil	0.2	2.0	1.28

The peak flow rates for these three watersheds has been determined as listed above for the 50 year event. These flow rates will be handled by the existing washes and tributaries and will pass through the bollards at the appropriately sized low-flow crossings.

(b) (6)

(b) (6)

(b) (6)





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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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TOTAL (b) (7)(E) PANELS = (b) (7)(E) EACH

(b) (7)(E)

Panel Sequence Per Profile

(b) (7)(E)

CL FENCE PROFILE

END PROJECT

(b) (7)(E)

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NOAA Atlas 14, Volume 1, Version 5
Location name: (b) (7)(E) New Mexico, USA*
Latitude: (b) (7)(E) (b) (7)(E)
Elevation: (b) (7)(E)
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	2.59 (2.27-2.93)	3.35 (2.94-3.80)	4.51 (3.97-5.10)	5.41 (4.74-6.12)	6.64 (5.78-7.50)	7.63 (6.61-8.63)	8.66 (7.46-9.77)	9.74 (8.34-11.0)	11.2 (9.49-12.7)	12.4 (10.5-14.1)
10-min	1.97 (1.72-2.23)	2.55 (2.24-2.90)	3.43 (3.02-3.89)	4.12 (3.61-4.66)	5.05 (4.40-5.71)	5.81 (5.03-6.56)	6.59 (5.68-7.44)	7.41 (6.35-8.38)	8.53 (7.22-9.65)	9.45 (7.96-10.7)
15-min	1.63 (1.42-1.84)	2.11 (1.85-2.39)	2.84 (2.50-3.21)	3.40 (2.98-3.85)	4.18 (3.64-4.71)	4.80 (4.16-5.43)	5.44 (4.69-6.15)	6.12 (5.25-6.92)	7.05 (5.97-7.97)	7.81 (6.57-8.85)
30-min	1.10 (0.960-1.24)	1.42 (1.25-1.61)	1.91 (1.68-2.16)	2.29 (2.01-2.59)	2.81 (2.45-3.17)	3.23 (2.80-3.65)	3.67 (3.16-4.14)	4.12 (3.53-4.66)	4.75 (4.02-5.37)	5.26 (4.43-5.96)
60-min	0.678 (0.594-0.768)	0.878 (0.772-0.997)	1.18 (1.04-1.34)	1.42 (1.24-1.61)	1.74 (1.52-1.96)	2.00 (1.73-2.26)	2.27 (1.96-2.56)	2.55 (2.19-2.88)	2.94 (2.49-3.32)	3.25 (2.74-3.69)
2-hr	0.387 (0.342-0.438)	0.503 (0.446-0.572)	0.686 (0.610-0.778)	0.832 (0.731-0.940)	1.03 (0.902-1.16)	1.19 (1.03-1.34)	1.37 (1.17-1.54)	1.55 (1.32-1.74)	1.80 (1.51-2.03)	2.01 (1.67-2.27)
3-hr	0.272 (0.242-0.307)	0.352 (0.313-0.396)	0.476 (0.424-0.536)	0.573 (0.506-0.643)	0.708 (0.622-0.793)	0.816 (0.711-0.912)	0.932 (0.805-1.04)	1.06 (0.901-1.18)	1.23 (1.03-1.38)	1.37 (1.14-1.54)
6-hr	0.156 (0.139-0.174)	0.200 (0.179-0.224)	0.265 (0.236-0.297)	0.316 (0.280-0.353)	0.385 (0.339-0.430)	0.440 (0.384-0.490)	0.497 (0.431-0.554)	0.558 (0.479-0.623)	0.642 (0.544-0.718)	0.709 (0.596-0.796)
12-hr	0.085 (0.076-0.095)	0.109 (0.098-0.122)	0.143 (0.128-0.160)	0.169 (0.151-0.188)	0.204 (0.181-0.227)	0.231 (0.204-0.257)	0.259 (0.228-0.289)	0.288 (0.251-0.322)	0.328 (0.282-0.368)	0.360 (0.307-0.405)
24-hr	0.049 (0.044-0.054)	0.062 (0.056-0.070)	0.083 (0.074-0.093)	0.099 (0.088-0.112)	0.123 (0.107-0.139)	0.141 (0.122-0.161)	0.161 (0.137-0.186)	0.182 (0.152-0.213)	0.212 (0.172-0.254)	0.237 (0.187-0.290)
2-day	0.026 (0.023-0.029)	0.033 (0.030-0.038)	0.045 (0.040-0.050)	0.054 (0.048-0.061)	0.067 (0.058-0.076)	0.079 (0.067-0.090)	0.091 (0.076-0.106)	0.105 (0.085-0.124)	0.125 (0.098-0.152)	0.142 (0.107-0.177)
3-day	0.019 (0.017-0.021)	0.024 (0.021-0.027)	0.032 (0.028-0.036)	0.038 (0.034-0.043)	0.048 (0.042-0.054)	0.056 (0.048-0.064)	0.064 (0.054-0.075)	0.073 (0.060-0.087)	0.087 (0.069-0.106)	0.099 (0.075-0.123)
4-day	0.015 (0.013-0.017)	0.019 (0.017-0.021)	0.025 (0.023-0.029)	0.031 (0.027-0.035)	0.038 (0.033-0.043)	0.044 (0.038-0.051)	0.051 (0.043-0.059)	0.058 (0.047-0.068)	0.068 (0.054-0.083)	0.077 (0.059-0.096)
7-day	0.010 (0.009-0.011)	0.012 (0.011-0.014)	0.017 (0.015-0.019)	0.020 (0.018-0.023)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.034 (0.029-0.039)	0.038 (0.031-0.045)	0.045 (0.036-0.055)	0.051 (0.039-0.063)
10-day	0.007 (0.007-0.008)	0.010 (0.008-0.011)	0.013 (0.011-0.014)	0.016 (0.014-0.018)	0.020 (0.017-0.022)	0.023 (0.019-0.026)	0.026 (0.022-0.030)	0.030 (0.025-0.035)	0.036 (0.028-0.043)	0.040 (0.031-0.049)
20-day	0.005 (0.004-0.005)	0.006 (0.005-0.007)	0.008 (0.007-0.009)	0.010 (0.008-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.017)	0.017 (0.014-0.020)	0.020 (0.016-0.023)	0.022 (0.018-0.027)
30-day	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.011 (0.010-0.013)	0.012 (0.011-0.014)	0.014 (0.012-0.017)	0.016 (0.013-0.019)
45-day	0.003 (0.003-0.003)	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.008 (0.007-0.010)	0.009 (0.008-0.011)	0.010 (0.009-0.012)	0.011 (0.009-0.013)
60-day	0.002 (0.002-0.003)	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.009 (0.007-0.010)	0.010 (0.008-0.011)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

Back to Top

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Re: CBP Deputy Commissioner
Date: Wednesday, September 18, 2019 3:16:20 PM

Good luck in the new position (b)(6);(b)(7)(C)! And (b)(6);(b)(7)(C), nice to meet you.

Kris Kobach

On Sep 18, 2019, at 3:03 PM, (b)(6);(b)(7)(C) wrote:

> Good Afternoon Sir,
>
> Happy Wednesday!
>
> I wanted to introduce myself, my name is (b)(6);(b)(7)(C) and I am the new Special Assistant to Deputy Commissioner Perez. I look forward to working with you.
>
> Please feel free to contact me with any questions or concerns.
>
> Thank you,
>
> (b)(6);(b)(7)(C)
> Special Assistant to the Deputy Commissioner
> U.S. Customs and Border Protection
> Department of Homeland Security
> Ronald Reagan Building
> 1300 Pennsylvania Ave, NW
> Washington, DC 20229
> Work (b)(6);(b)(7)(C)
> Cell (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, September 18, 2019 12:12 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: CBP Deputy Commissioner

Mr. Kobach,

Good afternoon. I just wanted to take a few moments to say that it was wonderful to meet you and work with you on behalf of Deputy Commissioner Perez. In addition, I would like to introduce you to my replacement (b)(6);(b)(7)(C). My last day here in Washington, DC is today. I am very happy and excited to say that I have accepted a position in (b)(6);(b)(7)(C) with CBP.

AMERICAN OVERSIGHT

If you ever need anything at all please feel free to contact me.

Please se (b)(6);(b)(7)(C) contact information below:

(b)(6);(b)(7)(C)
Desk Phone- (b)(6);(b)(7)(C)
Gov Cell- (b)(6);(b)(7)(C)

Thank you,
(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work- (b)(6);(b)(7)(C)
Cell- (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Escort of (b) (6) at (b) (7)(E)
Date: Thursday, January 16, 2020 5:31:57 PM
Attachments: OnX image of WBTW (b) (7)(E) site.pdf

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

My assumption is that Sector is tracking and on board. Please let us know if this is not the case

Thanks

(b)(6);(b)(7)(C)
Deputy Patrol Agent In Charge
(b) (7)(E) Border Patrol Station
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 3:21 PM
To: (b) (7)(E) STAFF (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)

Subject: FW: Escort of (b) (6) at (b) (7)(E)

A representative from We Build the Wall will be surveying the area (b) (7)(E) tomorrow morning. BPAs (b)(6);(b)(7)(C) will be escorting (b) (6) while he surveys the area. Thank you.

V/R,

(b)(6);(b)(7)(C) | Supervisory Border Patrol Agent | Program Management Office | (b) (7)(E) Station | (b)(6);(b)(7)(C) - Office

---

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 11:22 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)

Subject: Fwd: Escort of (b) (6) at (b) (7)(E)

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

I just received a call from Kris Kobach with We Build the Wall. As you can see below, they would like to perform a site visit tomorrow, Friday the 17th, at the end of the wall in (b) (7)(E) Essentially the same walk BPA (b)(6);(b)(7)(C) did earlier this week with Cpt. (b) (6) I apologize for the late notice, but can you have (b)(6);(b)(7)(C) available too accommodate this visit? As you can see, they are available any

AMERICAN OVERSIGHT

time tomorrow. Please let us know as soon as possible so we can advise them of the time.

Thanks, (b)(6);(b)(7)(C)
Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57 AM
To: (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: Escort of (b) (6) at (b) (7)(E)

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.

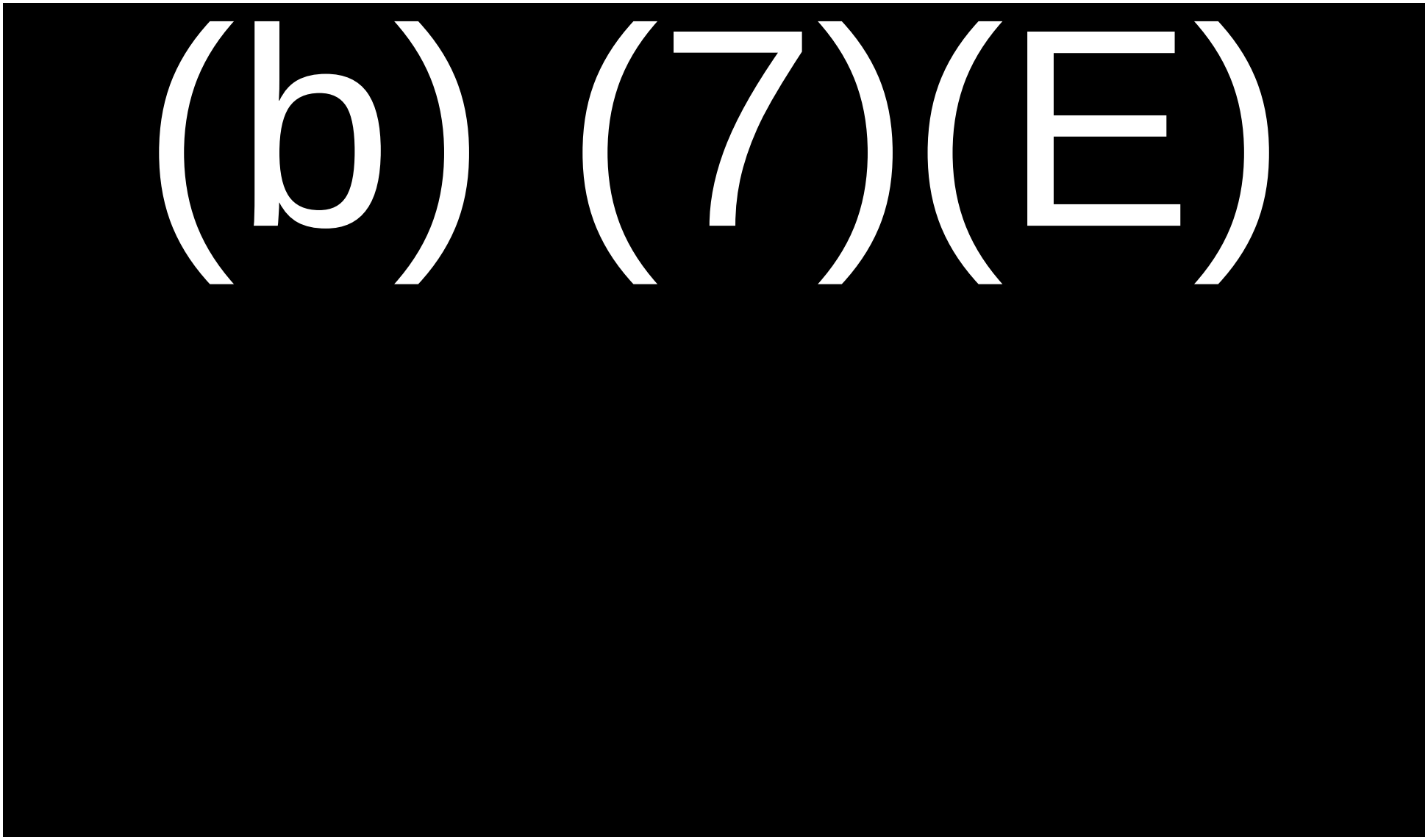
(b)(6);(b)(7)(C),

Great talking with you on the phone. As I mentioned (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on the (b) (7)(E). The area starts where the existing border wall ends and goes (b) (7)(E). I have attached a photo. The area is where the blue line is.

You can reach (b) (6) at home at (b) (6). Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cell (b) (6)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: FALK, SCOTT K (OCC)
To: HIGHSMITH, ANNMARIE (OCC)
Subject: FW: Follow Up
Date: Tuesday, December 10, 2019 10:30:47 AM

AnnMarie,

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

--Scott

Scott Falk
Chief Counsel
U.S. Customs and Border Protection
(b)(6);(b)(7)(C) (Office)
(Mobile)
(Fax)

"It is no use saying, 'We are doing our best.' You have got to succeed in doing what is necessary."
Winston Churchill

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 10:28 AM
To: FALK, SCOTT K (OCC) (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Follow Up

Scott and Fred:

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

AMERICAN OVERSIGHT

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

Thanks,

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 10:13 AM
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <J (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) >; SCOTT, RODNEY S (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Thanks (b)(6);(b)(7)(C) – please keep me updated as we make progress on this.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 9:58 AM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Cc: MARTIN, JERRY B (b)(6);(b)(7)(C) >; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) ; SCOTT, RODNEY S (b)(6);(b)(7)(C)

Subject: RE: Follow Up

Sir,

After additional discussion with OCC, and in order to provide information as early in the week as possible, please find the latest on what would be required to authorize WBTW to build in the Roosevelt Reservation, crafted by our excellent attorneys.

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

I will be checking with OCC daily on the progress of this work with OGC and will continue to keep you apprised. I will also check in with Kris tomorrow as an act of good faith while we work the issue.

Best,

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

Desk:
Mobile (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) SCOTT, RODNEY S (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) wrote:

Sir – In speaking with OCC this morning, (b) (5)

Best,
(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile

From: (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: 'kkobach@gmail.com' <kkobach@gmail.com>
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) . They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

AMERICAN OVERSIGHT

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: FW: Follow Up
Date: Tuesday, December 10, 2019 11:34:18 AM

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 10:32 AM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Absolutely.

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

From: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 10:13 AM
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); SCOTT, RODNEY S (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Thanks (b)(6);(b)(7)(C) – please keep me updated as we make progress on this.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

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

AMERICAN OVERSIGHT

Sent: Tuesday, December 10, 2019 9:58 AM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C); PROVOST, CARLA (USBP)
(b)(6);(b)(7)(C); SCOTT, RODNEY S (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir,

After additional discussion with OCC, and in order to provide information as early in the week as possible, please find the latest on what would be required to authorize WBTW to build in the Roosevelt Reservation, crafted by our excellent attorneys.

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

I will be checking with OCC daily on the progress of this work with OGC and will continue to keep you apprised. I will also check in with Kris tomorrow as an act of good faith while we work the issue.

Best,
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Desk: (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b) (6), (b) (7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) ; SCOTT, RODNEY S (b) (6), (b) (7)(C) ; (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) wrote:

(b) (5)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: 'kkobach@gmail.com' <kkobach@gmail.com>
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys on the Roosevelt question. They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we

AMERICAN OVERSIGHT

expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: SMITH, FREDERICK B (OCC)
To: (b)(6);(b)(7)(C)
Subject: FW: Meeting Monday?
Date: Tuesday, January 28, 2020 2:26:33 PM
Attachments: Gift Donation Form 112-02.pdf

FYI

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Tuesday, January 28, 2020 12:22 PM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) >; SMITH, FREDERICK B (OCC) (b)(6);(b)(7)(C) 'SCOTT, RODNEY'; HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: RE: Meeting Monday?

Once again with attachment…

From: MARTIN, JERRY B
Sent: Tuesday, January 28, 2020 12:16 PM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) (b)(6);(b)(7)(C) 'SCOTT, RODNEY'; HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: FW: Meeting Monday?

Deputy Commissioner Perez,

(b) (5)

(b) (5)

AMERICAN OVERSIGHT

(b) (5)

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M- (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, January 24, 2020 1:08 PM
To: Kris Kobach <kkobach@gmail.com>
Cc (b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?

Kris,

> I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.

VR,

Brian

Sent from my iPhone

> On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.

Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.

Thanks.

Kris

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-

AMERICAN OVERSIGHT

ATTACHMENT 1

GIFT DONATION FORM
DEPARTMENT HOMELAND SECURITY

This form must be completed upon receipt of a gift offer and forwarded to:

Chief Administrative Officer
Department of Homeland Security
Washington, DC 20528

The following gift was offered to the Department of Homeland Security:

Description of gift: *Please ensure that the donor of the property understands that this property is given to the Department of Homeland Security and will become the property of the United States Government. Also, the donor must understand this donation is irreversible and the donor will retain no personal rights of use, ownership, or possession.*

Donor's Name: We Build the Wall

Donor's Full Address: 9300 Emerald Coast Parkway W.
Miramar Beach, FL 32550

Present/past business with the Department: N/A

Circumstances regarding donation of gift: We Bui seeks to construct a (b) (7)(E) section order wall at (b) (7)(E), extending the existing wall to the (b) (7)(E)

How gift will aid and facilitate the Department's mission This new section of border wall will close off one of the most heavily trafficked human- and drug-smuggling corridors in the El Paso Sector, improving border security.

Gift Value: _____ if non-cash, list the donor's estimated fair market value: $8,000,000.
Note: The value listed above is the donor's estimate, whether by fair market value or appraised value. The Department of Homeland Security does not confirm or endorse this as the value of the gift nor make any representation of the value of this gift for any tax purpose.

Restrictions on the use of the gift: None. We Build the Wall would like to have access to the wall in the future for events and to add commemorative plaques or bricks.

Pending Matters/Activities: Please indicate below any matters pending or likely to arise in the future that might involve the donor or the donor's organization. Give consideration to all individuals or members of an organization (if applicable) involved in the donation of this gift:
None.

Identify the Department of Homeland employee who received the gift donation and under what circumstances: It would not be given to a single employee. Rather it would belong to DHS/CBP as a whole.

If the gift was solicited, indicate the date of approval by the Secretary/Deputy Secretary:
N/A

I have determined that the acceptance of this gift is appropriate in accordance with the current Directive and accept the offer on behalf of the Department of Homeland Security

Concurrence by Authorized Agency Official's Ethics Officer:

_____ _____
Ethics Officer Date

_____ _____
Secretary or Authorized Agency Official Date

DHS Form 112-02 (1/08)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: FW: Proposed Donation of Border Wall, (b) (7)(E) New Mexico
Date: Monday, February 10, 2020 1:13:03 PM
Attachments: Wall Attachments V2 01292020.pdf
Gift Donation Form 112-02.pdf

Here's what was sent

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, January 31, 2020 8:25 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Proposed Donation of Border Wall, (b) (7)(E) New Mexico

Mr. Kobach,

Thank you for your recent communication regarding We Build the Wall's (WBTW) proposed donation of border wall. It is my understanding that WBTW, a private entity, would like to start construction on approximately (b) (7)(E) of border wall in (b) (7)(E), New Mexico. Upon completion, WBTW would like to donate this wall as a gift to U.S. Customs and Border Protection (CBP). CBP has reviewed the information WBTW has provided to date regarding the proposed donation. To the extent that WBTW intends to make a formal donation offer to CBP, set out below is the additional information that should be included in the submission. CBP would require this information in order to consider and potentially act upon WBTW's donation offer.

SUBMISSION PROCESS

In order to make a formal offer of donation or gift, WBTW must first submit a formal letter of intent to the Department of Homeland Security (DHS) and CBP. In order to properly evaluate WBTW's gift, CBP needs the information required by DHS Form 112-02. For your convenience, enclosed is a copy of DHS Form 112-02. Those requirements include a detailed description of the gift along with any donor's name and address, as well as any past, present, or pending matters and activities involving the Department and the circumstances regarding donation of the gift. Additionally, the Department's gift acceptance policies further require the donor's estimate of the gift's value, which for non-cash gifts should be the gift's estimated market value.

In addition to the items listed above, WBTW's submission should address the items listed below. The items listed below will assist CBP in its evaluation of WBTW's gift and/or any CBP authorization to construct on federal land that is under CBP's administrative jurisdiction. From our previous discussions, we understand WBTW has offered to fund all design and construction and all real estate and environmental documentation and permitting for the proposed project and will ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.

ALIGNMENT MAP

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WBTW must provide an alignment map that is sufficiently identifies the location the proposed border wall segment. The map will allow CBP to evaluate the proposed location relative to United States Border Patrol (USBP) operations. It is CBP's understanding, based on materials previously submitted by WBTW, that the proposed (b) (7)(E) wall project is (b) (7)(E) (Location coordinates – Start: (b) (7)(E) Stop: (b) (7)(E) For your convenience, enclosed you will find a map that shows CBP's understanding of the proposed project location. WBTW's submission should confirm this understanding and show precisely where the proposed wall will be situated.

DESIGN & CONSTRUCTION

As a part of its submission, WBTW must confirm that the proposed wall segment will adhere to the USBP Tactical Infrastructure (TI) Design Standards as the design criteria for the wall design and that WBTW will consult with USBP on any design and construction questions to ensure the wall meets the operational requirements of USBP.

Those design standards include the following requirements or conditions:

Design

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

Construction

- All wall should be constructed in accordance with the TI Design Standards.
- Regular communication with USBP personnel, to include providing a high-level milestone schedule, to ensure construction does not adversely impact operations.

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- Consultation with USBP subject matter experts prior to start of design to discuss and incorporate such items as wall alignment, design criteria, construction criteria into the design.
- Consultation with USBP subject matter experts during preliminary design and prior to design completion to receive feedback regarding design progress.
- Regular meetings with USBP subject matter experts on a weekly basis but no less than once per month throughout construction of the wall to discuss progress, construction testing, questions and issues encountered by the contractor.

REAL ESTATE & ENVIRONMENTAL

WBTW's submission should also address real estate and environmental issues, to include the following:

Environmental

- Regarding the need for 404 permits under the Clean Water Act, WBTW has stated that the U.S. Army Corps of Engineers (USACE) "has no interest" in the proposed project areas, as there are no Waters of the United States that are within the proposed project area or elsewhere that will be affected by the proposed project. WBTW cites to a "hydro analysis" that was performed in making this determination.
    - WBTW should include a copy of the hydrological analysis and/or any delineation survey that was performed and copies of the correspondence with USACE showing its determination that no 404 or other Clean Water Act permits are required.
- WBTW has already provided CBP with the results of cultural/historical assessment that has been performed concerning the proposed project area.
    - WBTW should provide any correspondence or feedback it has received from the New Mexico State Historic Preservation Officer concerning such assessment and the potential impacts of the proposed project.
- As to other potential environmental obligations, as has been discussed, CBP may be required to comply with the National Environmental Policy Act, the Endangered Species Act, or other environmental statutes in accepting a gift or authorizing construction on federal property. WBTW's donation intent should discuss whether it has the ability to assist with such compliance by CBP. Such assistance would likely come in the form of, among other things, providing project information, conducting additional resource surveys of the project area, or providing a consultant to assist in the preparation of required environmental documents.

CONSTRUCTION CLOSE-OUT

Finally, as a part of its submission WBTW should include or discuss the items that will be provided once construction is complete.

- Final construction close-out package shall be provided by the construction contractor prior to acceptance of the project and consideration for acceptance by CBP. The construction close out package shall include, but not be limited to:

AMERICAN OVERSIGHT

- Results of all materials testing conducted by a third party consultant.
- Certification that quality assurance was conducted by an independent third party consultant and associated documentation.
- Shop and fabrication drawings.
- Final as-built plans certified by the contractor including, but not limited to, final surveyed location of the wall, plans, profiles, notes and details.

ENCLOSURES:

1. DHS GIFT DONATION FORM 112-02
2. (b) (7)(E) MAP
3. PROJECT RENDERING

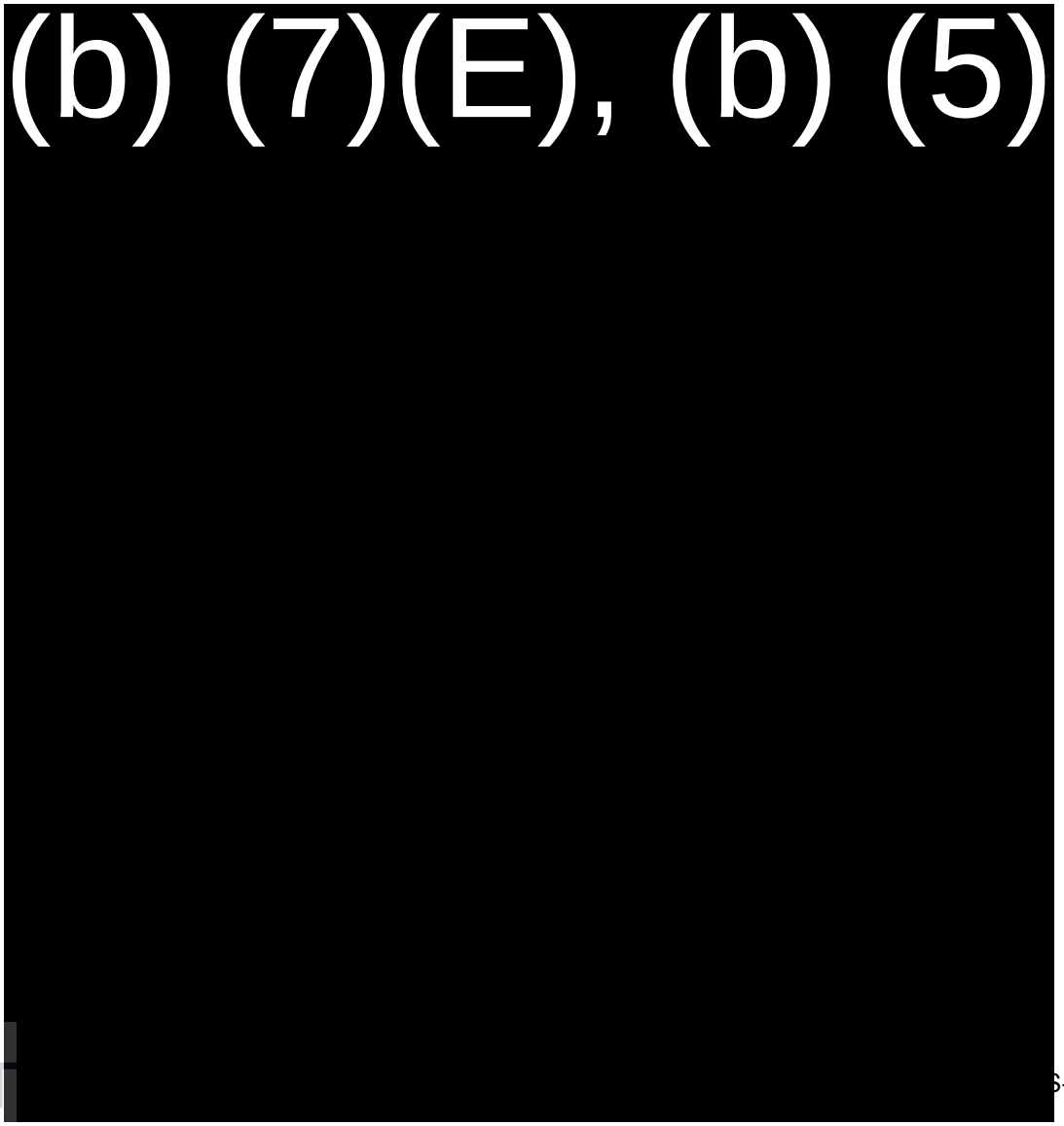
Should you have questions or concerns, please do not hesitate to reach out to our team – Chief Martin or DXD (b) (6), (b) (7)(C), CC'd here – who will address your questions and coordinate any additional communications with me.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M

AMERICAN OVERSIGHT

Project Rendering



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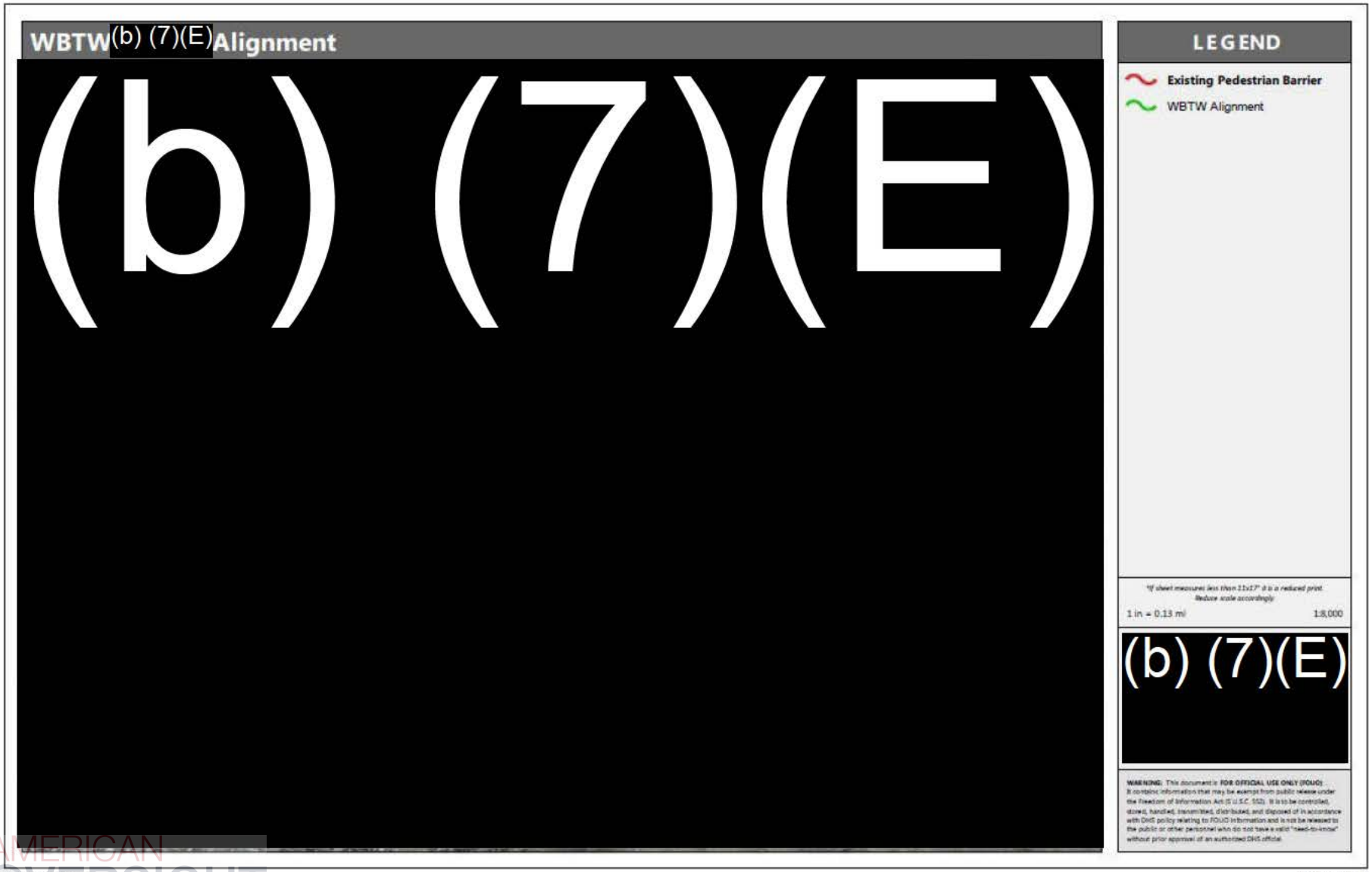
(b) (7)(E), NM Alignment Map



Map Request 603v2.2

AMERICAN OVERSIGHT

January 28, 2020

ATTACHMENT 1

GIFT DONATION FORM
DEPARTMENT HOMELAND SECURITY

This form must be completed upon receipt of a gift offer and forwarded to:

Chief Administrative Officer
Department of Homeland Security
Washington, DC 20528

The following gift was offered to the Department of Homeland Security:

Description of gift: *Please ensure that the donor of the property understands that this property is given to the Department of Homeland Security and will become the property of the United States Government. Also, the donor must understand this donation is irreversible and the donor will retain no personal rights of use, ownership, or possession.*

Donor's Name: We Build the Wall

Donor's Full Address: 9300 Emerald Coast Parkway W.
Miramar Beach, FL 32550

Present/past business with the Department: N/A

Circumstances regarding donation of gift: We Bui seeks to construct a (b) (7)(E) section order wall at (b) (7)(E) , extending the existing wall to the (b) (7)(E)

How gift will aid and facilitate the Department's mission This new section of border wall will close off one of the most heavily trafficked human- and drug-smuggling corridors in the El Paso Sector, improving border security.

Gift Value: _____ if non-cash, list the donor's estimated fair market value: $8,000,000.

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None.

Identify the Department of Homeland employee who received the gift donation and under what circumstances: It would not be given to a single employee. Rather it would belong to DHS/CBP as a whole.

If the gift was solicited, indicate the date of approval by the Secretary/Deputy Secretary:
N/A

I have determined that the acceptance of this gift is appropriate in accordance with the current Directive and accept the offer on behalf of the Department of Homeland Security

Concurrence by Authorized Agency Official's Ethics Officer:

_____ _____
Ethics Officer Date

_____ _____
Secretary or Authorized Agency Official Date

DHS Form 112-02 (1/08)

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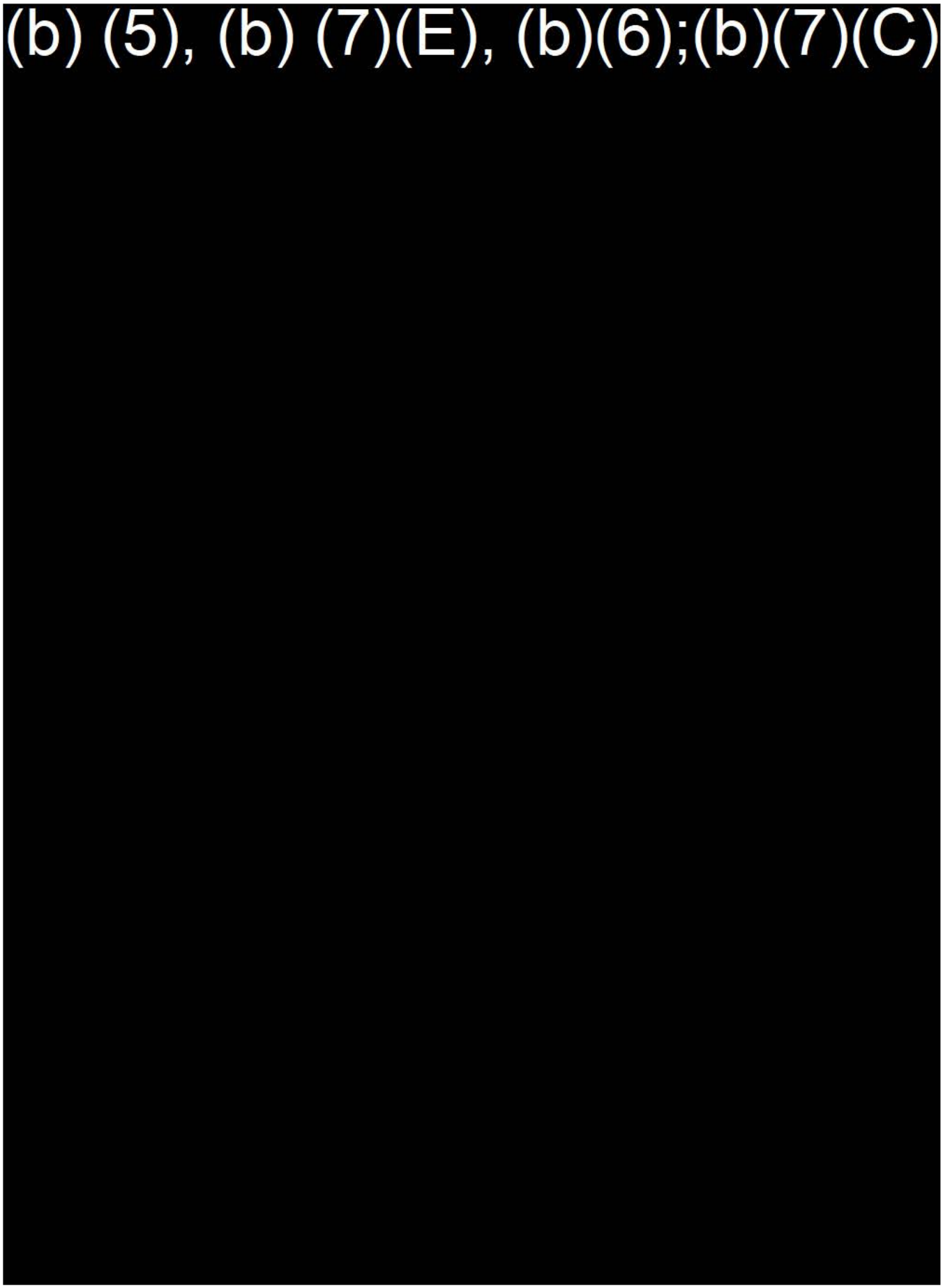

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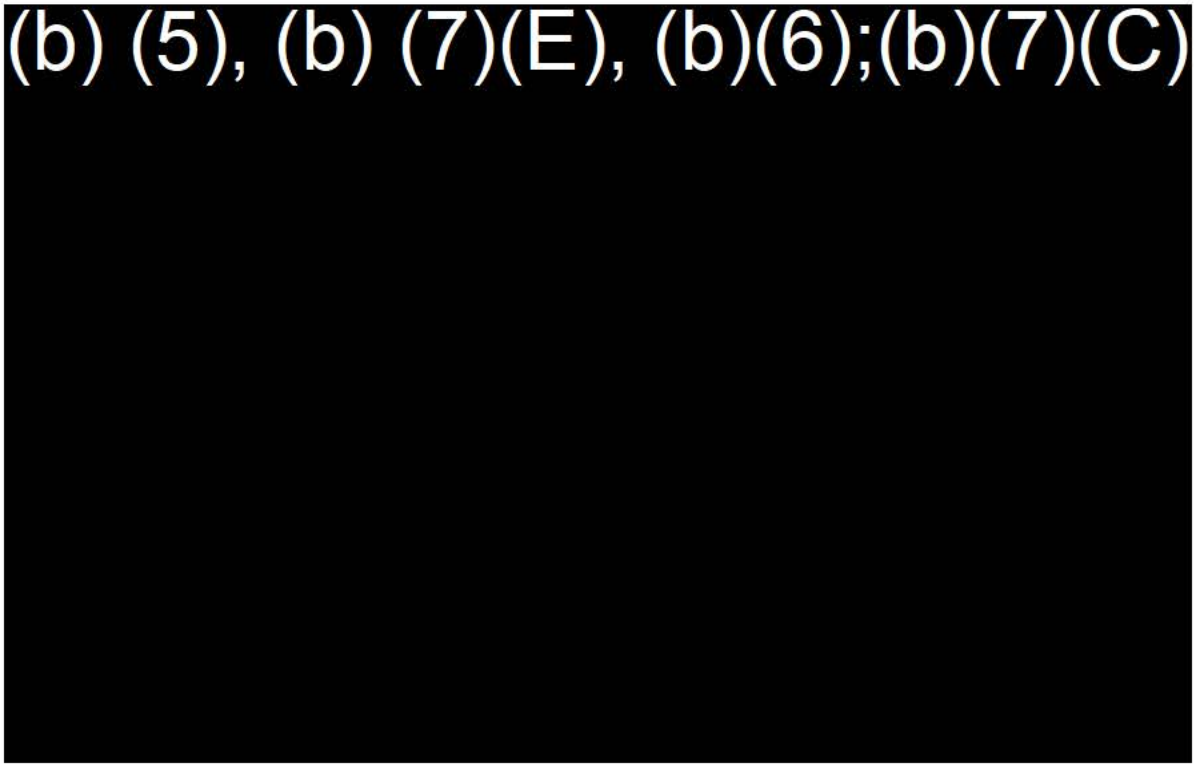

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AMERICAN OVERSIGHT

From: SINGLETON, RUYNARD R
To: BORKOWSKI, MARK S
Subject: FW: U.S. Customs and Border Protection Deputy Commissioner
Date: Monday, July 22, 2019 4:52:24 PM

Mark,

See the message under to Mr. Kobach (We Build the Wall). Directed by C2. Blind copy to me and others, I'm sure. Keeping you in the loop.

Thanks,
Ruynard

Ruynard R. Singleton Sr.
Executive Director
Program Management Office Directorate
U.S. Border Patrol
(b)(6);(b)(7)(C) - Office
- Mobile

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 11:40 AM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

In keeping with the commitment made in the letter sent from CBP's Deputy Commissioner Robert Perez, I am following up to offer an opportunity to meet with *We Build the Wall* in person in Washington DC. Are you available to meet the week of August 26th on either the 26th or the 27th? We are flexible as to the time based on your availability. We appreciate your continued interest in border security and the role that physical barriers play in assisting U.S. Border Patrol operations.

Between now and the proposed meeting date, as explained by the Deputy Commissioner, we will be working to complete both a review of the already constructed border barrier in (b) (7)(E), New Mexico as well as to develop a checklist to be made available to organizations, such as yours, that seek to construct a private border barrier with the intention of donating it to the Government. As you are aware, as the Federal government we have myriad requirements we must meet in order to receive a donation such as this, characterized by the list we provided in our prior letter.

Ensuring that any interactions we have with private organizations do not jeopardize other ongoing work is one critical requirement. While we are happy to continue our discussions with *We Build the Wall,* we must guard against perceived or actual conflicts of interest with any vendor that may bid on work through the competitive process. As we understand it, Fisher Industries serves as *We Build the Wall*'s vendor. We would ask that any future communications be addressed from *We Build The Wall* principles or staff, as opposed to Mr. Fisher or others associated with his company. This limits the risk that other vendors may perceive Fisher Industries to have an unfair advantage in bidding on other border wall work, such as the work they have actively pursued through the CBP's service provider, the U.S. Army Corps of Engineers. We would ask that you pass this request on to your vendor and

AMERICAN OVERSIGHT

request they cease contact with U.S. Border Patrol and support POCs as it pertains to construction undertaken by *We Build the Wall.* Should Fisher Industries have questions or comments regarding other ongoing work, they can always reach out through the normal communications channels available to them through CBP's Office of Acquisition and the U.S. Army Corps of Engineers. That said, we welcome continued contact with you and your counterparts from the *We Build the Wall* organization and look forward to meeting you the week of August 26.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b)(7)(E) Project Proposal
Date: Wednesday, October 9, 2019 1:56:53 PM

Are you guys aware of a meeting this afternoon?

Thank you,

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

(b)(6);(b)(7)(C)
U.S. Border Patrol
Operational Requirements Management Division
Office: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 12:47 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b)(7)(E) Project Proposal

Chief,

We have a meeting this afternoon to discuss with ORMD, LEOD, and OCC. I will get you write-up back by tonight or morning as a follow-up.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk: (b)(6);(b)(7)(C)
Cell Phone: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 7:51 AM

AMERICAN OVERSIGHT

To: [redacted] SINGLETON, RUYNARD R [redacted]
Cc: [redacted]
Subject: FW: We Build the Wall [redacted] Project Proposal

All,

Checking in to see if we've made any progress on the checklist. It's expected that we will provide an update this week on progress. C2 is tracking this.

Thanks,

Brian

From: MARTIN, JERRY B
Sent: Friday, October 4, 2019 12:57 PM
To: kkobach@gmail.com
Cc: [redacted]
Subject: FW: We Build the Wall [redacted] Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents. Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B [redacted]
Subject: We Build the Wall [redacted] Project Proposal

Dear Brian, [redacted], and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed [redacted] wall extension that We Build the Wall (WBTW) has

AMERICAN OVERSIGHT

proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b) (7)(E) Project Proposal
Date: October 4, 2019 11:12:05 AM
Attachments: (b) (7)(E)
WBTW - Answers to CBP Checklist.xlsx
WBTW - Hydro Analysis.pdf
WBTW - Slope information re hydro analysis.pdf
WBTW - Profile grades and panel information.pdf
WBTW - NOAA Precipitation Data.pdf

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk: (b)(6);(b)(7)(C)
Cell Phone: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 1, 2019 2:27 PM
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal

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

(b)(6);(b)(7)(C)
Acting Deputy Associate Chief Counsel (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room 4.4B
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 1, 2019 2:23 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

[redacted]

Cc: MARTIN, JERRY B [redacted]

Subject: FW: We Build the Wall [redacted] Project Proposal

[redacted] – [redacted]

[redacted] – Once that's done, can you take the lead for getting all the right SMEs together, to include Chief Martin and the ORMD team, to review whatever we should be reviewing? Thanks.

[redacted]

[redacted]
Desk: [redacted]
Mobile: [redacted]

From: kkobach@gmail.com <kkobach@gmail.com>

Sent: Friday, September 27, 2019 3:55 PM

To: MARTIN, JERRY B [redacted]

Subject: We Build the Wal [redacted] Project Proposal

Dear Brian, [redacted], and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed [redacted] wall extension that We Build the Wall (WBTW) has proposed to build at the [redacted] area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the [redacted] site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

AMERICAN OVERSIGHT

Kris Kobach
General Counsel,
We Build the Wall

AMERICAN OVERSIGHT

WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - N/A; see hydro analysis, attached.
12	NEPA - No federal or state permits are required on this site. It should be noted that, becase the project extends existing barrier that was built in 2008 to the (b) (7)(E) ', the same environmental impacts (or lack thereof) in 2008 should apply to the proposed extension of the existing barrier. It should also be noted that the barrier would remain open on the (b) (7)(E) end, so any animals unable to move between the bollards could continue to walk around the (b) (7)(E) end of the project. Finally, with respect to historical preservation, the SHPO has been contacted and informed of proposed project. The SHPO found no adverse impact to historical sites with the construction of the WBTW project (b) (7)(E) (b) (7)(E) .
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - Due to the rugged surface condition we will have a (b) (offset.
21	Height - We will match the existing fence height (b) (7)(E)
22	(b) (7)(E)
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E)
26	Spacing - Agreed, (b) (spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E)
40	Time to cross - Agreed.
41	Deterrent to under-digging - (b) (7)(E)
42	(b) (7)(E)
43	(b) (7)(E)
44	(b) (7)(E)
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

AMERICAN OVERSIGHT

September 18, 2019

We Build The Wall
P.O. Box 131567
Houston, TX. 77219-1567

Attn: (b) (6)
Legal Counsel, We Build The Wall

RE: Bollard Project; (b) (7)(E) New Mexico
Subject: Drainage Report for (b) (7)(E)

Greetings,

Please be advised that upon completion of this Project all of the off-property drainage patterns and capacity at this site will continue to allow for the free passage onto, through and continuing downslope from this site. No significant volumes of drainage will be blocked by the installation of the new bollard fence and the small amount of additional on-site drainage that sheet flows from the new road surface to the south will not significantly increase the volumes handled by the existing washes.

Our review of the topography indicates that there are three small watersheds, each of which will contribute flow to drainages that will cross south into Mexico. We will construct low-flow crossings at the three identified outlet locations. The length of these low-flow crossings will be determined by the volume of flow calculated for the 50 year event to pass through the spacing in the bollard fence system. Each watershed will drain to it's own corresponding low-flow crossing.

Thank you for your time regarding this issue. Please feel free to call if you have any questions or require any additional information.

Regards,
(b) (6) (b) (6)
CIVIL Engineer

Cc: (b) (6) President, FSG, TGR

AMERICAN OVERSIGHT

ATTACHMENT: We Build The Wall; Project at (b) (7)(E) LETTER dated September 18, 2019

i = 3.23 inches/hour for the 50 year 30 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average 5-15%) is determined to be 4 ft./sec.

CCR area	surface	C	A(ac.)	Q (cfs)
W1	rocky soil	0.2	8.3	5.39
W2	rocky soil	0.2	2.8	1.81
W3	rocky soil	0.2	2.0	1.28

The peak flow rates for these three watersheds has been determined as listed above for the 50 year event. These flow rates will be handled by the existing washes and tributaries and will pass through the bollards at the appropriately sized low-flow crossings.

(b) (6)

(b) (6)

(b) (6)





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(b) (7)(E)

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(b)(7)(E)

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(b) (7)(E)

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(b) (7)(E)

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TOTAL (b) (7)(E) PANELS = (b) (7)(E) EACH

(b) (7)(E)

Panel Sequence Per Profile

(b) (7)(E)

CL FENCE PROFILE

END PROJECT

(b) (7)(E)

AMERICAN OVERSIGHT

(b) (7)(E) PROFILE GRADES AND PANEL INFORMATION

NOAA Atlas 14, Volume 1, Version 5
Location name: (b) (7)(E) New Mexico, USA*
Latitude: (b) (7)(E) (b) (7)(E)
Elevation (b) (7)(E)
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	2.59 (2.27-2.93)	3.35 (2.94-3.80)	4.51 (3.97-5.10)	5.41 (4.74-6.12)	6.64 (5.78-7.50)	7.63 (6.61-8.63)	8.66 (7.46-9.77)	9.74 (8.34-11.0)	11.2 (9.49-12.7)	12.4 (10.5-14.1)
10-min	1.97 (1.72-2.23)	2.55 (2.24-2.90)	3.43 (3.02-3.89)	4.12 (3.61-4.66)	5.05 (4.40-5.71)	5.81 (5.03-6.56)	6.59 (5.68-7.44)	7.41 (6.35-8.38)	8.53 (7.22-9.65)	9.45 (7.96-10.7)
15-min	1.63 (1.42-1.84)	2.11 (1.85-2.39)	2.84 (2.50-3.21)	3.40 (2.98-3.85)	4.18 (3.64-4.71)	4.80 (4.16-5.43)	5.44 (4.69-6.15)	6.12 (5.25-6.92)	7.05 (5.97-7.97)	7.81 (6.57-8.85)
30-min	1.10 (0.960-1.24)	1.42 (1.25-1.61)	1.91 (1.68-2.16)	2.29 (2.01-2.59)	2.81 (2.45-3.17)	3.23 (2.80-3.65)	3.67 (3.16-4.14)	4.12 (3.53-4.66)	4.75 (4.02-5.37)	5.26 (4.43-5.96)
60-min	0.678 (0.594-0.768)	0.878 (0.772-0.997)	1.18 (1.04-1.34)	1.42 (1.24-1.61)	1.74 (1.52-1.96)	2.00 (1.73-2.26)	2.27 (1.96-2.56)	2.55 (2.19-2.88)	2.94 (2.49-3.32)	3.25 (2.74-3.69)
2-hr	0.387 (0.342-0.438)	0.503 (0.446-0.572)	0.686 (0.610-0.778)	0.832 (0.731-0.940)	1.03 (0.902-1.16)	1.19 (1.03-1.34)	1.37 (1.17-1.54)	1.55 (1.32-1.74)	1.80 (1.51-2.03)	2.01 (1.67-2.27)
3-hr	0.272 (0.242-0.307)	0.352 (0.313-0.396)	0.476 (0.424-0.536)	0.573 (0.506-0.643)	0.708 (0.622-0.793)	0.816 (0.711-0.912)	0.932 (0.805-1.04)	1.06 (0.901-1.18)	1.23 (1.03-1.38)	1.37 (1.14-1.54)
6-hr	0.156 (0.139-0.174)	0.200 (0.179-0.224)	0.265 (0.236-0.297)	0.316 (0.280-0.353)	0.385 (0.339-0.430)	0.440 (0.384-0.490)	0.497 (0.431-0.554)	0.558 (0.479-0.623)	0.642 (0.544-0.718)	0.709 (0.596-0.796)
12-hr	0.085 (0.076-0.095)	0.109 (0.098-0.122)	0.143 (0.128-0.160)	0.169 (0.151-0.188)	0.204 (0.181-0.227)	0.231 (0.204-0.257)	0.259 (0.228-0.289)	0.288 (0.251-0.322)	0.328 (0.282-0.368)	0.360 (0.307-0.405)
24-hr	0.049 (0.044-0.054)	0.062 (0.056-0.070)	0.083 (0.074-0.093)	0.099 (0.088-0.112)	0.123 (0.107-0.139)	0.141 (0.122-0.161)	0.161 (0.137-0.186)	0.182 (0.152-0.213)	0.212 (0.172-0.254)	0.237 (0.187-0.290)
2-day	0.026 (0.023-0.029)	0.033 (0.030-0.038)	0.045 (0.040-0.050)	0.054 (0.048-0.061)	0.067 (0.058-0.076)	0.079 (0.067-0.090)	0.091 (0.076-0.106)	0.105 (0.085-0.124)	0.125 (0.098-0.152)	0.142 (0.107-0.177)
3-day	0.019 (0.017-0.021)	0.024 (0.021-0.027)	0.032 (0.028-0.036)	0.038 (0.034-0.043)	0.048 (0.042-0.054)	0.056 (0.048-0.064)	0.064 (0.054-0.075)	0.073 (0.060-0.087)	0.087 (0.069-0.106)	0.099 (0.075-0.123)
4-day	0.015 (0.013-0.017)	0.019 (0.017-0.021)	0.025 (0.023-0.029)	0.031 (0.027-0.035)	0.038 (0.033-0.043)	0.044 (0.038-0.051)	0.051 (0.043-0.059)	0.058 (0.047-0.068)	0.068 (0.054-0.083)	0.077 (0.059-0.096)
7-day	0.010 (0.009-0.011)	0.012 (0.011-0.014)	0.017 (0.015-0.019)	0.020 (0.018-0.023)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.034 (0.029-0.039)	0.038 (0.031-0.045)	0.045 (0.036-0.055)	0.051 (0.039-0.063)
10-day	0.007 (0.007-0.008)	0.010 (0.008-0.011)	0.013 (0.011-0.014)	0.016 (0.014-0.018)	0.020 (0.017-0.022)	0.023 (0.019-0.026)	0.026 (0.022-0.030)	0.030 (0.025-0.035)	0.036 (0.028-0.043)	0.040 (0.031-0.049)
20-day	0.005 (0.004-0.005)	0.006 (0.005-0.007)	0.008 (0.007-0.009)	0.010 (0.008-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.017)	0.017 (0.014-0.020)	0.020 (0.016-0.023)	0.022 (0.018-0.027)
30-day	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.011 (0.010-0.013)	0.012 (0.011-0.014)	0.014 (0.012-0.017)	0.016 (0.013-0.019)
45-day	0.003 (0.003-0.003)	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.008 (0.007-0.010)	0.009 (0.008-0.011)	0.010 (0.009-0.012)	0.011 (0.009-0.013)
60-day	0.002 (0.002-0.003)	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.009 (0.007-0.010)	0.010 (0.008-0.011)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

Back to Top

AMERICAN OVERSIGHT

From:	HASTINGS, BRIAN S
To:	MARTIN, JERRY B; (b)(6);(b)(7)(C) HUDSON, RICHARD M
Subject:	Fwd: Invitation to Chief Aaron Hull
Date:	Thursday, May 30, 2019 12:44:37 PM

FYSA only.

Get Outlook for iOS

From: HULL, AARON A

Sent: Thursday, May 30, 2019 10:38:16 AM

To: HASTINGS, BRIAN S

Cc: CLEM, CHRIS T

Subject: FW: Invitation to Chief Aaron Hull

Chief:

FYI. This is the private group that built a wall near Monument One on the American Eagle Brick Plant property. We were not involved in any way in the effort. We have stopped by and talked to them about the project and I introduced Chief Martin to them when we were on his line tour.

We are declining this invitation. However, I suspect that they will say that we helped/supported/whatever their effort in their press conference today.

Thanks.

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b)(6);(b)(7)(C)

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

Sent: Thursday, May 30, 2019 10:32 AM

To: HULL, AARON A (b)(6);(b)(7)(C)

Cc: CLEM, CHRIS T (b)(6);(b)(7)(C) >; (b)(6);(b)(7)(C)

Subject: FW: Invitation to Chief Aaron Hull

Chief,

AMERICAN OVERSIGHT

Please see the below invitation to the We Build The Wall dedication ceremony today at 4:00 PM.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) office
cell
(b)(6);(b)(7)(C)

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

Sent: Thursday, May 30, 2019 10:22 AM

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

Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
>
> **To:** (b)(6);(b)(7)(C)
>
> **Subject: Invitation to Chief Aaron Hull**
>
> Officer (b)(6);(b)(7)(C),
>
> I would like to invite Chief Aaron Hull to the We Build the Wall site in (b) (7)(E) at 4:00 pm today to take part in our dedication ceremony/rally for the newly-constructed wall. If he would like to say a few words to the crowd and media, we would be pleased for him to do so. At a minimum we would like to recognize him and thank him for the support of the BP in this endeavor.
>
> We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.
>
> Our board will be there, including me (b) (6), former US Rep.

AMERICAN OVERSIGHT

Tom Tancredo, and others.

Please let me know if Chief Hull would like to attend. Thank you.

Kris Kobach
General Counsel, We Build the Wall
(b) (6)

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: MARTIN, JERRY B
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner
Date: Monday, July 22, 2019 6:53:04 PM

Mr. Martin,

Thanks for your message. We would be happy to meet with your team in DC on one of the dates proposed. Although either date would work, the most convenient would be Tuesday the 27th of August at around 2 PM. (That would give us time to fly in to DC the same day.) But if that specific time doesn't work, let me know; we can choose another time that works.

We would bring a fairly small group: just me, my fellow attorney (b) (6), and our construction foreman (b) (6). We should be able to address any legal, site selection, or design-related issues you wish to discuss. If you think we should come prepared to discuss other matters and should bring other team members please let me know.

I look forward to seeing you in August.

Kris Kobach

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 10:40 AM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

In keeping with the commitment made in the letter sent from CBP's Deputy Commissioner Robert Perez, I am following up to offer an opportunity to meet with *We Build the Wall* in person in Washington DC. Are you available to meet the week of August 26th on either the 26th or the 27th? We are flexible as to the time based on your availability. We appreciate your continued interest in border security and the role that physical barriers play in assisting U.S. Border Patrol operations.

Between now and the proposed meeting date, as explained by the Deputy Commissioner, we will be working to complete both a review of the already constructed border barrier in (b) (7)(E), New Mexico as well as to develop a checklist to be made available to organizations, such as yours, that seek to construct a private border barrier with the intention of donating it to the Government. As you are aware, as the Federal government we have myriad requirements we must meet in order to receive a donation such as this, characterized by the list we provided in our prior letter.

Ensuring that any interactions we have with private organizations do not jeopardize other ongoing work is one critical requirement. While we are happy to continue our discussions with *We Build the Wall,* we must guard against perceived or actual conflicts of interest with any vendor that may bid on work through the competitive process. As we understand it,

AMERICAN OVERSIGHT

Fisher Industries serves as *We Build the Wall*'s vendor. We would ask that any future communications be addressed from *We Build The Wall* principles or staff, as opposed to Mr. Fisher or others associated with his company. This limits the risk that other vendors may perceive Fisher Industries to have an unfair advantage in bidding on other border wall work, such as the work they have actively pursued through the CBP's service provider, the U.S. Army Corps of Engineers. We would ask that you pass this request on to your vendor and request they cease contact with U.S. Border Patrol and support POCs as it pertains to construction undertaken by *We Build the Wall.* Should Fisher Industries have questions or comments regarding other ongoing work, they can always reach out through the normal communications channels available to them through CBP's Office of Acquisition and the U.S. Army Corps of Engineers. That said, we welcome continued contact with you and your counterparts from the *We Build the Wall* organization and look forward to meeting you the week of August 26.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: MARTIN, JERRY B
Subject: Re: WBTW Permitting Question
Date: Thursday, July 25, 2019 5:44:51 PM

Brian,

That's great news. Is there any chance you could email me a copy of the letter, so that I am fully informed when I next speak with Commissioner Harkins?

If you need to reach me quickly don't hesitate to text me at my cell number below. Thanks.

Kris
Cell number (b) (6)

On Jul 25, 2019, at 2:00 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

> Mr. Kobach,
>
> I am following up on your conversation with Deputy Commissioner Perez today regarding the U.S. International Boundary and Water Commission's statement (b) (7)(E) . A letter has been sent from USBP leadership to Commissioner Harkins indicating our request (b) (7)(E) . Feel free to follow up with Commissioner Harkins and do not hesitate to reach out if we can be of further assistance.
>
> VR,
> Brian
>
> ***Brian Martin***
> ***U.S. Border Patrol***
> ***Chief of Strategic Planning and Analysis***
> ***Washington, DC***
> O- (b)(6);(b)(7)(C)
> M-(b)(6);(b)(7)(C)
>
> ---
>
> **From:** kkobach@gmail.com <kkobach@gmail.com>
> **Sent:** Wednesday, July 24, 2019 9:33 PM
> **To:** MARTIN, JERRY B (b)(6);(b)(7)(C)
> **Subject:** Re: WBTW Permitting Question
>
> Brian,

AMERICAN OVERSIGHT

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a (b) (7)(E) strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at (b) (7)(E) DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

> Mr. Kobach,
>
> As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.
>
> Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally, acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or new (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast,

AMERICAN OVERSIGHT

acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.

That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: CHAVEZ, GLORIA I
To: MARTIN, JERRY B
Subject: RE: WBTW Permitting Question
Date: Thursday, July 25, 2019 8:12:14 PM

Yes, let's schedule so we can talk Chief. I fly out to El Paso on Sunday so can we calendar something for tomorrow or over weekend?

GC

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 1:16 PM
To: CHAVEZ, GLORIA I (b)(6);(b)(7)(C)
Subject: FW: WBTW Permitting Question

Chief,

We probably need to discuss this before you start in EPT. Need to make sure you understand the legal issues surrounding the We Build The Wall Group and their project in (b) (7)(E)

VR

Brian

From: (b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 4:10 PM
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: FW: WBTW Permitting Question

FYSA per our conversation with C2. We'll let you know if anything comes back.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 4:01 PM
To: kkobach@gmail.com
Subject: RE: WBTW Permitting Question

Mr. Kobach,

I am following up on your conversation with Deputy Commissioner Perez today regarding the U.S.

AMERICAN OVERSIGHT

International Boundary and Water Commission's statement [redacted]. A letter has been sent from USBP leadership to Commissioner Harkins indicating our request [redacted]. Feel free to follow up with Commissioner Harkins and do not hesitate to reach out if we can be of further assistance.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
[redacted]

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 24, 2019 9:33 PM
To: MARTIN, JERRY B [redacted]
Subject: Re: WBTW Permitting Question

Brian,

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a [redacted] strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at [redacted] DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B [redacted] wrote:

Mr. Kobach,

AMERICAN OVERSIGHT

As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.

Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally, acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast, acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.

That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: PEREZ, ROBERT E
To: MARTIN, JERRY B
Subject: Re: We Build the Wall (b) (7)(E) Project Proposal
Date: Friday, September 27, 2019 7:29:00 PM

Thanks Chief.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

On Sep 27, 2019, at 5:25 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

Mr. Kobach,

It was nice to meet you and your team when you last visited. Thank you for submitting the attached checklist documentation. We will start our review process and let you know if we need any additional information.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) that

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We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: MARTIN, JERRY B
Subject: RE: We Build the Wall (b)(7)(E) Project Proposal
Date: Wednesday, October 9, 2019 8:53:30 AM

Good morning Chief,

(b)(6);(b)(7)(C) has a meeting planned for this afternoon regarding WBTW.

Respectfully,

(b)(6);(b)(7)(C)
Assistant Chief
Operational Requirements Management Division (ORMD)
United States Border Patrol
Desk: (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 7:51 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) ; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b)(7)(E) Project Proposal

All,

Checking in to see if we've made any progress on the checklist. It's expected that we will provide an update this week on progress. C2 is tracking this.

Thanks,

Brian

From: MARTIN, JERRY B
Sent: Friday, October 4, 2019 12:57 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b)(7)(E) Project Proposal

Kris,

AMERICAN OVERSIGHT

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents. Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b)(6);(b)(7)(C) and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b) (6), (b) (7)(C)
M

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: (b)(6);(b)(7)(C)
Subject: FW: Formal Letter of Intent re (b) (7)(E) Project
Date: Monday, February 10, 2020 9:12:48 AM

DXD,

Has the packet been doled out for review to the respective offices? Also, I received a call from (b)(6);(b)(7)(C) this morning about the (b) (7)(E) project and where it lies on our priority list – he asked if we already have plans to build there and when.

Thanks,

Brian

From: MARTIN, JERRY B
Sent: Friday, February 7, 2020 10:29 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) ; (b) (6)
Subject: Re: Formal Letter of Intent re (b) (7)(E) Project

Kris,

Thank you for putting this together. We will review and get back as soon as we can.

VR,

Brian

Sent from my iPhone

> On Feb 7, 2020, at 9:48 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> Please find attached We Build the Wall's formal letter of intent. Attachments include:
>
> 1. DHS GIFT DONATION FORM 112-02
> 2. ALIGNMENT MAP
> 3. PROJECT RENDERING

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4. HYDRO ANALYSIS
5. RAINFALL DATA

As we discussed at our meeting last week, we would appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.

Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.

Kris
<WBTW Final Letter to CBP - (b) (7)(E) .docx>
<Gift Donation Form 112-02 - Filled.pdf>
<(b) (7)(E) - Alignment Map.pdf>
<WBTW (b) (7)(E) Project Rendering.png>
<(b) (7)(E) - WBTW - Hydro Analysis.pdf>
<(b) (7)(E) - WBTW - NOAA Precipitation Data.pdf>

AMERICAN OVERSIGHT

From: Brian Kolfage
To: (b)(6);(b)(7)(C)
Cc: (b) (6) ; (b) (6) (b)(6);(b)(7)(C) kkobach@gmail.com
Subject: Re: Visit to (b) (7)(E)
Date: Saturday, February 8, 2020 7:03:56 PM

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.

Hey guys, this is Brian Kolfage, president of WBTW, please include me with any future correspondence or phone calls

(b) (6)

Sent from my iPhone

On Feb 8, 2020, at 4:05 PM, (b)(6);(b)(7)(C) wrote:

(b) (6)

I will contact you this week.

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

Sent from my iPhone

On Feb 8, 2020, at 1:13 PM, (b) (6) wrote:

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Sorry everyone for this 3rd email. I did not have the (b) (6), (b) (7)(C) in (b)(6);(b)(7)(C)'s email address,. Now we are all on the same page. (b)(6);(b)(7)(C) FYI, (b)(6);(b)(7)(C)'s phone number is (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) enjoyed speaking with you today. Please follow the email stream below for (b) (6) ' contact info. He is expecting your call. Thanks again for all of your help.

AMERICAN OVERSIGHT

Best regards,

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)

<image001.gif>

Atlanta | California | Chicago | Delaware | Indiana | Michigan | Minneapolis
Ohio | Raleigh | Salt Lake City | Texas | Washington, D.C.

From: MARTIN, JERRY B (b) (6), (b) (7)(C)
Sent: Wednesday, February 5, 2020 7:53 AM
To: (b) (6); (b) (6)
Cc: (b) (6), (b) (7)(C)
Subject: [EXTERNAL]RE: Visit to (b) (7)(E)

(b) (6)

I'll have my team reach out to El Paso Sector and coordinate a visit.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b) (6), (b) (7)(C)
M-(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Wednesday, February 5, 2020 12:13 AM
To: MARTIN, JERRY B (b) (6), (b) (7)(C)
(b) (6)
Subject: Visit to (b) (7)(E)

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

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Operations Center with questions or concerns.

Chief can we please schedule a tour with (b) (6) of the Army Corps of Engineers to conduct his 301 inspection of the (b) (7)(E) site. Thank you

(b) (6)
U.S. Army Corps of Engineers, Regulatory Division, Runnels Federal Building
200 E. Griggs Ave.
Las Cruces, NM 88001
Office Phone (b) (6)

Sent from the road by (b) (6), Esq., Barnes &Thornburg LLP
(b) (6)

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From: (b) (6), (b) (7)(C)
To: (b) (6)
Cc: (b) (6); (b) (6), (b) (7)(C) kkobach@gmail.com; Brian Kolfage; (b) (6)
Subject: Re: Visit to (b) (7)(E)
Date: Saturday, February 8, 2020 5:05:28 PM

(b) (6)

I will contact you this week.

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

Sent from my iPhone

On Feb 8, 2020, at 1:13 PM, (b) (6) wrote:

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Sorry everyone for this 3rd email. I did not have the (b)(6);(b)(7)(C) in (b)(6);(b)(7)(C)'s email address,. Now we are all on the same page. (b) (6), FYI, (b)(6);(b)(7)(C)'s phone number is (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C), enjoyed speaking with you today. Please follow the email stream below for (b) (6) contact info. He is expecting your call. Thanks again for all of your help.

Best regards,

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)
<image001.gif>

Atlanta | California | Chicago | Delaware | Indiana | Michigan | Minneapolis
Ohio | Raleigh | Salt Lake City | Texas | Washington, D.C.

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Wednesday, February 5, 2020 7:53 AM

AMERICAN OVERSIGHT

To: (b) (6) ; (b) (6)
Cc: (b)(6);(b)(7)(C)
Subject: [EXTERNAL]RE: Visit to (b) (7)(E)

(b) (6)

I'll have my team reach out to El Paso Sector and coordinate a visit.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: (b) (6)
Sent: Wednesday, February 5, 2020 12:13 AM
To: MARTIN, JERRY B (b)(6);(b)(7)(C) ; (b) (6)
Subject: Visit to (b) (7)(E)

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Chief can we please schedule a tour with (b) (6) of the Army Corps of Engineers to conduct his 301 inspection of the (b) (7)(E) site. Thank you

(b) (6)
U.S. Army Corps of Engineers, Regulatory Division, Runnels Federal Building
200 E. Griggs Ave.
Las Cruces, NM 88001
Office Phone (b) (6)

Sent from the road by (b) (6), Esq., Barnes &Thornburg LLP (b) (6)

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From: (b)(6);(b)(7)(C)
To: PETERLIN, MEGHANN K; (b) (6)
Subject: FW: Request for permission to close the (b) (7)(E) gap
Date: Wednesday, June 12, 2019 2:54:37 PM

We will need to talk about this tomorrow at close out. It will probably keep until then.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: AS1KKM (b) (6)
Sent: Wednesday, June 12, 2019 2:26 PM
To: (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b) (6) PETERLIN, MEGHANN K (b)(6);(b)(7)(C); SANDERS, JOHN P (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); PEREZ, ROBERT E (b)(6);(b)(7)(C); MCALEENAN, KEVIN K (b)(6);(b)(7)(C)>
Subject: Re: Request for permission to close the (b) (7)(E) gap

(b) (5)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:18:17 PM
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close the (b) (7)(E) gap

Attached is our working paper that covers both the recently completed and the proposed project from the letter you shared. (b) (5)

(b) (5)

We are prepared to talk through questions at your convenience.

Best,
(b)(6);(b)(7)(

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: AS1KKM (b) (6)
Sent: Wednesday, June 12, 2019 2:11 PM

AMERICAN OVERSIGHT

To: (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C) ; SANDERS, JOHN P (b)(6);(b)(7)(C) ; PEREZ, ROBERT E (b)(6);(b)(7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) ; MARTIN, JERRY B (b)(6);(b)(7)(C) >
Cc: Flanagan, Patrick (b) (6) >; PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close the (b) (7)(E) gap

How are we doing on this assessment?

From: (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close the (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:

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

The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN P (b)(6);(b)(7)(C) ; PEREZ, ROBERT E (b)(6);(b)(7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) ; MARTIN, JERRY B (b)(6);(b)(7)(C) ;(b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close the (b) (7)(E) gap

AMERICAN OVERSIGHT

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com>
Date: June 6, 2019 at 7:22:52 PM EDT
To: (b)(6);(b)(7)(C)
Subject: Request for permission to close the (b) (7)(E) **gap**

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close the (b) (7)(E) gap
Date: Wednesday, June 12, 2019 2:18:57 PM
Attachments: El Paso Sector Challenges with Private Barrier Construction vFINAL.docx

---

Attached is our working paper that covers both the recently completed and the proposed project from the letter you shared. (b) (5)

(b) (5)

We are prepared to talk through questions at your convenience.

Best,

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

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: AS1KKM (b) (6)
Sent: Wednesday, June 12, 2019 2:11 PM
To: (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C); SANDERS, JOHN P (b)(6);(b)(7)(C) >; PEREZ, ROBERT E (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b)(6);(b)(7)(C) >; PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close the (b) (7)(E) gap

How are we doing on this assessment?

From: (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close the (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our

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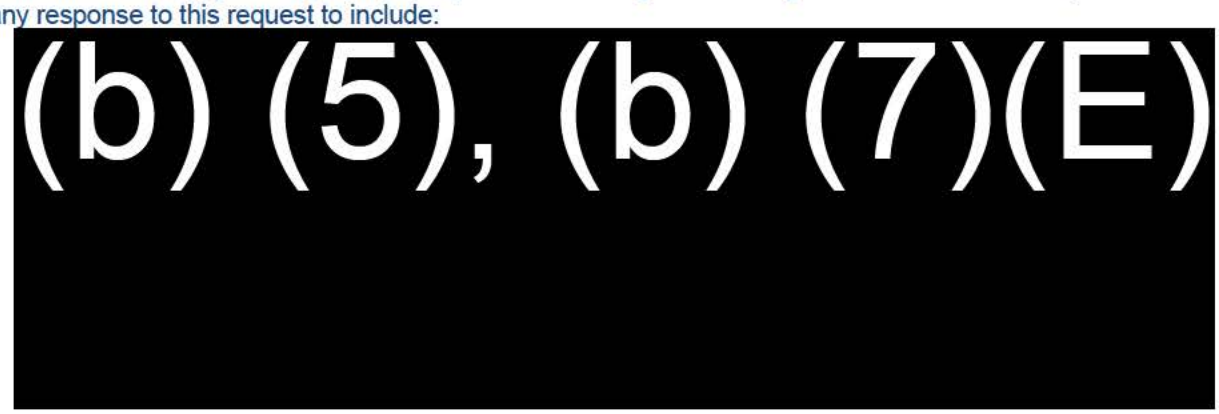
environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:



The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN P (b)(6);(b)(7)(C); PEREZ, ROBERT E (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C); (b) (6), (b) (7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close the (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To:** (b)(6);(b)(7)(C)
> **Subject: Request for permission to close the (b) (7)(E) gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.

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Kris Kobach

AMERICAN OVERSIGHT

BRIEFING PAPER: PRIVATELY CONSTRUCTED BORDER BARRIERS

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

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

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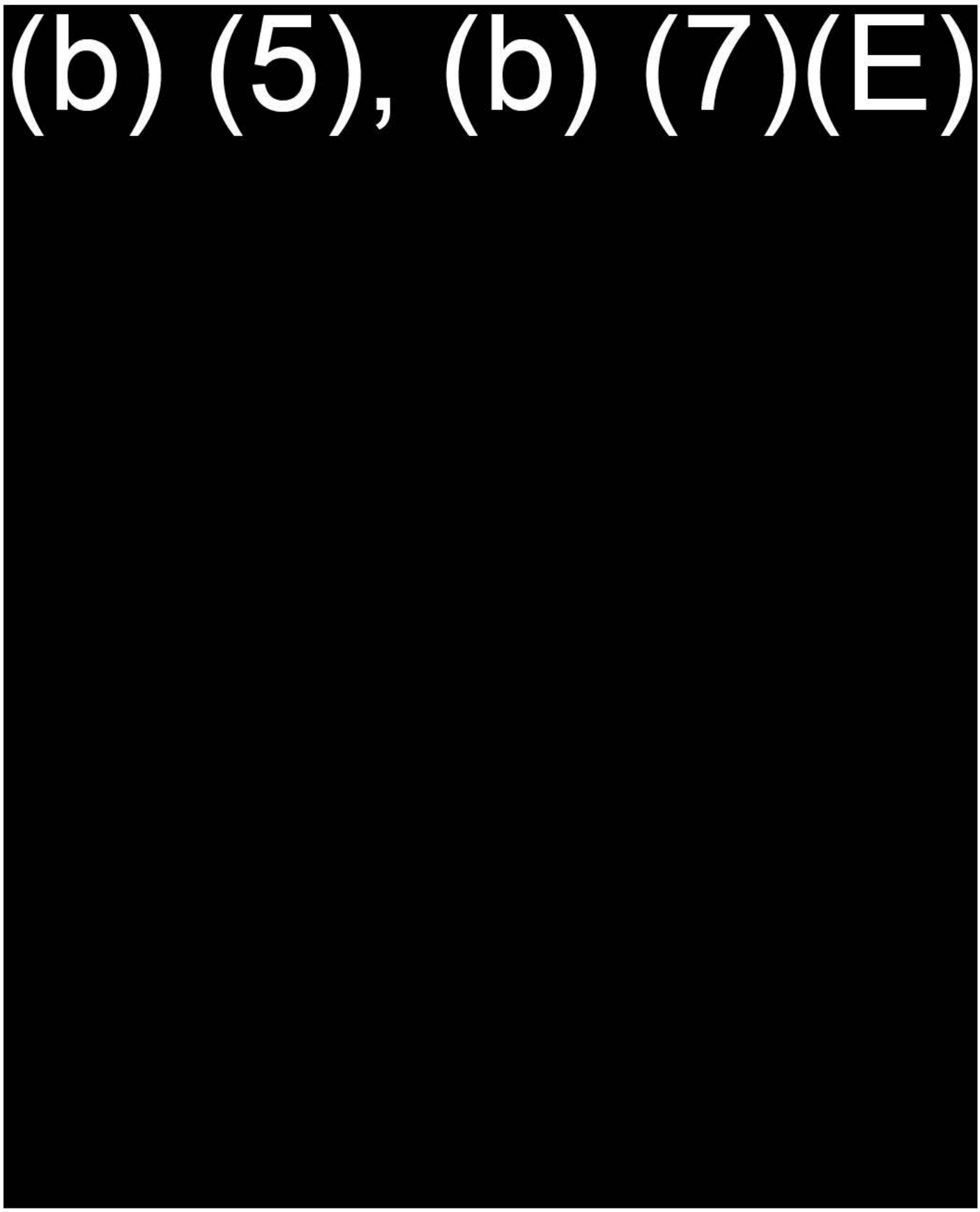

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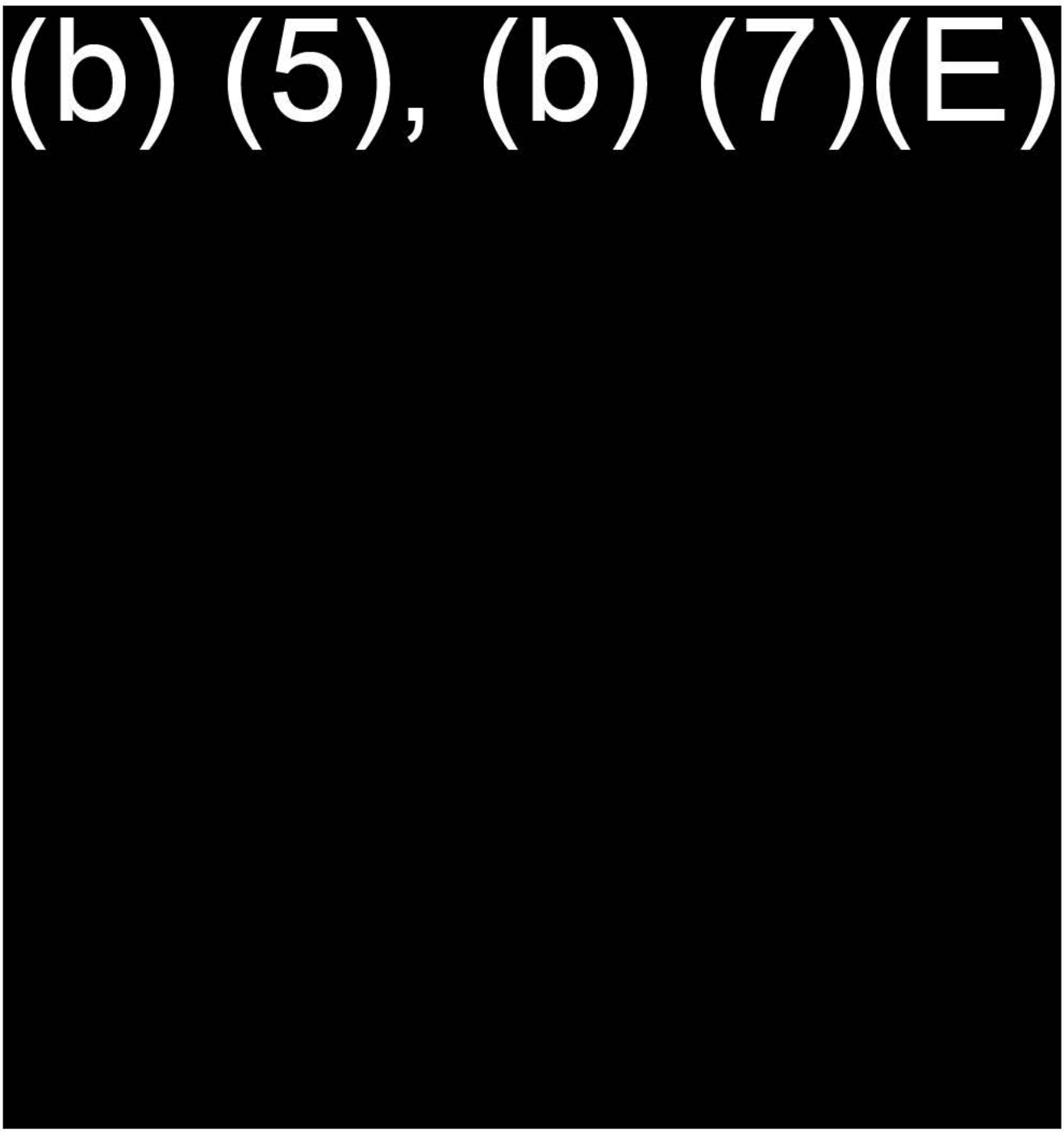

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close the (b) (7)(E) gap
Date: Wednesday, June 12, 2019 2:46:15 PM

Yes, we can do that. We'll coordinate with the Commissioner's office to determine who the appropriate parties should be and with counsel to ensure we have our boundaries for the engagement.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: AS1KKM (b) (6)
Sent: Wednesday, June 12, 2019 2:26 PM
To: (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b)(6);(b)(7)(C); PETERLIN, MEGHANN K (b)(6);(b)(7)(C); SANDERS, JOHN P (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); PEREZ, ROBERT E (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close the (b) (7)(E) gap

(b) (5)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:18:17 PM
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close the (b) (7)(E) gap

Attached is our working paper that covers both the recently completed and the proposed project from the letter you shared. (b) (5)

(b) (5)

We are prepared to talk through questions at your convenience.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: AS1KKM (b) (6)
Sent: Wednesday, June 12, 2019 2:11 PM
To: (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C); SANDERS, JOHN P (b)(6);(b)(7)(C); PEREZ, ROBERT E (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b)(6);(b)(7)(C) PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close the (b) (7)(E) gap

How are we doing on this assessment?

From: (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close the (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:

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

The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN P (b)(6);(b)(7)(C); PEREZ, ROBERT E (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

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

Subject: Fwd: Request for permission to close the (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To:** (b)(6);(b)(7)(C)
> **Subject: Request for permission to close the (b) (7)(E) gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.
>
> Kris Kobach

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: MCALEENAN, KEVIN K
Subject: Request for permission to close the (b) (7)(E) gap
Date: Thursday, June 6, 2019 7:23:41 PM
Attachments: WBTW Letter to Act Sec McAleenan.docx

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

Kris W. Kobach
General Counsel
P.O. Box 155
Lecompton, KS 66050

June 6, 2019

Kevin McAleenan
Acting Secretary
U.S. Department of Homeland Security
1300 Pennsylvania Ave., NW
Washington, DC 20229

Dear Acting Secretary McAleenan,

As you may be aware, We Build the Wall recently closed a half-mile gap in the metropolitan El Paso system of border barriers, blocking a heavy corridor of immigrant smuggling and drug smuggling. It was the first time that a substantial border barrier had ever been constructed on private land by a private organization. The project was at (b) (7)(E), New Mexico.

The new border barrier starts at the Rio Grande and continues (b) (7)(E). Like other border fence sections, it is an (b) (7)(E) high, steel bollard fence with (b) (7)(E) at the top. It is set in a (b) (7)(E) However it is superior to other fence sections in four respects: (1) it is constructed of all-weathering steel; (2) it is accompanied by a paved access road for the Border Patrol along its length; (3) it includes (b) (7)(E) elsewhere on the border; and (4) it includes stadium-quality LED lighting along its entire length. The fence was erected in approximately one week, and the entire project was completed in less than two-weeks.

I am writing to you now to request permission to construct a border barrier of the same quality to close a gap on the (b) (7)(E), at (b) (7)(E) New Mexico, approximately (b) (7)(E) of the project that we just completed. The land that we

AMERICAN OVERSIGHT

would like to build the barrier on is owned by the United States (it is not merely an easement created by the Roosevelt Reservation). For some reason, when the U.S. government constructed the steel bollard fence near the (b) (7)(E) Station, the fence ended abruptly on the flat ground at the bottom of the (b) (7)(E), right next to a neighborhood on the Mexican side. This (b) (7)(E) gap has become one of the worst trafficking corridors on the southern border. On April 30, 2019, the Border Patrol apprehended 424 migrants who had crossed through the (b) (7)(E) gap – the largest-ever migrant group apprehended as of that date. It is essential to the security of the United States that this gap be closed. However, it is not covered in any of the existing projects planned by the United States government.

We Build the Wall is asking your permission to build a (b) (7)(E) state-of-the-art steel bollard border fence to close the (b) (7)(E) gap. The proposed fence would commence where the old steel bollard fence ends (b) (7)(E) and extend (b) (7)(E) to the (b) (7)(E) boundary of the U.S. government property (b) (7)(E). It would climb approximately (b) (7)(E), it would also include a concrete road along the north side of the barrier for the Border Patrol to use. There would be nothing blocking Border Patrol access along the border; indeed, the Border Patrol agents would enjoy the ability to drive vehicles where they never could before. If there are any modifications to the design that you would like us to make, we will make them.

And we would do it very quickly—we can mobilize the resources to begin the project within four weeks of receiving your approval, and we can complete the project in less than two weeks after that. The barrier would then be given to the U.S. Department of Homeland Security as a gift, courtesy of We Build the Wall. All that we require is your permission to begin work.

Please contact me as soon as possible if you have any questions or to grant us approval to begin. (b)(6);(b)(7)(C) of the Border Patrol has inspected the project we recently completed at (b) (7)(E) and can attest to its quality. As you know, time is of the essence. This gap is used nightly to smuggle in hundreds of migrants and untold quantities of drugs. We stand ready to close the gap.

Yours sincerely,

Kris Kobach

Kris W. Kobach
c. (b) (6)

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BRIEFING PAPER: PRIVATELY CONSTRUCTED BORDER BARRIERS

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

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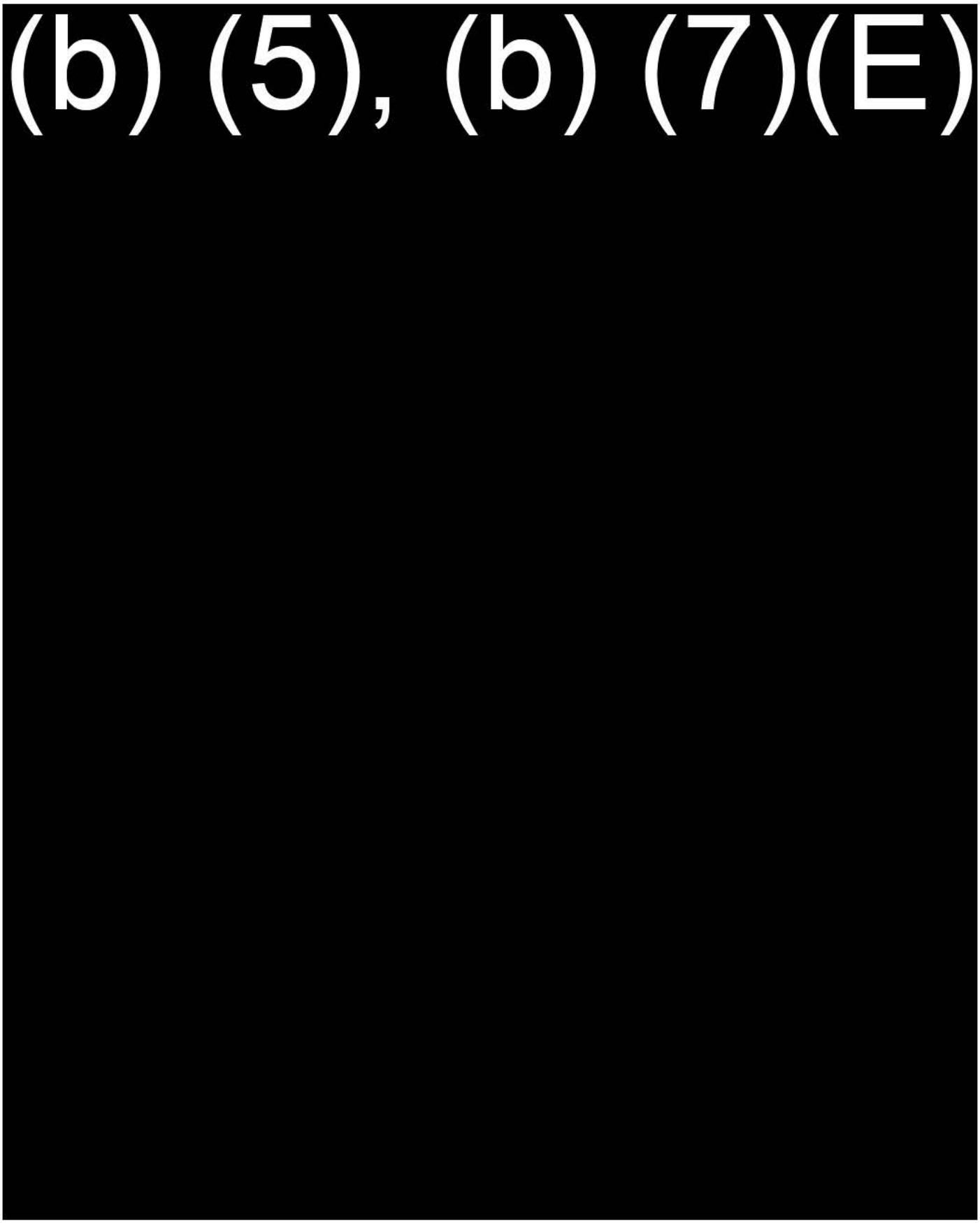

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(b) (5), (b) (7)(E)

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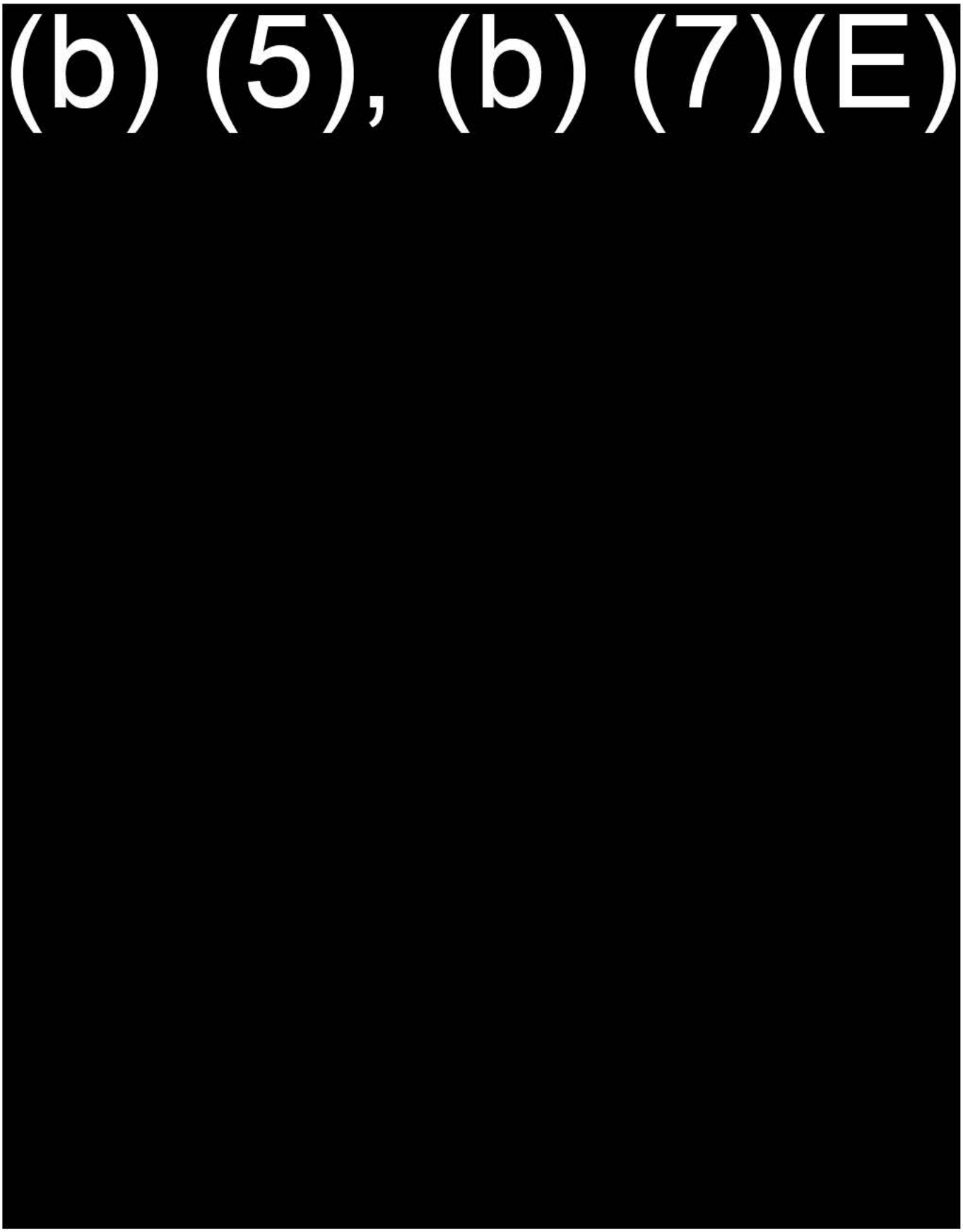

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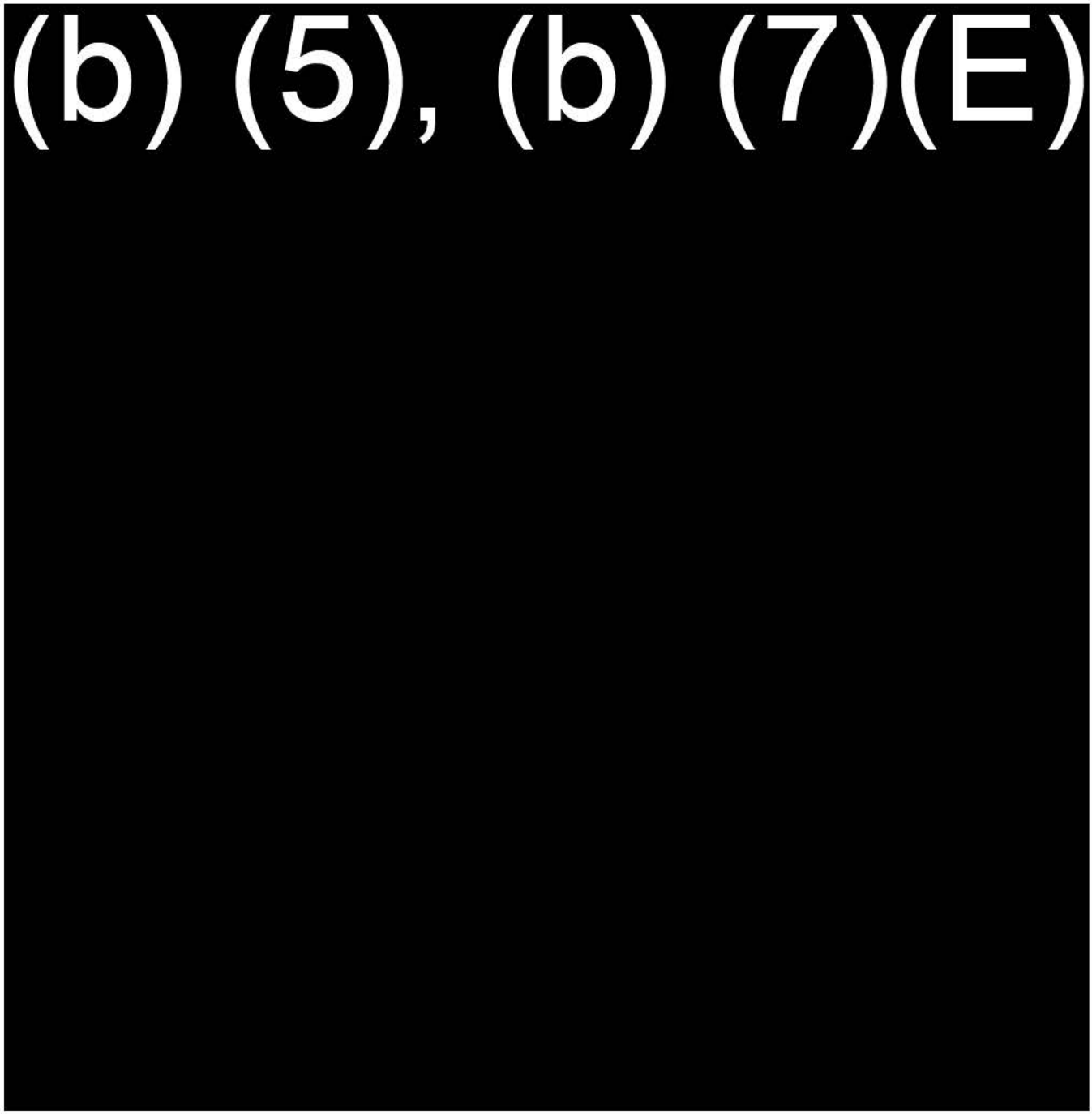

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From: PROVOST, CARLA (USBP)
To: MCALEENAN, KEVIN K
Cc: SANDERS, JOHN P; PEREZ, ROBERT E; MARTIN, JERRY B; (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close the (b) (7)(E) gap
Date: Thursday, June 6, 2019 7:53:30 PM

10-4 Sir.

Carla L. Provost
Chief
U. S. Border Patrol
(b)(6);(b)(7)(C)

On Jun 6, 2019, at 7:47 PM, MCALEENAN, KEVIN K (b)(6);(b)(7)(C) wrote:

> Team,
> Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
> KM
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To:** (b)(6);(b)(7)(C)
> **Subject: Request for permission to close the (b) (7)(E) gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.
>
> Kris Kobach

<WBTW Letter to Act Sec McAleenan.docx>

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: MCALEENAN, KEVIN K
Cc: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Subject: Re: Request for permission to close the (b) (7)(E) ap
Date: Thursday, June 6, 2019 8:00:14 PM

Sir - This will require substantial coordination with legal due to the environmental and treaty issues that were not considered during the construction of the initial segment. We will engage them tomorrow first thing and run the traps to provide a response ASAP.

Sent from my iPhone

On Jun 6, 2019, at 7:47 PM, MCALEENAN, KEVIN K (b)(6);(b)(7)(C) wrote:

> Team,
> Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
> KM
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To:** (b)(6);(b)(7)(C)
> **Subject: Request for permission to close the (b) (7)(E) gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close the (b) (7)(E) gap. Thank you.
>
> Kris Kobach

<WBTW Letter to Act Sec McAleenan.docx>

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: (b)(6);(b)(7)(C)
Subject: Re: Formal Letter of Intent re (b) (7)(E) Project
Date: Saturday, February 8, 2020 1:21:54 PM

(b) (6) was asking for someone to reach out to (b) (6) Did (b) (6), (b) (7)(C) reach out to (b) (6) or (b) (6)?

Sent from my iPhone

On Feb 8, 2020, at 1:08 PM, (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) wrote:

EPT ((b) (6), (b) (7)(C) reaches out to (b) (6) twice and got no answer. We can provide (b) (6), (b) (7)(C)'s number (+(b) (6), (b) (7)(C) to (b) (6) to put this back on them.

Get Outlook for iOS

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Saturday, February 8, 2020 12:03:13 PM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Fwd: Formal Letter of Intent re (b) (7)(E) Project

Do you know if contact was made?

Sent from my iPhone

Begin forwarded message:

From: "(b) (6) (b) (6)
Date: February 8, 2020 at 11:40:00 AM EST
To: "kkobach@gmail.com" <kkobach@gmail.com>, "MARTIN, JERRY B" <(b)(6);(b)(7)(C)
Cc: "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Re: Formal Letter of Intent re (b) (7)(E) Project

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.

Chief, please let me know if your team was able to get in contact

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with (b) (6) at the Corp

Sent from the road by (b) (6) Esq., Barnes &Thornburg LLP
(b) (6)

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, February 7, 2020 10:28:37 PM
To: kkobach@gmail.com <kkobach@gmail.com>
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b) (6) (b) (6)
Subject: [EXTERNAL]Re: Formal Letter of Intent re (b) (7)(E) Project

Kris,

Thank you for putting this together. We will review and get back as soon as we can.

VR,

Brian

Sent from my iPhone

> On Feb 7, 2020, at 9:48 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> Please find attached We Build the Wall's formal letter of intent. Attachments include:
>
> 1. DHS GIFT DONATION FORM 112-02
> 2. ALIGNMENT MAP
> 3. PROJECT RENDERING
> 4. HYDRO ANALYSIS
> 5. RAINFALL DATA
>
> As we discussed at our meeting last week, we would

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appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.

Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.

Kris

<WBTW Final Letter to CBP - (b) (7)(E) docx>
<Gift Donation Form 112-02 - Filled.pdf>
<(b) (7)(E) - Alignment Map.pdf>
<WBTW (b) (7)(E) Project Rendering.png>
<(b) (7)(E) - WBTW - Hydro Analysis.pdf>
<(b) (7)(E) - WBTW - NOAA Precipitation Data.pdf>

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From: MARTIN, JERRY B
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C)
Subject: Re: Final historical and archeological impact report
Date: Friday, January 31, 2020 9:54:07 PM

Kris,

Thank you. We'll review and let you know early next week.

Brian

Sent from my iPhone

> On Jan 31, 2020, at 5:35 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> Here's the final version of the report. Same conclusion, just a lot more detail. If there's anything else you guys need to be assessed by the expert, let me know. Otherwise, we will submit it to the NM SHPO and get the 30 day clock (for them to review it) started. Thanks!
>
> Kris
> <(b) (7)(E) - WBTW - Final Wall Historical Survey Report.pdf>

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Aspen CRM Solutions

Preliminary Report for the Archaeological Survey of a Section of Proposed Border Wall near (b) (7)(E), New Mexico

The archaeological survey of the proposed border wall location was conducted January 17th, 2020. The area inventoried extends (b) (7)(E) (b) (7)(E), though the portion of wall next slated for construction will be built in the (b) (7)(E) (b) (7)(E)

No archaeological sites were found, but there are three historic border monuments in the surveyed area:

Monument (b) (7) is an obelisk of stone and concrete with a smooth plastered concrete surface on a square concrete pedestal, all recently repainted white (Figure 1). The obelisk portion tapers from a wide base to a pyramidal top. Cast metal plaques in English and Spanish are/were embedded into the north and south faces (the north one is absent). The number (b) is inscribed into the east and west faces. Fragments of cement plaster and expanded metal litter the surrounding area.

(b) (7)(E)

Figure 1: Monument (b) (7)

Monument (b) (7)(E) is an obelisk on square pedestal of cast concrete, all recently painted silver. The obelisk has parallel vertical sides and a pyramidal top. Cast metal official plaques in English and Spanish are riveted and embedded in the north and south faces (Figure 2). Separate plaques below are embossed with language admonishing against destruction are of cast metal similarly attached, and the number is embossed on its east face.

(b) (7)(E)

Figure 2: Monument (b) (7).

Monument (b) (7)(is a cast-iron obelisk bolted to a square concrete pedestal. The obelisk has slightly tapering sides and pyramidal top and plaques identical to those of Monument (b) (7)(E). The number is embossed on the east face only (Figure 3). The obelisk and top of the pedestal are painted silver while the pedestal remains raw concrete. The number is painted black.

Monument (b) was erected in the 1850s as part of a survey to mark and map the U.S.'s southern border following the signing of the 1848 Treaty of Guadalupe Hidalgo and the conclusion

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of the Mexican-American War. The effort resulted in 54 boundary survey maps finalized during the 1856-1857 Joint Boundary Commission meetings in Washington, D.C. A total of 52 such monuments were built between El Paso and San Diego.

When disputes over the exact location of the border became more frequent, a boundary resurvey was conducted between 1891-1894. An initial reconnaissance found that some of the previously established monuments were missing or in disrepair. The international resurvey team installed 206 additional monuments and employed a lettering sequence to avoid confusion with the existing monument numbers. Monuments (b) (7)(E) are two of these monuments.



Figure 3: Monument (b)(7)(E).

The New Mexico State Historic Preservation Office has determined that the monuments are eligible for listing in the National Register because of their representation of the events surrounding the establishment of the boundary following the Gadsden Purchase and the Treaty of Guadalupe Hidalgo as well as subsequent events that took place along the border, for their distinctive obelisk form, and for the information that can be gleaned about past historical events in locations where there are camps or other archaeological sites associated with those events. Because the monuments are considered eligible, they need to be protected during any proposed undertaking or their damage or destruction mitigated in some way.

Monuments (b) (7)(E) lie along the route of the currently planned (b) (7)(E) border wall, while Monument (b) is to the (b) (7)(E) beyond the end of the (b) (7)(E) section (Figure 4). As has been implemented elsewhere, the plan for this segment is to build the wall 3 feet north of the actual border line (and, hence, 3 feet north of the monuments), with gates installed to provide access to the monuments. In this instance, because the monuments will remain undamaged and because there are no associated archaeological materials of any kind (e.g., the remains of a campsite associated with their construction) in the immediate vicinity, the monuments will experience no adverse physical impacts as a result of the construction of the wall.

The wall will adversely impact the monuments' integrity to some degree because it will change their setting, feeling, and association (though not their location, design, materials, or workmanship), but because they represent only a small proportion of the overall number of border monuments (even just of those in New Mexico), the impact is not sufficient to render the international border and the monuments not eligible for listing in the National Register, nor is it irreversible, so the overall impact is unlikely to be something that would require additional mitigation steps. With that said, it should be noted that upon review of the final survey report, the New Mexico State Historic Preservation Office may have additional requirements regarding protection of the monuments during construction of the wall.

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Figure 4: Map of project findings. IOs 1 and 2 mark discoveries of an isolated can and tin cup that are historic but not sufficient to be considered archaeological sites requiring protection.

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From: MARTIN, JERRY B
To: (b)(6);(b)(7)(C)
Subject: FW: Proposed Donation of Border Wall, (b) (7)(E) New Mexico
Date: Friday, January 31, 2020 12:17:41 PM
Attachments: Wall Attachments V2 01292020.pdf
Gift Donation Form 112-02.pdf

I didn't look closely enough at the rendering before sending. We need to make some changes. (b) (7)(E)

From: MARTIN, JERRY B
Sent: Friday, January 31, 2020 8:25 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Proposed Donation of Border Wall, (b) (7)(E) New Mexico

Mr. Kobach,

Thank you for your recent communication regarding We Build the Wall's (WBTW) proposed donation of border wall. It is my understanding that WBTW, a private entity, would like to start construction on approximately (b) (7)(E) of border wall in (b) (7)(E) New Mexico. Upon completion, WBTW would like to donate this wall as a gift to U.S. Customs and Border Protection (CBP). CBP has reviewed the information WBTW has provided to date regarding the proposed donation. To the extent that WBTW intends to make a formal donation offer to CBP, set out below is the additional information that should be included in the submission. CBP would require this information in order to consider and potentially act upon WBTW's donation offer.

SUBMISSION PROCESS

In order to make a formal offer of donation or gift, WBTW must first submit a formal letter of intent to the Department of Homeland Security (DHS) and CBP. In order to properly evaluate WBTW's gift, CBP needs the information required by DHS Form 112-02. For your convenience, enclosed is a copy of DHS Form 112-02. Those requirements include a detailed description of the gift along with any donor's name and address, as well as any past, present, or pending matters and activities involving the Department and the circumstances regarding donation of the gift. Additionally, the Department's gift acceptance policies further require the donor's estimate of the gift's value, which for non-cash gifts should be the gift's estimated market value.

In addition to the items listed above, WBTW's submission should address the items listed below. The items listed below will assist CBP in its evaluation of WBTW's gift and/or any CBP authorization to construct on federal land that is under CBP's administrative jurisdiction. From our previous discussions, we understand WBTW has offered to fund all design and construction and all real estate and environmental documentation and permitting for the proposed project and will ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.

ALIGNMENT MAP

WBTW must provide an alignment map that is sufficiently identifies the location the proposed

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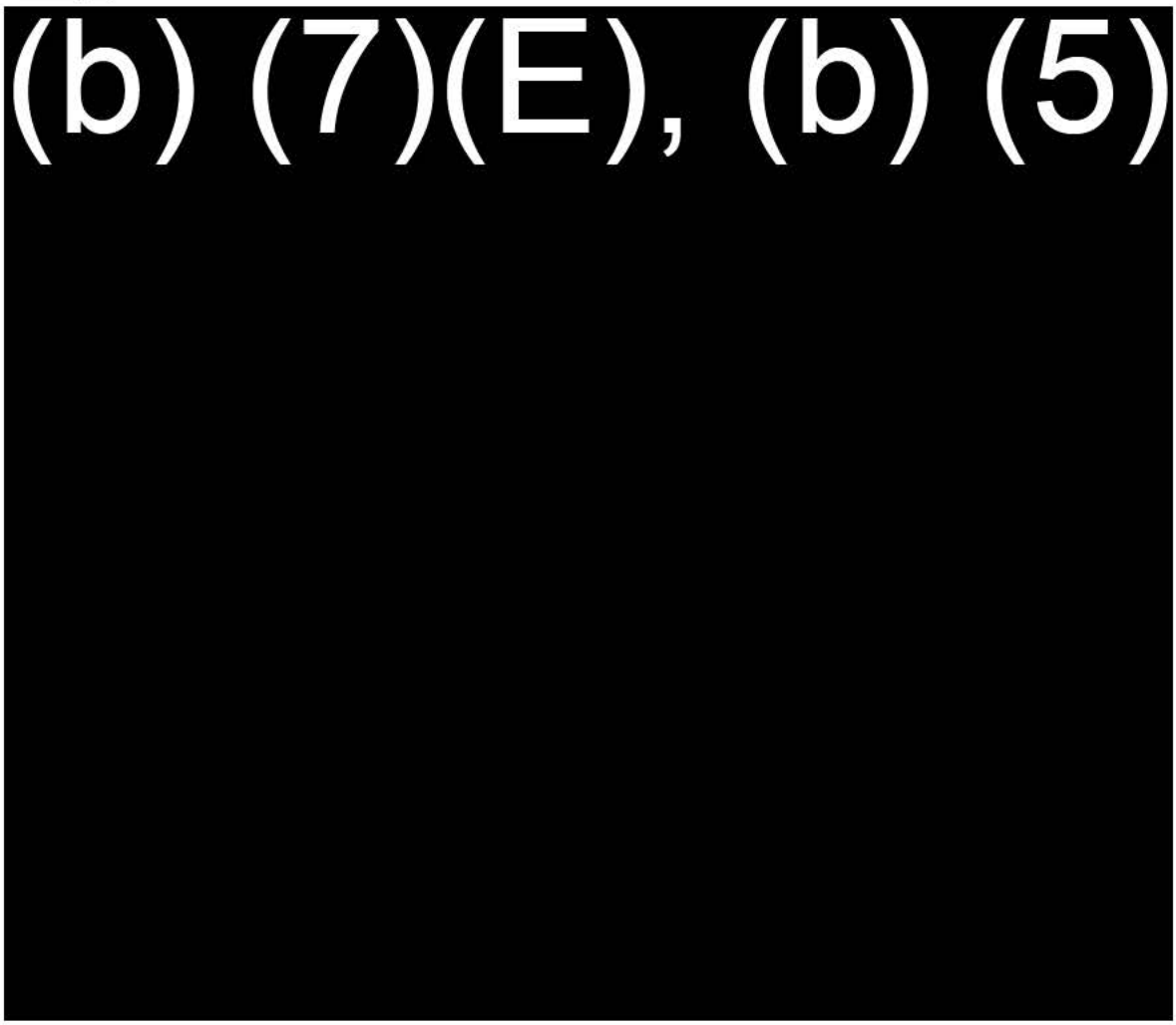
border wall segment. The map will allow CBP to evaluate the proposed location relative to United States Border Patrol (USBP) operations. It is CBP's understanding, based on materials previously submitted by WBTW, that the proposed (b) (7)(E) wall project is (b) (7)(E). (Location coordinates – Start: (b) (7)(E)) Stop: (b) (7)(E))). For your convenience, enclosed you will find a map that shows CBP's understanding of the proposed project location. WBTW's submission should confirm this understanding and show precisely where the proposed wall will be situated.

DESIGN & CONSTRUCTION

As a part of its submission, WBTW must confirm that the proposed wall segment will adhere to the USBP Tactical Infrastructure (TI) Design Standards as the design criteria for the wall design and that WBTW will consult with USBP on any design and construction questions to ensure the wall meets the operational requirements of USBP.

Those design standards include the following requirements or conditions:

Design



Construction

- All wall should be constructed in accordance with the TI Design Standards.
- Regular communication with USBP personnel, to include providing a high-level milestone schedule, to ensure construction does not adversely impact operations.

AMERICAN OVERSIGHT

- Consultation with USBP subject matter experts prior to start of design to discuss and incorporate such items as wall alignment, design criteria, construction criteria into the design.
- Consultation with USBP subject matter experts during preliminary design and prior to design completion to receive feedback regarding design progress.
- Regular meetings with USBP subject matter experts on a weekly basis but no less than once per month throughout construction of the wall to discuss progress, construction testing, questions and issues encountered by the contractor.

REAL ESTATE & ENVIRONMENTAL

WBTW's submission should also address real estate and environmental issues, to include the following:

Environmental

- Regarding the need for 404 permits under the Clean Water Act, WBTW has stated that the U.S. Army Corps of Engineers (USACE) "has no interest" in the proposed project areas, as there are no Waters of the United States that are within the proposed project area or elsewhere that will be affected by the proposed project. WBTW cites to a "hydro analysis" that was performed in making this determination.
    - WBTW should include a copy of the hydrological analysis and/or any delineation survey that was performed and copies of the correspondence with USACE showing its determination that no 404 or other Clean Water Act permits are required.
- WBTW has already provided CBP with the results of cultural/historical assessment that has been performed concerning the proposed project area.
    - WBTW should provide any correspondence or feedback it has received from the New Mexico State Historic Preservation Officer concerning such assessment and the potential impacts of the proposed project.
- As to other potential environmental obligations, as has been discussed, CBP may be required to comply with the National Environmental Policy Act, the Endangered Species Act, or other environmental statutes in accepting a gift or authorizing construction on federal property. WBTW's donation intent should discuss whether it has the ability to assist with such compliance by CBP. Such assistance would likely come in the form of, among other things, providing project information, conducting additional resource surveys of the project area, or providing a consultant to assist in the preparation of required environmental documents.

CONSTRUCTION CLOSE-OUT

Finally, as a part of its submission WBTW should include or discuss the items that will be provided once construction is complete.

- Final construction close-out package shall be provided by the construction contractor prior to acceptance of the project and consideration for acceptance by CBP. The construction close out package shall include, but not be limited to:
    - Results of all materials testing conducted by a third party consultant.

AMERICAN OVERSIGHT

- Certification that quality assurance was conducted by an independent third party consultant and associated documentation.
- Shop and fabrication drawings.
- Final as-built plans certified by the contractor including, but not limited to, final surveyed location of the wall, plans, profiles, notes and details.

ENCLOSURES:

1. DHS GIFT DONATION FORM 112-02
2. (b) (7)(E) MAP
3. PROJECT RENDERING

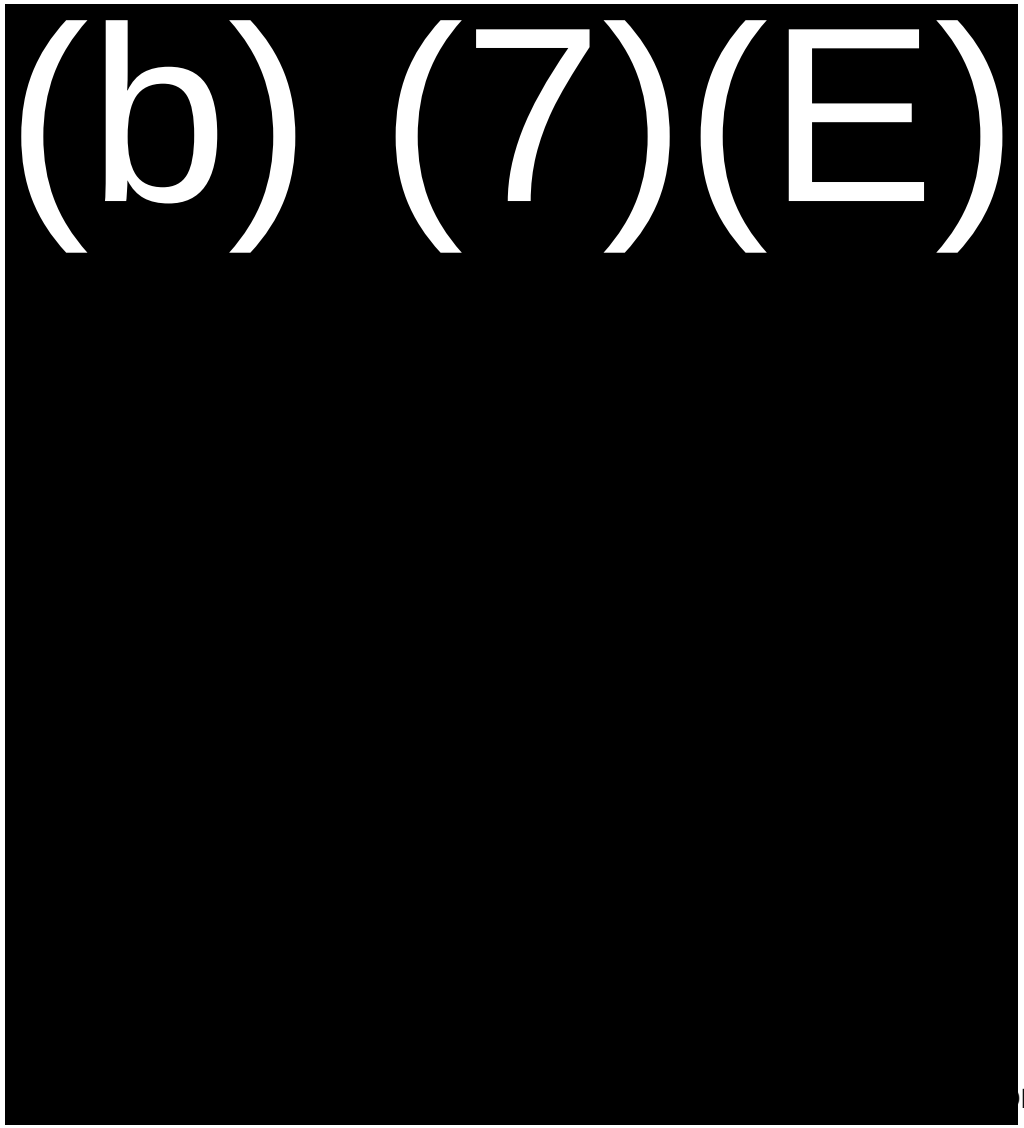
Should you have questions or concerns, please do not hesitate to reach out to our team – Chief Martin or DXD(b)(6);(b)(7)(C)CC'd here – who will address your questions and coordinate any additional communications with me.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

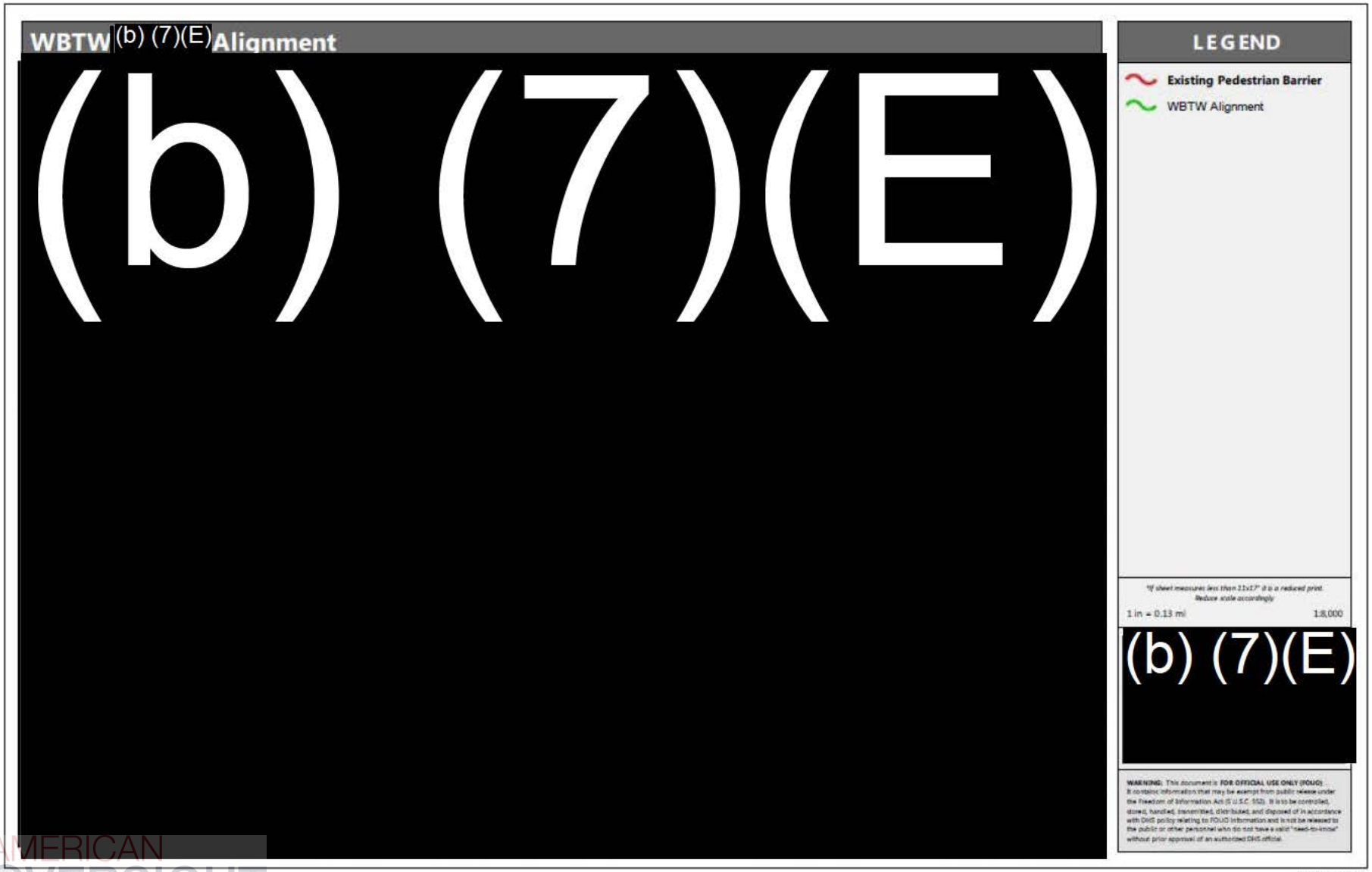
AMERICAN OVERSIGHT

Project Rendering



AMERICAN OVERSIGHT

(b) (7)(E) NM Alignment Map



Map Request 603v2.2

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ATTACHMENT 1

GIFT DONATION FORM
DEPARTMENT HOMELAND SECURITY

This form must be completed upon receipt of a gift offer and forwarded to:

Chief Administrative Officer
Department of Homeland Security
Washington, DC 20528

The following gift was offered to the Department of Homeland Security:

Description of gift: *Please ensure that the donor of the property understands that this property is given to the Department of Homeland Security and will become the property of the United States Government. Also, the donor must understand this donation is irreversible and the donor will retain no personal rights of use, ownership, or possession.*

Donor's Name: We Build the Wall

Donor's Full Address: 9300 Emerald Coast Parkway W.
Miramar Beach, FL 32550

Present/past business with the Department: N/A

Circumstances regarding donation of gift: We B[redacted]eeks to construct [redacted]ection of border wall a[redacted] extending the existing wall to the [redacted]

How gift will aid and facilitate the Department's mission This new section of border wall will close off one of the most heavily trafficked human- and drug-smuggling corridors in the El Paso Sector, improving border security.

Gift Value: _____ if non-cash, list the donor's estimated fair market value: $8,000,000.
Note: The value listed above is the donor's estimate, whether by fair market value or appraised value. The Department of Homeland Security does not confirm or endorse this as the value of the gift nor make any representation of the value of this gift for any tax purpose.

Restrictions on the use of the gift: None. We Build the Wall would like to have access to the wall in the future for events and to add commemorative plaques or bricks.

Pending Matters/Activities: Please indicate below any matters pending or likely to arise in the future that might involve the donor or the donor's organization. Give consideration to all individuals or members of an organization (if applicable) involved in the donation of this gift:
None.

Identify the Department of Homeland employee who received the gift donation and under what circumstances: It would not be given to a single employee. Rather it would belong to DHS/CBP as a whole.

If the gift was solicited, indicate the date of approval by the Secretary/Deputy Secretary:
N/A

I have determined that the acceptance of this gift is appropriate in accordance with the current Directive and accept the offer on behalf of the Department of Homeland Security

Concurrence by Authorized Agency Official's Ethics Officer:

_____ _____
Ethics Officer Date

_____ _____
Secretary or Authorized Agency Official Date

DHS Form 112-02 (1/08)

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: (b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?
Date: Tuesday, January 28, 2020 12:39:57 PM

Not sure but the error message was delayed so I didn't know it didn't go until after you flagged it.

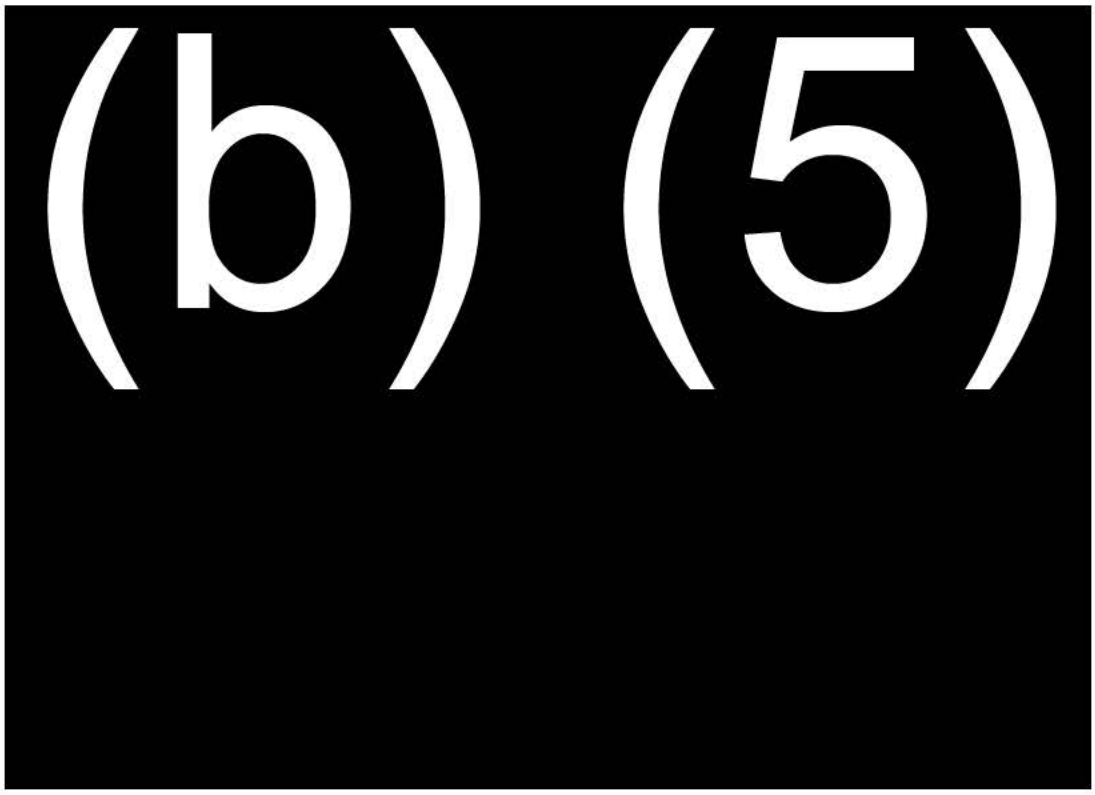
Sent from my iPhone

> On Jan 28, 2020, at 12:24 PM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:
>
> Yes. It came through this time. I wonder what caused the error. The specs are all the same as every other RTS.
>
> Get Outlook for iOS
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Tuesday, January 28, 2020 12:22:37 PM
> **To:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Subject:** RE: Meeting Monday?
>
> Did you get resent message? I ended up with an error message.
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Sent:** Tuesday, January 28, 2020 12:19 PM
> **To:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Subject:** RE: Meeting Monday?
>
> The form is on the RTS I sent you, I just checked, but it's not here. Is it there when you open it? If not, you may need to reply all with the attached.
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Tuesday, January 28, 2020 12:16 PM
> **To:** PEREZ, ROBERT E < (b)(6);(b)(7)(C)
> **Cc:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) 'SCOTT, RODNEY'; HASTINGS, BRIAN S

AMERICAN OVERSIGHT

< (b)(6);(b)(7)(C)
Subject: FW: Meeting Monday?

Deputy Commissioner Perez,



VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M- (b)(6);(b)(7)(C)

From: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Sent: Friday, January 24, 2020 1:08 PM
To: Kris Kobach <kkobach@gmail.com>
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?

Kris,

> I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.

AMERICAN OVERSIGHT

VR,

Brian

Sent from my iPhone

> On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:
>
> **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.
>
> Brian,
>
> I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.
>
> (b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.
>
> Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.
>
> Thanks.

Kris

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: MARTIN, JERRY B; (b)(6);(b)(7)(C)
Subject: RE: Meeting Monday?
Date: Monday, January 27, 2020 9:41:48 AM

Chief,

(b) (5)

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

(b)(6);(b)(7)(C)
Senior Attorney ǁ Ethics, Labor, and Employment (ELE)
Office of Chief Counsel ǁ U.S. Customs and Border Protection
Office: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, US Customs & Border Protection, before disclosing any information contained in this email.

From: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Sent: Monday, January 27, 2020 9:40 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
Subject: RE: Meeting Monday?

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

(b) (5)

Thanks,

Brian

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Monday, January 27, 2020 9:05 AM
To: MARTIN, JERRY B < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
Subject: FW: Meeting Monday?

Good morning Chief,

AMERICAN OVERSIGHT

(b) (5)

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Senior Attorney ‖ Ethics, Labor, and Employment (ELE)
Office of Chief Counsel ‖ U.S. Customs and Border Protection
Office: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, US Customs & Border Protection, before disclosing any information contained in this email.

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, January 24, 2020 1:08 PM
To: Kris Kobach <kkobach@gmail.com>
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?

Kris,

I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.

VR,

Brian

Sent from my iPhone

On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:

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.

Brian,

AMERICAN OVERSIGHT

I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.

(b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.

Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.

Thanks.

Kris

AMERICAN OVERSIGHT

From: Kris Kobach
To: MARTIN, JERRY B
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?
Date: Friday, January 24, 2020 1:25:07 PM

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.

Yes the Reagan Building will be fine. I look forward to seeing you Monday.

On Fri, Jan 24, 2020 at 12:08 PM MARTIN, JERRY B <(b)(6);(b)(7)(C) wrote:

> Kris,
>
> I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.
>
> VR,
>
> Brian
>
> Sent from my iPhone
>
> On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:
>
> 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.
>
> Brian,
>
> I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.
>
> (b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.
>
> Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.

AMERICAN OVERSIGHT

Thanks.

Kris

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: [redacted]
Cc: MARTIN, JERRY B
Subject: RE: Follow Up
Date: Monday, January 13, 2020 2:40:42 PM

That works for me. Let's talk then.

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)>
Sent: Monday, January 13, 2020 6:51 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)>
Subject: RE: Follow Up

Kris – 4pm is the open slot we have. I sent an invitation for then. Let me know if that time doesn't work for you and we'll have to find a time on Tuesday.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, January 10, 2020 4:33 PM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)>
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)>
Subject: RE: Follow Up

Monday afternoon would be great.

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)>
Sent: Thursday, January 9, 2020 6:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)>
Subject: RE: Follow Up

Kris – I'm in training tomorrow. How's Monday or Tuesday next week?

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 9, 2020 11:02 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)>
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)>
Subject: RE: Follow Up

AMERICAN OVERSIGHT

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

Thanks for your follow up email.

Let's see if you, Brian, and I can find a time to talk on the phone tomorrow. Per my conversations with Brian in November and December, I think we are pretty close to satisfying all of the elements of the checklist. We are just waiting for our historical impact study to be completed.

(b) (5)

I have attached an image of the site. The proposed border barrier would go where the blue line is drawn.

At what times might you two be available tomorrow?

Kris

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 7:01 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Good Morning Kris,

Now that the holidays are behind us, I am checking in on the message below to make sure you don't have questions with the position and next steps addressed in the email. Let me know if I can answer anything for you.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

AMERICAN OVERSIGHT

Kris,

In response to your inquiry last week about (b) (7)(E) the attorneys and I touched base again today. It [redacted] (b) (5), (b) (7)(E) [redacted].

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
[redacted]

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

[redacted]

Thanks for the update. Let's circle back next week.

Kris

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

AMERICAN OVERSIGHT

Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys on the Roosevelt question. They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6) (b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: Follow Up

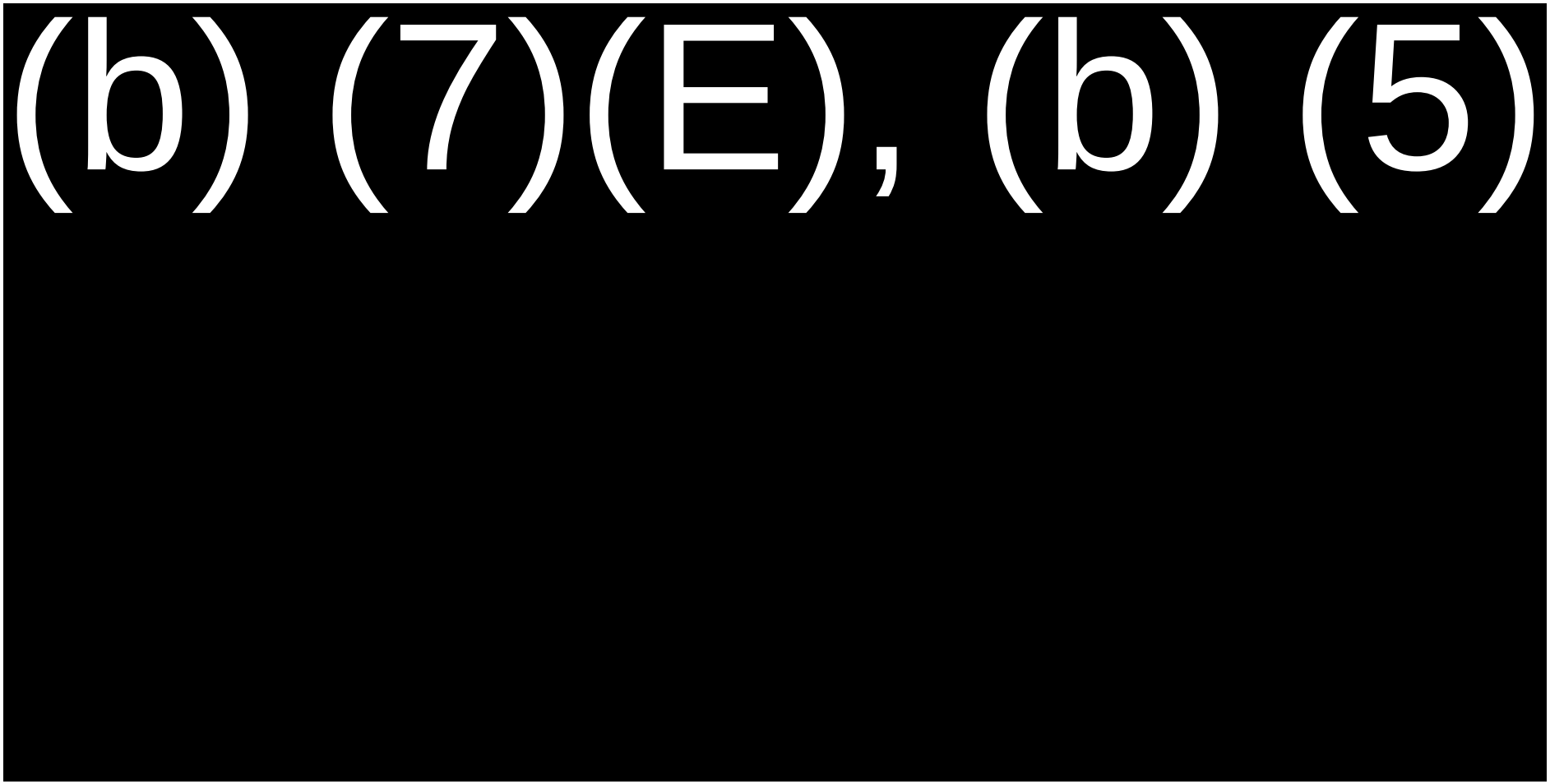
Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: (b)(6);(b)(7)(C)
Cc: SINGLETON, RUYNARD R
Subject: Re: (b) (7)(E) Gate
Date: Tuesday, November 19, 2019 3:21:35 PM

Please work it and keep me posted. Will be on the road shortly. Interestingly. I still haven't received a call back from Kobach about RGV and this message came in within an hour of us driving through the very gate in question.

Sent from my iPhone

On Nov 19, 2019, at 12:51 PM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

> T4, Chief. Do you want to work this or do you want me to work with Ops to get with EPT on agreements made subsequent to the letter from Chief Hull.
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Tuesday, November 19, 2019 2:49 PM
> **To:** SINGLETON, RUYNARD R < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Subject:** Fwd: (b) (7)(E) Gate
>
> FYSA - will need to review what if any agreement we made in terms of the gate and get EPT's input.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** '(b) (6) (b) (6) >
> > **Date:** November 19, 2019 at 12:40:13 PM MST
> > **To:** '(b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> > **Cc:** (b) (6) < (b) (6) "'kkobach@gmail.com'" <kkobach@gmail.com>, (b) (6) < (b) (6)
> > **Subject:** (b) (7)(E) ate
> >
> > Chief, I hope this email finds you well. It was my understanding when we met a few months ago in DC that Border Patrol had taken control over the operation of the (b) (7)(E) gate that WeBuildTheWall built. However, I have been informed that (b) (7)(E) (b) (7)(E)

AMERICAN OVERSIGHT

(b) (7)(E)

In this regard, when WeBuildTheWall made a FOIA request to establish whether in fact, there was an increase in incidents on the (b) (7)(E) or otherwise, we discovered that no incident reports were ever maintained by (b) (7)(E) prior to our FOIA request-only after our request! So, in other words, there is no way to corroborate (b) (7)(E) concerns. In any event, we are concerned that once again, (b) (7)(E)

Please let us know the position of the Border Patrol with respect to this gate, and which agency has operational control. Thank you
Respectfully, (b) (6)

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)
<image001.gif>
Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

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or take action in reliance upon this message. If you have received
this in error, please notify us immediately by return email and
promptly delete this message and its attachments from your
computer system. We do not waive attorney-client or work product
privilege by the transmission of this message.

AMERICAN OVERSIGHT

From: kkobach@gmail.com
To: (b)(6);(b)(7)(C)
Subject: RE: Point of contact for railroad
Date: Friday, November 1, 2019 10:22:44 AM

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

Thanks. I appreciate it and will reach out to them today.

Kris

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, October 31, 2019 6:42 PM
To: MARTIN, JERRY B < (b)(6);(b)(7)(C) kkobach@gmail.com
Subject: RE: Point of contact for railroad

Kris – The two POCs we have on record are:

(b) (6)
El Paso, TX 79905
Work Phone (b) (6)
Email: (b) (6)

(b) (6)
Santa Teresa, NM 88008
Work Phone: (b) (6)
Email: (b) (6)

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, October 31, 2019 2:50 PM
To: MARTIN, JERRY B < (b)(6);(b)(7)(C) kkobach@gmail.com
Subject: RE: Point of contact for railroad

I'm just waiting for our RE SME's to provide the POC and will get back soonest.

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Thursday, October 31, 2019 2:46 PM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Re: Point of contact for railroad

Hello Kris,

I did get your message and have asked the team to get you a point of contact. I'm traveling today and tomorrow so you will likely get a response from (b)(6);(b)(7)(C)

VR

Brian

Sent from my iPhone

On Oct 31, 2019, at 1:43 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:

> Brian,
>
> Just following up on my phone message from a few days ago. If you have a name and telephone number for the railroad in (b) (7)(E), NM, we would be happy to reach out and see if they have any objection to giving WBTW temporary access across their property to the (b) (7)(E) wall project site.
>
> Alternatively, if you have already concluded that your easement with the railroad would already permit us to gain access to the building site, with CBP permission, then please let me know.
>
> Thanks.
>
> Kris

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Re: Request for Statement of No Interest Section 404 CWA
Date: Saturday, October 26, 2019 1:29:42 PM

I could have a contractor on one of our task orders assist. Just let me know timing.

On Oct 26, 2019, at 11:52 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

Would it be someone from your team who would do this walk through with them?

Sent from my iPhone

Begin forwarded message:

From: "MARTIN, JERRY B" < (b)(6);(b)(7)(C)
Date: October 26, 2019 at 11:49:04 AM EDT
To: " (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Fwd: Request for Statement of No Interest Section 404 CWA

Who should we refer him to?

Sent from my iPhone

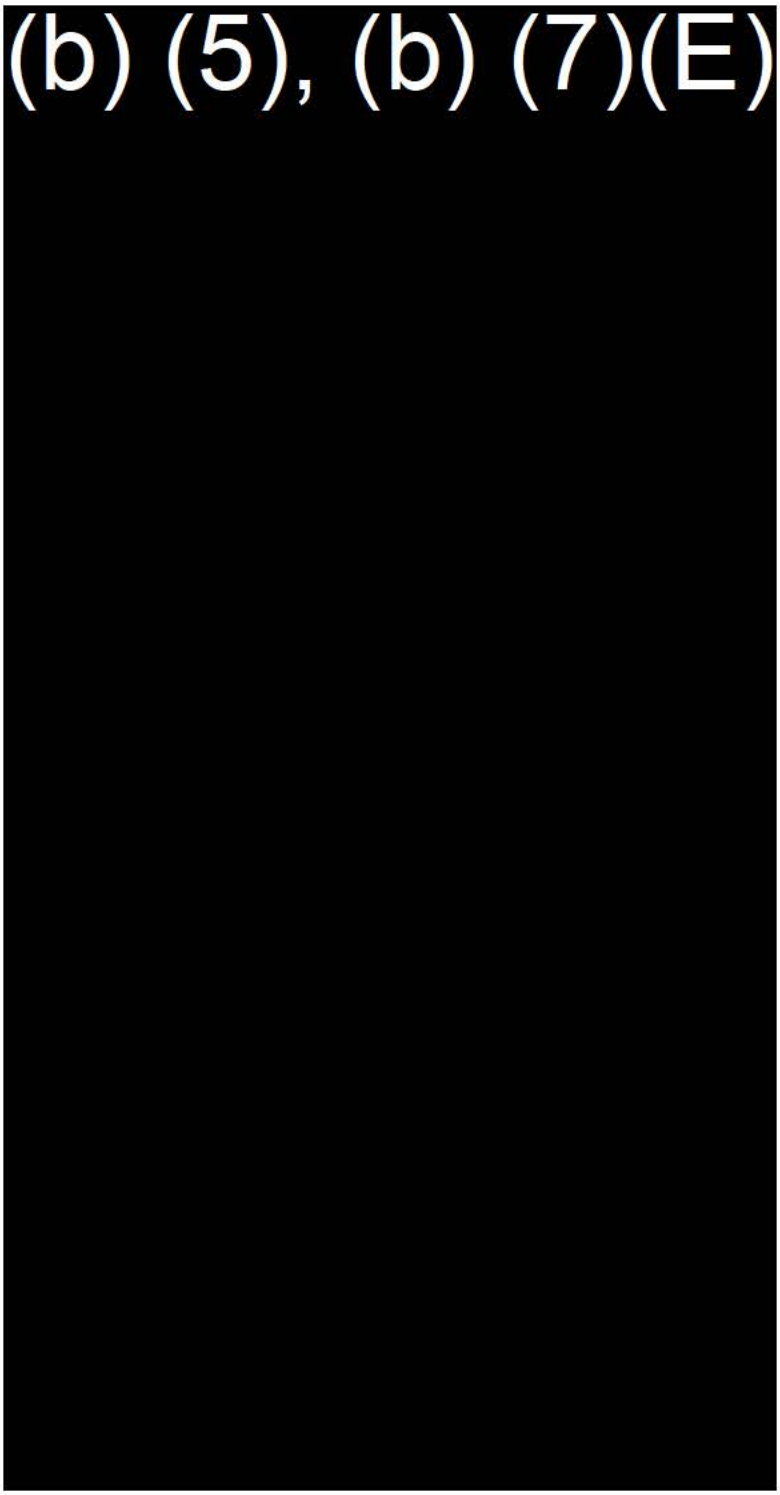
Begin forwarded message:

From: " (b) (6) (b) (6)
Date: October 25, 2019 at 6:51:31 PM EDT
To: " (b) (6)
< (b) (6)
Cc: " (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) "(b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
"kkobach@gmail.com" <kkobach@gmail.com>
Subject: Request for Statement of No Interest Section 404 CWA

Dear (b) (6) I wanted to follow up with you concerning

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

AMERICAN OVERSIGHT



I am aware that you or someone from your team will need to physically inspect the area prior to making your determination. By copy of this email, I am reaching out to Chief Brian Martin, Strategic Planning & Analysis Directorate of DHS, CBP, who will provide to you a local CBP contact to assist with your physical inspection of the area.

AMERICAN OVERSIGHT

Thank you again for your kind attention to this matter. Should you have any further requirements, please let me know.

Respectfully submitted,

(b) (6)

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)

Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

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privilege by the transmission of this message.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Re: Escort of (b) (6) at (b) (7)(E)
Date: Thursday, January 16, 2020 7:24:37 PM

10-4, thanks (b)(6);(b)(7)(C)

Sent from my iPhone

On Jan 16, 2020, at 6:49 PM, (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) wrote:

Chief,

FYSA sir. El Paso has scheduled the site visit for the land survey for tomorrow pending concurrence from EPT Ops.

Respectfully,

(b)(6);(b)(7)(C)
USBP ORMD
Desk: (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

Begin forwarded message:

From: "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Date: January 16, 2020 at 6:31:36 PM EST
To: "kkobach@gmail.com" <kkobach@gmail.com>, "(b) (6) <(b) (6)
Cc: (b)(6);(b)(7)(C) V>, "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: RE: Escort of (b) (6) at (b) (7)(E)

Good Afternoon (b) (6)

As we discussed earlier. Your visit is scheduled for tomorrow, Friday the 17th at 0830. As of now we are waiting on concurrence from our Operations Division. I will follow up either later this

AMERICAN OVERSIGHT

evening or early tomorrow morning and will furnish you with their decision.

Thanks,

(b)(6);(b)(7)(C)
Operations Officer
El Paso Sector Program Management Office
Office: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 11:36 AM
To: kkobach@gmail.com
Cc: (b) (6)
Subject: Re: Escort of (b) (6) at (b) (7)(E)

Mr. Kobach,

I spoke with the (b) (7)(E) Station. They are on board to support this visit. They will have a few agents available for escort at 0830. Please let me know if this works so I may confirm.

Thank you,

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

Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57:12 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: (b) (6) < (b) (6)
Subject: Escort of (b) (6) at (b) (7)(E)

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

AMERICAN OVERSIGHT

Great talking with you on the phone. As I mentioned, (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on the (b) (7)(E) The area starts where the existing border wall ends and goes (b) (7)(E) to the (b) (7)(E) I have attached a photo. The area is where the blue line is.

You can reach (b) (6) at home at (b) (6). Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cell (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Subject: RE: Escort of (b) (6) at (b) (7)(E)
Date: Thursday, January 16, 2020 5:46:18 PM

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

(b) (6) *will meet them at the* (b) (7)(E) *entrance, he will be in a silver Toyota Tacoma 4 door with NM tags. His cell number is* (b) (6)

Thanks again,

(b)(6);(b)(7)(C)
Operations Officer
El Paso Sector Program Management Office
Office: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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From: (b)(6);(b)(7)(C) >
Sent: Thursday, January 16, 2020 3:23 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Subject: RE: Escort of (b) (6) at (b) (7)(E)

T4 (b)(6);(b)(7)(C) will be at the (b) (7)(E) Crossing at 0830.

V/R,

(b)(6);(b)(7)(C) | Supervisory Border Patrol Agent | Program Management Office (b) (7)(E) Station | (b)(6);(b)(7)(C) - Office

---

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 11:22 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Fwd: Escort of (b) (6) at (b) (7)(E)

AMERICAN OVERSIGHT

Good morning [redacted]

I just received a call from Kris Kobach with We Build the Wall. As you can see below, they would like to perform a site visit tomorrow, Friday the 17th, at the end of the wall in [redacted] Essentially the same walk BPA [redacted] did earlier this week with [redacted]. I apologize for the late notice, but can you have [redacted] available too accommodate this visit? As you can see, they are available any time tomorrow. Please let us know as soon as possible so we can advise them of the time.

Thanks, [redacted]
Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57 AM
To: [redacted]
Cc: [redacted]
Subject: Escort of [redacted] at [redacted]

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.

[redacted],

Great talking with you on the phone. As I mentioned, [redacted] (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on the [redacted]. The area starts where the existing border wall ends and goes [redacted] to the [redacted]. I have attached a photo. The area is where the blue line is.

You can reach [redacted] at home at [redacted]. Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cell [redacted]

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Subject: Fwd: Escort of (b) (6) at (b) (7)(E)
Date: Thursday, January 16, 2020 1:21:41 PM
Attachments: OnX image of WBTW (b) (7)(E) site.pdf

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

I just received a call from Kris Kobach with We Build the Wall. As you can see below, they would like to perform a site visit tomorrow, Friday the 17th, at the end of the wall in (b) (7)(E) Essentially the same walk BPA (b)(6);(b)(7)(C) did earlier this week with (b) (6). I apologize for the late notice, but can you have (b)(6);(b)(7)(C) available too accommodate this visit? As you can see, they are available any time tomorrow. Please let us know as soon as possible so we can advise them of the time.

Thanks,
(b)(6);(b)(7)(C)
Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57 AM
To: (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: Escort of (b) (6) at (b) (7)(E)

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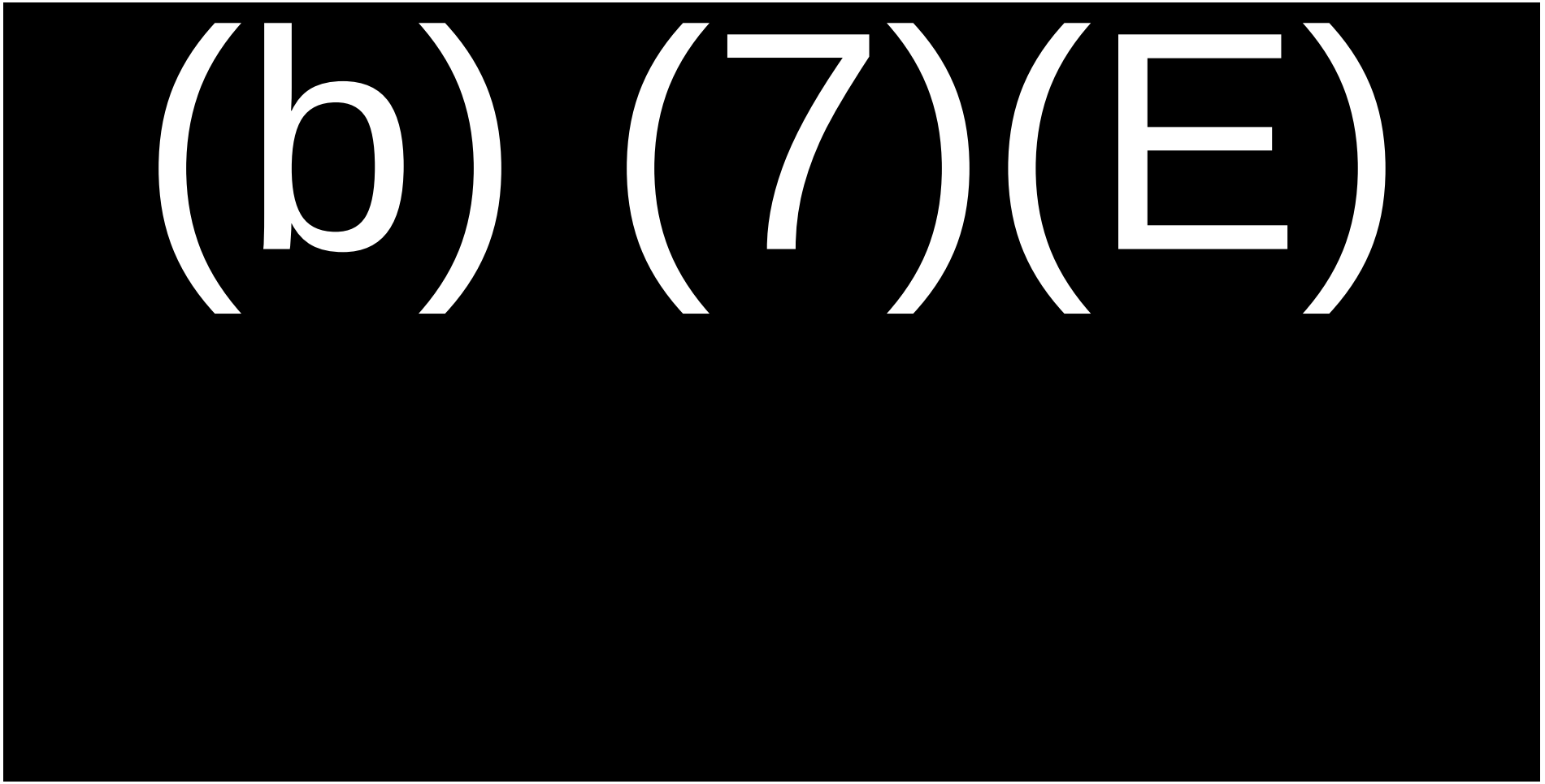
(b)(6);(b)(7)(C)

Great talking with you on the phone. As I mentioned (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on the (b) (7)(E). The area starts where the existing border wall ends and goes (b) (7)(E) to the (b) (7)(E) I have attached a photo. The area is where the blue line is.

You can reach (b) (6) at home at (b) (6). Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cell (b) (6)

AMERICAN OVERSIGHT



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From: (b)(6);(b)(7)(C)
To: (b) (6)
Cc: (b) (6) kkobach@gmail.com; (b) (6)
Subject: Re: (b) (7)(E) Gate
Date: Tuesday, November 19, 2019 9:56:14 PM

(b) (6),

It just so happens that I visited that very site today as part of a quick business trip to the El Paso area. I didn't witness any activity and there appeared to be (b) (7)(E) . The infrastructure system there has been impactful.

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

I'll let you know once I hear back.

VR

Brian

Sent from my iPhone

On Nov 19, 2019, at 12:40 PM, (b) (6) (b) (6) > wrote:

> Chief, I hope this email finds you well. It was my understanding when we met a few months ago in DC that Border Patrol had taken control over the operation of the (b) (7)(E) gate that WeBuildTheWall built. However, I have been informed that (b) (7)(E) (b) (7)(E)
>
> In this regard, when WeBuildTheWall made a FOIA request to establish whether in fact, there was an increase in incidents on the (b) (7)(E) or otherwise, we discovered that no incident reports were ever maintained by (b) (7)(E) prior to our FOIA request-only after our request! So, in other words, there is no way to corroborate (b) (7)(E) concerns. In any event, we are concerned that once again, (b) (7)(E)
>
> Please let us know the position of the Border Patrol with respect to this gate, and which agency has operational control. Thank you
> Respectfully, (b) (6)
>
> (b) (6) | Partner

AMERICAN OVERSIGHT

Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)

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From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: We Build the Wall (b) (7)(E) Project Proposal
Date: Wednesday, October 23, 2019 3:33:25 PM

I just received a call from Kris Kobach and he had a few more questions. He feels confident they will meet our requirements provided we verify real estate for UPRR access and Roosevelt easement.

Sent from my iPhone

On Oct 23, 2019, at 3:11 PM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

> Hi Chief,
> I'm working on the Weekly, have you received a response from WBTW folks?
> Thanks,
> (b)(6);(b)(7
>
> (b)(6);(b)(7)(C)
> Senior Communications Analyst
> Agile Group
> Border Wall Program Management Office
> Program Management Office Directorate
> United States Border Patrol
> Mobile: (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Sent:** Wednesday, October 16, 2019 2:50 PM
> **To:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Subject:** FW: We Build the Wall (b) (7)(E) Project Proposal
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Friday, October 11, 2019 4:24 PM
> **To:** kkobach@gmail.com
> **Cc:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> < (b)(6);(b)(7)(C) SINGLETON, RUYNARD R
> < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> < (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: RE: We Build the Wall (b) (7)(E) Project Proposal

Sir,

The team has reviewed the We Build The Wall (WBTW) checklist. I appreciate your patience as we've carefully gone through each of the items. Below are the following issues captured by the team:

<!--[if !supportLists]-->1. <!--[endif]-->Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.

<!--[if !supportLists]-->2. <!--[endif]-->Environmental: WBTW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.

<!--[if !supportLists]-->3. <!--[endif]-->The wall should be (b) (7)(E) feet as noted in the checklist

<!--[if !supportLists]-->4. <!--[endif]-->The wall should be (b) (7)(E) feed as noted in the checklist

<!--[if !supportLists]-->5. <!--[endif]-->IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.

<!--[if !supportLists]-->6. <!--[endif]-->Gates are required at all IBWC monuments per TI standards (2 to 3 monuments may be in this area)

<!--[if !supportLists]-->7. <!--[endif]-->It was stated that fill sections will be filled with "processed fill" – need confirmation that this will be "certified clean fill" as per environmental needs.

<!--[if !supportLists]-->8. <!--[endif]-->Need an explanation on the "N/A" response from WBTW regarding Procurement process.

<!--[if !supportLists]-->9. <!--[endif]-->Need explanation on how WBTW will (b) (7)(E) (b) (7)(E) when talking about (b) (7)(E)

Please consider these concerns and let me know if you have time to discuss.

Have a great weekend,

Brian Martin
U.S. Border Patrol

AMERICAN OVERSIGHT

Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, October 11, 2019 4:16 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Cc:(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: RE: We Build the Wall(b) (7)(E) Project Proposal

Brian,

Just left you a voicemail touching base. Please give me a call when you have a chance. Thanks.

Kris

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, October 4, 2019 11:57 AM
To: kkobach@gmail.com
Cc:(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: FW: We Build the Wall(b) (7)(E) Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents.
Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: We Build the Wall(b) (7)(E) Project Proposal

AMERICAN OVERSIGHT

Dear Brian, (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

<(b) (7)(E) WBTW USACE Real Estate Reivew.pdf>

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: SINGLETON, RUYNARD R; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: We Build the Wall (b) (7)(E) Project Proposal
Date: Tuesday, October 1, 2019 1:52:50 PM
Attachments: (b) (7)(E) - WBTW - Answers to CBP Checklist.xlsx
ATT00001.htm
(b) (7)(E) - WBTW - Hydro Analysis.pdf
ATT00002.htm
(b) (7)(E) - WBTW - Slope information re hydro analysis.pdf
ATT00003.htm
(b) (7)(E) - WBTW - Profile grades and panel information.pdf
ATT00004.htm
(b) (7)(E) - WBTW - NOAA Precipitation Data.pdf
ATT00005.htm

FYSA - we need to start our review.

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com>
Date: September 27, 2019 at 3:54:34 PM EDT
To: "'MARTIN, JERRY B'" <(b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b)(6);(b)(7)(C) and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,

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We Build the Wall

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WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - N/A; see hydro analysis, attached.
12	NEPA - No federal or state permits are required on this site. It should be noted that, becase the project extends existing barrier that was built in 2008 to the (b) (7)(by only (b) (7)(E), the same environmental impacts (or lack thereof) in 2008 should apply to the proposed extension of the existing barrier. It should also be noted that the barrier would remain open on the (b) (7)(E) end, so any animals unable to move between the bollards could continue to walk around the (b) (7)(E) end of the project. Finally, with respect to historical preservation, the SHPO has been contacted and informed of proposed project. The SHPO found no adverse impact to historical sites with the construction of the WBTW project (b) (7)(E) (b) (7)(E)
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - Due to the rugged surface condition we will have (b) (7(offset.
21	Height - We will match the existing fence height of (b) (
22	(b) (7)(E) .
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E) .
26	Spacing - Agreed (b) (spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E) .
40	Time to cross - Agreed.
41	Deterrent to under-digging - (b) (7)(E)
42	(b) (7)(E) .
43	(b) (7)(E) (b) (7)(E)
44	
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

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September 18, 2019

We Build The Wall
P.O. Box 131567
Houston, TX. 77219-1567

Attn: (b) (6)
Legal Counsel, We Build The Wall

RE: Bollard Project; (b) (7)(E) New Mexico
Subject: Drainage Report for (b) (7)(E)

Greetings,

Please be advised that upon completion of this Project all of the off-property drainage patterns and capacity at this site will continue to allow for the free passage onto, through and continuing downslope from this site. No significant volumes of drainage will be blocked by the installation of the new bollard fence and the small amount of additional on-site drainage that sheet flows from the new road surface to the south will not significantly increase the volumes handled by the existing washes.

Our review of the topography indicates that there are three small watersheds, each of which will contribute flow to drainages that will cross south into Mexico. We will construct low-flow crossings at the three identified outlet locations. The length of these low-flow crossings will be determined by the volume of flow calculated for the 50 year event to pass through the spacing in the bollard fence system. Each watershed will drain to it's own corresponding low-flow crossing.

Thank you for your time regarding this issue. Please feel free to call if you have any questions or require any additional information.

Regards,
(b) (6)(b) (6)
Civil Engineer

Cc: (b) (6) President, FSG, TGR

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ATTACHMENT: We Build The Wall; Project at (b) (7)(E) LETTER dated September 18, 2019

i = 3.23 inches/hour for the 50 year 30 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average 5-15%) is determined to be 4 ft./sec.

CCR area	surface	C	A(ac.)	Q (cfs)
W1	rocky soil	0.2	8.3	5.39
W2	rocky soil	0.2	2.8	1.81
W3	rocky soil	0.2	2.0	1.28

The peak flow rates for these three watersheds has been determined as listed above for the 50 year event. These flow rates will be handled by the existing washes and tributaries and will pass through the bollards at the appropriately sized low-flow crossings.

(b) (6)

(b) (6)

(b) (6)





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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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(b) (7)(E)

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TOTAL (b) (7)(E) PANELS = (b) (7)(E) EACH

(b) (7)(E)

Panel Sequence Per Profile

(b) (7)(E)

CL FENCE PROFILE

END PROJECT

(b) (7)(E)

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NOAA Atlas 14, Volume 1, Version 5
Location name: (b) (7)(E) New Mexico, USA*
Latitude: (b) (7)(E) Longitude: (b) (7)(E)
Elevation: (b) (7)(E) *
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	2.59 (2.27-2.93)	3.35 (2.94-3.80)	4.51 (3.97-5.10)	5.41 (4.74-6.12)	6.64 (5.78-7.50)	7.63 (6.61-8.63)	8.66 (7.46-9.77)	9.74 (8.34-11.0)	11.2 (9.49-12.7)	12.4 (10.5-14.1)
10-min	1.97 (1.72-2.23)	2.55 (2.24-2.90)	3.43 (3.02-3.89)	4.12 (3.61-4.66)	5.05 (4.40-5.71)	5.81 (5.03-6.56)	6.59 (5.68-7.44)	7.41 (6.35-8.38)	8.53 (7.22-9.65)	9.45 (7.96-10.7)
15-min	1.63 (1.42-1.84)	2.11 (1.85-2.39)	2.84 (2.50-3.21)	3.40 (2.98-3.85)	4.18 (3.64-4.71)	4.80 (4.16-5.43)	5.44 (4.69-6.15)	6.12 (5.25-6.92)	7.05 (5.97-7.97)	7.81 (6.57-8.85)
30-min	1.10 (0.960-1.24)	1.42 (1.25-1.61)	1.91 (1.68-2.16)	2.29 (2.01-2.59)	2.81 (2.45-3.17)	3.23 (2.80-3.65)	3.67 (3.16-4.14)	4.12 (3.53-4.66)	4.75 (4.02-5.37)	5.26 (4.43-5.96)
60-min	0.678 (0.594-0.768)	0.878 (0.772-0.997)	1.18 (1.04-1.34)	1.42 (1.24-1.61)	1.74 (1.52-1.96)	2.00 (1.73-2.26)	2.27 (1.96-2.56)	2.55 (2.19-2.88)	2.94 (2.49-3.32)	3.25 (2.74-3.69)
2-hr	0.387 (0.342-0.438)	0.503 (0.446-0.572)	0.686 (0.610-0.778)	0.832 (0.731-0.940)	1.03 (0.902-1.16)	1.19 (1.03-1.34)	1.37 (1.17-1.54)	1.55 (1.32-1.74)	1.80 (1.51-2.03)	2.01 (1.67-2.27)
3-hr	0.272 (0.242-0.307)	0.352 (0.313-0.396)	0.476 (0.424-0.536)	0.573 (0.506-0.643)	0.708 (0.622-0.793)	0.816 (0.711-0.912)	0.932 (0.805-1.04)	1.06 (0.901-1.18)	1.23 (1.03-1.38)	1.37 (1.14-1.54)
6-hr	0.156 (0.139-0.174)	0.200 (0.179-0.224)	0.265 (0.236-0.297)	0.316 (0.280-0.353)	0.385 (0.339-0.430)	0.440 (0.384-0.490)	0.497 (0.431-0.554)	0.558 (0.479-0.623)	0.642 (0.544-0.718)	0.709 (0.596-0.796)
12-hr	0.085 (0.076-0.095)	0.109 (0.098-0.122)	0.143 (0.128-0.160)	0.169 (0.151-0.188)	0.204 (0.181-0.227)	0.231 (0.204-0.257)	0.259 (0.228-0.289)	0.288 (0.251-0.322)	0.328 (0.282-0.368)	0.360 (0.307-0.405)
24-hr	0.049 (0.044-0.054)	0.062 (0.056-0.070)	0.083 (0.074-0.093)	0.099 (0.088-0.112)	0.123 (0.107-0.139)	0.141 (0.122-0.161)	0.161 (0.137-0.186)	0.182 (0.152-0.213)	0.212 (0.172-0.254)	0.237 (0.187-0.290)
2-day	0.026 (0.023-0.029)	0.033 (0.030-0.038)	0.045 (0.040-0.050)	0.054 (0.048-0.061)	0.067 (0.058-0.076)	0.079 (0.067-0.090)	0.091 (0.076-0.106)	0.105 (0.085-0.124)	0.125 (0.098-0.152)	0.142 (0.107-0.177)
3-day	0.019 (0.017-0.021)	0.024 (0.021-0.027)	0.032 (0.028-0.036)	0.038 (0.034-0.043)	0.048 (0.042-0.054)	0.056 (0.048-0.064)	0.064 (0.054-0.075)	0.073 (0.060-0.087)	0.087 (0.069-0.106)	0.099 (0.075-0.123)
4-day	0.015 (0.013-0.017)	0.019 (0.017-0.021)	0.025 (0.023-0.029)	0.031 (0.027-0.035)	0.038 (0.033-0.043)	0.044 (0.038-0.051)	0.051 (0.043-0.059)	0.058 (0.047-0.068)	0.068 (0.054-0.083)	0.077 (0.059-0.096)
7-day	0.010 (0.009-0.011)	0.012 (0.011-0.014)	0.017 (0.015-0.019)	0.020 (0.018-0.023)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.034 (0.029-0.039)	0.038 (0.031-0.045)	0.045 (0.036-0.055)	0.051 (0.039-0.063)
10-day	0.007 (0.007-0.008)	0.010 (0.008-0.011)	0.013 (0.011-0.014)	0.016 (0.014-0.018)	0.020 (0.017-0.022)	0.023 (0.019-0.026)	0.026 (0.022-0.030)	0.030 (0.025-0.035)	0.036 (0.028-0.043)	0.040 (0.031-0.049)
20-day	0.005 (0.004-0.005)	0.006 (0.005-0.007)	0.008 (0.007-0.009)	0.010 (0.008-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.017)	0.017 (0.014-0.020)	0.020 (0.016-0.023)	0.022 (0.018-0.027)
30-day	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.011 (0.010-0.013)	0.012 (0.011-0.014)	0.014 (0.012-0.017)	0.016 (0.013-0.019)
45-day	0.003 (0.003-0.003)	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.008 (0.007-0.010)	0.009 (0.008-0.011)	0.010 (0.009-0.012)	0.011 (0.009-0.013)
60-day	0.002 (0.002-0.003)	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.009 (0.007-0.010)	0.010 (0.008-0.011)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: [redacted]
Subject: Fwd: U.S. Customs and Border Protection Deputy Commissioner
Date: Tuesday, July 30, 2019 10:51:43 AM

Thought I sent this

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com>
Date: July 22, 2019 at 6:52:33 PM EDT
To: "'MARTIN, JERRY B'" <(b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Martin,

Thanks for your message. We would be happy to meet with your team in DC on one of the dates proposed. Although either date would work, the most convenient would be Tuesday the 27th of August at around 2 PM. (That would give us time to fly in to DC the same day.) But if that specific time doesn't work, let me know; we can choose another time that works.

We would bring a fairly small group: just me, my fellow attorney (b) (6) and our construction foreman (b) (6). We should be able to address any legal, site selection, or design-related issues you wish to discuss. If you think we should come prepared to discuss other matters and should bring other team members please let me know.

I look forward to seeing you in August.

Kris Kobach

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 10:40 AM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

In keeping with the commitment made in the letter sent from CBP's Deputy Commissioner Robert Perez, I am following up to offer an opportunity to meet with *We Build the Wall* in person in Washington DC. Are you available to meet

AMERICAN OVERSIGHT

the week of August 26th on either the 26th or the 27th? We are flexible as to the time based on your availability. We appreciate your continued interest in border security and the role that physical barriers play in assisting U.S. Border Patrol operations.

Between now and the proposed meeting date, as explained by the Deputy Commissioner, we will be working to complete both a review of the already constructed border barrier in (b) (7)(E) , New Mexico as well as to develop a checklist to be made available to organizations, such as yours, that seek to construct a private border barrier with the intention of donating it to the Government. As you are aware, as the Federal government we have myriad requirements we must meet in order to receive a donation such as this, characterized by the list we provided in our prior letter.

Ensuring that any interactions we have with private organizations do not jeopardize other ongoing work is one critical requirement. While we are happy to continue our discussions with *We Build the Wall,* we must guard against perceived or actual conflicts of interest with any vendor that may bid on work through the competitive process. As we understand it, Fisher Industries serves as *We Build the Wall*'s vendor. We would ask that any future communications be addressed from *We Build The Wall* principles or staff, as opposed to Mr. Fisher or others associated with his company. This limits the risk that other vendors may perceive Fisher Industries to have an unfair advantage in bidding on other border wall work, such as the work they have actively pursued through the CBP's service provider, the U.S. Army Corps of Engineers. We would ask that you pass this request on to your vendor and request they cease contact with U.S. Border Patrol and support POCs as it pertains to construction undertaken by *We Build the Wall.* Should Fisher Industries have questions or comments regarding other ongoing work, they can always reach out through the normal communications channels available to them through CBP's Office of Acquisition and the U.S. Army Corps of Engineers. That said, we welcome continued contact with you and your counterparts from the *We Build the Wall* organization and look forward to meeting you the week of August 26.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M- (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez.

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Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: kkobach@gmail.com
Subject: Re: WBTW Permitting Question
Date: Tuesday, July 30, 2019 10:16:56 AM

Mr. Kobach,

Unfortunately the letter is considered official government correspondence and I'm able to send externally. I will say that our letter advocates for (b) (7)(E) . (b) (5) (b) (5)

Regards,

Brian

Sent from my iPhone

On Jul 25, 2019, at 5:44 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:

> Brian,
>
> That's great news. Is there any chance you could email me a copy of the letter, so that I am fully informed when I next speak with Commissioner Harkins?
>
> If you need to reach me quickly don't hesitate to text me at my cell number below. Thanks.
>
> Kris
> Cell number (b) (6)
>
> On Jul 25, 2019, at 2:00 PM, MARTIN, JERRY B <(b)(6);(b)(7)(C) wrote:
>
> > Mr. Kobach,
> >
> > I am following up on your conversation with Deputy Commissioner Perez today regarding the U.S. International Boundary and Water Commission's statement (b) (7)(E) A letter has been sent from USBP leadership to Commissioner Harkins indicating our request (b) (7)(E) . Feel free to follow up with Commissioner Harkins and do not hesitate to reach out if we can be of further assistance.
> >
> > VR,

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Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 24, 2019 9:33 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: Re: WBTW Permitting Question

Brian,

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a (b)(7) strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at (b) (7)(E) DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B <(b)(6);(b)(7)(C) wrote:

> Mr. Kobach,
>
> As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to

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build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.

Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally, acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or new (b) (7)(E) (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast, acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.

That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Re: U.S. Customs and Border Protection Deputy Commissioner
Date: Tuesday, July 30, 2019 10:12:05 AM

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

I apologize if I didn't forward but Mr. Kobach has confirmed for 27 August at around 2p. Of course we'll want to set up an internal meeting beforehand to prep.

Thanks,

Brian

Sent from my iPhone

On Jul 30, 2019, at 10:00 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

> Chief,
>
> Good morning. Did we confirm a date for this meeting? I need to add to C2 calendar.
>
> Thank you,
>
> (b) (6), (b) (7)(C)
> Special Assistant to the Deputy Commissioner
> U.S. Customs and Border Protection
> Department of Homeland Security
> Ronald Reagan Building
> 1300 Pennsylvania Ave, NW
> Washington, DC 20229
> Work-(b)(6);(b)(7)(C)
> Cell-(b)(6);(b)(7)(C)
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Monday, July 22, 2019 11:40 AM
> **To:** kkobach@gmail.com
> **Subject:** RE: U.S. Customs and Border Protection Deputy Commissioner
>
> Mr. Kobach,
>
> In keeping with the commitment made in the letter sent from CBP's Deputy Commissioner Robert Perez, I am following up to offer an opportunity to meet with *We Build the Wall* in person in Washington DC. Are you available to meet the week of August 26th on either the 26th or the 27th? We are flexible as to the time based on your availability. We appreciate your continued interest in border security and the role that physical barriers play in assisting U.S. Border Patrol

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operations.

Between now and the proposed meeting date, as explained by the Deputy Commissioner, we will be working to complete both a review of the already constructed border barrier in (b) (7)(E) , New Mexico as well as to develop a checklist to be made available to organizations, such as yours, that seek to construct a private border barrier with the intention of donating it to the Government. As you are aware, as the Federal government we have myriad requirements we must meet in order to receive a donation such as this, characterized by the list we provided in our prior letter.

Ensuring that any interactions we have with private organizations do not jeopardize other ongoing work is one critical requirement. While we are happy to continue our discussions with *We Build the Wall,* we must guard against perceived or actual conflicts of interest with any vendor that may bid on work through the competitive process. As we understand it, Fisher Industries serves as *We Build the Wall*'s vendor. We would ask that any future communications be addressed from *We Build The Wall* principles or staff, as opposed to Mr. Fisher or others associated with his company. This limits the risk that other vendors may perceive Fisher Industries to have an unfair advantage in bidding on other border wall work, such as the work they have actively pursued through the CBP's service provider, the U.S. Army Corps of Engineers. We would ask that you pass this request on to your vendor and request they cease contact with U.S. Border Patrol and support POCs as it pertains to construction undertaken by *We Build the Wall.* Should Fisher Industries have questions or comments regarding other ongoing work, they can always reach out through the normal communications channels available to them through CBP's Office of Acquisition and the U.S. Army Corps of Engineers. That said, we welcome continued contact with you and your counterparts from the *We Build the Wall* organization and look forward to meeting you the week of August 26.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M- (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that

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he is available to speak with you at your convenience, should you have any questions or concerns.

Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: CHAVEZ, GLORIA I
Subject: Re: WBTW Permitting Question
Date: Thursday, July 25, 2019 8:19:31 PM

Sounds good Chief.

Sent from my iPhone

On Jul 25, 2019, at 8:12 PM, CHAVEZ, GLORIA I < (b)(6);(b)(7)(C) wrote:

> Yes, let's schedule so we can talk Chief. I fly out to El Paso on Sunday so can we calendar something for tomorrow or over weekend?
>
> GC
>
> ---
>
> **From:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Sent:** Thursday, July 25, 2019 1:16 PM
> **To:** CHAVEZ, GLORIA I < (b)(6);(b)(7)(C)
> **Subject:** FW: WBTW Permitting Question
>
> Chief,
>
> We probably need to discuss this before you start in EPT. Need to make sure you understand the legal issues surrounding the We Build The Wall Group and their project in (b) (7)(E)
>
> VR
>
> Brian
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Sent:** Thursday, July 25, 2019 4:10 PM
> **To:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Cc:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Subject:** FW: WBTW Permitting Question
>
> FYSA per our conversation with C2. We'll let you know if anything comes back.
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---

AMERICAN OVERSIGHT

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 4:01 PM
To: kkobach@gmail.com
Subject: RE: WBTW Permitting Question

Mr. Kobach,

I am following up on your conversation with Deputy Commissioner Perez today regarding the U.S. International Boundary and Water Commission's statement (b) (7)(E) A letter has been sent from USBP leadership to Commissioner Harkins indicating our request (b) (7)(E) . Feel free to follow up with Commissioner Harkins and do not hesitate to reach out if we can be of further assistance.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 24, 2019 9:33 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: Re: WBTW Permitting Question

Brian,

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a (b) (7)(E) strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at (b) (7)(E) DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

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Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B < (b)(6);(b)(7)(C) wrote:

> Mr. Kobach,
>
> As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.
>
> Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally, acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast, acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.
>
> That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

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VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Fwd: WBTW Permitting Question
Date: Wednesday, July 24, 2019 9:35:08 PM

FYSA

Sent from my iPhone

Begin forwarded message:

From: kkobach@gmail.com
Date: July 24, 2019 at 9:33:19 PM EDT
To: "MARTIN, JERRY B" <(b)(6);(b)(7)(C)
Subject: Re: WBTW Permitting Question

Brian,

Thanks for your message. I think you are referring to my discussion with Deputy Commissioner Perez regarding the future control of the section of wall we already constructed. In that case, we have already granted to DHS and recorded with the county a permanent easement to the wall and a (b) (7)(E) strip that it is on. That would not be revocable and should suffice to allow the Border Patrol to make any changes it wishes. If the Border Patrol wishes to gain additional control of that section we are more than happy to discuss it.

We are flexible with how we approach each project and ultimately want to best assist the Border Patrol in it's mission. So, for example, at (b) (7)(E) DHS already owns the land outright. We would simply be coming on site, building, then leaving a gift to the Border Patrol.

Please let me know if you have follow up questions. Hopefully we will have a chance to meet soon.

Yours,
Kris

On Jul 24, 2019, at 4:39 PM, MARTIN, JERRY B <(b)(6);(b)(7)(C) wrote:

Mr. Kobach,

As I understand it from Deputy Commissioner Perez, you raised a question regarding the possibility of building barriers on land permitted by the (b) (7)(E) to build. Without detailed and specific background on this issue, we had to make some assumptions in answering the inquiry – most

AMERICAN OVERSIGHT

notably that the final goal of any construction would be, as previously stated by We Build the Wall, to donate the final product to the government.

Unfortunately, if the intent is to donate the completed wall to the government, a temporary interest such as a permit would likely not be sufficient. CBP acquires permanent real estate interests to support construction and long-term maintenance of border wall. There are numerous reasons for this, including the fact that acquiring a permanent interest in the real estate ensures that CBP will have permanent access to the barrier as well as the ability to quickly and effectively maintain the barrier, especially when emergency repairs are needed to safeguard the integrity of the barrier itself. Additionally, acquiring a permanent real estate interest also allows CBP to make future modifications to the barriers without seeking additional permission from the landowner. For instance, CBP could install additional or new (b) (7)(E) without having to seeking additional permission or consent from the private landowner. In contrast, acquiring a permit or license from a private landowner has significant shortcomings. As an example, permits and licenses are generally not considered to be real estate interests, therefore, they typically can be revoked by the person granting the license. Revocation of the license also would terminate CBP's ability to maintain the infrastructure, thus shortening the life cycle of the barrier.

That said, we made some assumptions in answering this question. If there is other information that would be helpful or you believe might change the outcome, we would be happy to continue exploring to ensure we adequately address the question posed.

VR,
Brian

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: HULL, AARON A
Subject: Re: Invitation to Chief Aaron Hull
Date: Thursday, May 30, 2019 12:48:01 PM

10-4, thanks for the visibility Chief.

Sent from my iPhone

On May 30, 2019, at 10:38 AM, HULL, AARON A < (b)(6);(b)(7)(C) wrote:

> Chief, FYI.
>
> Aaron A. Hull
> Chief Patrol Agent
> El Paso Sector
> U.S. Border Patrol
> (b)(6);(b)(7)(C)
>
> ---
>
> **From:** HULL, AARON A
> **Sent:** Thursday, May 30, 2019 10:38 AM
> **To:** HASTINGS, BRIAN S < (b)(6);(b)(7)(C)
> **Cc:** CLEM, CHRIS T < (b)(6);(b)(7)(C)
> **Subject:** FW: Invitation to Chief Aaron Hull
>
> Chief:
>
> FYI. This is the private group that built a wall near Monument One on the American Eagle Brick Plant property. We were not involved in any way in the effort. We have stopped by and talked to them about the project and I introduced Chief Martin to them when we were on his line tour.
>
> We are declining this invitation. However, I suspect that they will say that we helped/supported/whatever their effort in their press conference today.
>
> Thanks.
>
> Aaron A. Hull
> Chief Patrol Agent
> El Paso Sector
> U.S. Border Patrol
> (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Thursday, May 30, 2019 10:32 AM
To: HULL, AARON A < (b)(6);(b)(7)(C)
Cc: CLEM, CHRIS T < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: FW: Invitation to Chief Aaron Hull

Chief,

Please see the below invitation to the We Build The Wall dedication ceremony today at 4:00 PM.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:22 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
> **To:** < (b)(6);(b)(7)(C)
> **Subject: Invitation to Chief Aaron Hull**
>
> Officer (b) (6), (b) (7)(C),
>
> I would like to invite Chief Aaron Hull to the We Build the Wall site in (b) (7)(E) at 4:00 pm today to take part in our dedication ceremony/rally for the newly-constructed wall. If he would like to say a few words to the crowd and media, we would be pleased for him to do so. At a minimum we would like to recognize him and thank him for the support of the BP in this endeavor.

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We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.

Our board will be there, including me (b) (6), former US Rep. Tom Tancredo, and others.

Please let me know if Chief Hull would like to attend. Thank you.

Kris Kobach
General Counsel, We Build the Wall
(b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: HASTINGS, BRIAN S
Cc: [redacted] HUDSON, RICHARD M
Subject: Re: Invitation to Chief Aaron Hull
Date: Thursday, May 30, 2019 12:47:25 PM

10-4, thanks Chief.

Sent from my iPhone

On May 30, 2019, at 10:44 AM, HASTINGS, BRIAN S <(b)(6);(b)(7)(C) wrote:

> FYSA only.
> Get Outlook for iOS
>
> ---
>
> **From:** HULL, AARON A
> **Sent:** Thursday, May 30, 2019 10:38:16 AM
> **To:** HASTINGS, BRIAN S
> **Cc:** CLEM, CHRIS T
> **Subject:** FW: Invitation to Chief Aaron Hull
>
> Chief:
>
> FYI. This is the private group that built a wall near Monument One on the American Eagle Brick Plant property. We were not involved in any way in the effort. We have stopped by and talked to them about the project and I introduced Chief Martin to them when we were on his line tour.
>
> We are declining this invitation. However, I suspect that they will say that we helped/supported/whatever their effort in their press conference today.
>
> Thanks.
>
> Aaron A. Hull
> Chief Patrol Agent
> El Paso Sector
> U.S. Border Patrol
> (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
> **Sent:** Thursday, May 30, 2019 10:32 AM
> **To:** HULL, AARON A <(b)(6);(b)(7)(C)
> **Cc:** CLEM, CHRIS T <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: FW: Invitation to Chief Aaron Hull

Chief,

Please see the below invitation to the We Build The Wall dedication ceremony today at 4:00 PM.

(b) (6)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:22 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
> **To:** <(b)(6);(b)(7)(C)
> **Subject: Invitation to Chief Aaron Hull**
>
> Officer (b) (6), (b) (7)(C)
>
> I would like to invite Chief Aaron Hull to the We Build the Wall site in (b) (7)(E) at 4:00 pm today to take part in our dedication ceremony/rally for the newly-constructed wall. If he would like to say a few words to the crowd and media, we would be pleased for him to do so. At a minimum we would like to recognize him and thank him for the support of the BP in this endeavor.
>
> We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.
>
> Our board will be there, including me (b) (6), (b) (6), former US Rep. Tom Tancredo, and others.

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Please let me know if Chief Hull would like to attend. Thank you.

Kris Kobach
General Counsel, We Build the Wall
(b) (6)

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From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: Escort of (b) (6) at (b) (7)(E)
Date: Thursday, January 16, 2020 8:11:42 PM

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

Thank you for the SA on this. Appreciate it.

Respectfully,

(b)(6);(b)(7)(C)
Assistant Chief
Operational Requirements Management Division (ORMD)
United States Border Patrol
Desk: (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 8:03 PM
To: kkobach@gmail.com; (b) (6)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Re: Escort of (b) (6) at (b) (7)(E)

Good evening (b) (6)

I just received word that all is good to go tomorrow morning. Agent (b)(6);(b)(7)(C) will meet you at the entrance to the (b) (7)(E) wall at 0830. If you have any questions please do not hesitate to contact me.

You may also contact the (b) (7)(E) Station if the need arises. (b) (7)(E) POC is Supervisor (b)(6);(b)(7)(C).

Thank you,

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

Get Outlook for iOS

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 4:31 PM
To: kkobach@gmail.com; (b) (6)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Escort of (b) (6) at (b) (7)(E)

AMERICAN OVERSIGHT

Good Afternoon [redacted],

As we discussed earlier. Your visit is scheduled for tomorrow, Friday the 17th at 0830. As of now we are waiting on concurrence from our Operations Division. I will follow up either later this evening or early tomorrow morning and will furnish you with their decision.

Thanks,

[redacted]
Operations Officer
El Paso Sector Program Management Office
Office: [redacted]
Mobile: [redacted]

CONFIDENTIALITY NOTICE: This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. Parts of this document may contain sensitive security information that is controlled under the provisions of 49 CFR 1520. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: [redacted]
Sent: Thursday, January 16, 2020 11:36 AM
To: kkobach@gmail.com
Cc: [redacted]
Subject: Re: Escort of [redacted] at [redacted]

Mr. Kobach,

I spoke with the [redacted] Station. They are on board to support this visit. They will have a few agents available for escort at 0830. Please let me know if this works so I may confirm.

Thank you,

[redacted]

Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57:12 AM
To: [redacted]
Cc: [redacted]
Subject: Escort of [redacted] at [redacted]

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.

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

Great talking with you on the phone. As I mentioned, (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on the (b) (7)(E). The area starts where the existing border wall ends and goes (b) (7)(E) to the (b) (7)(E) I have attached a photo. The area is where the blue line is.

You can reach (b) (6) at home at (b) (6). Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cell (b) (6)

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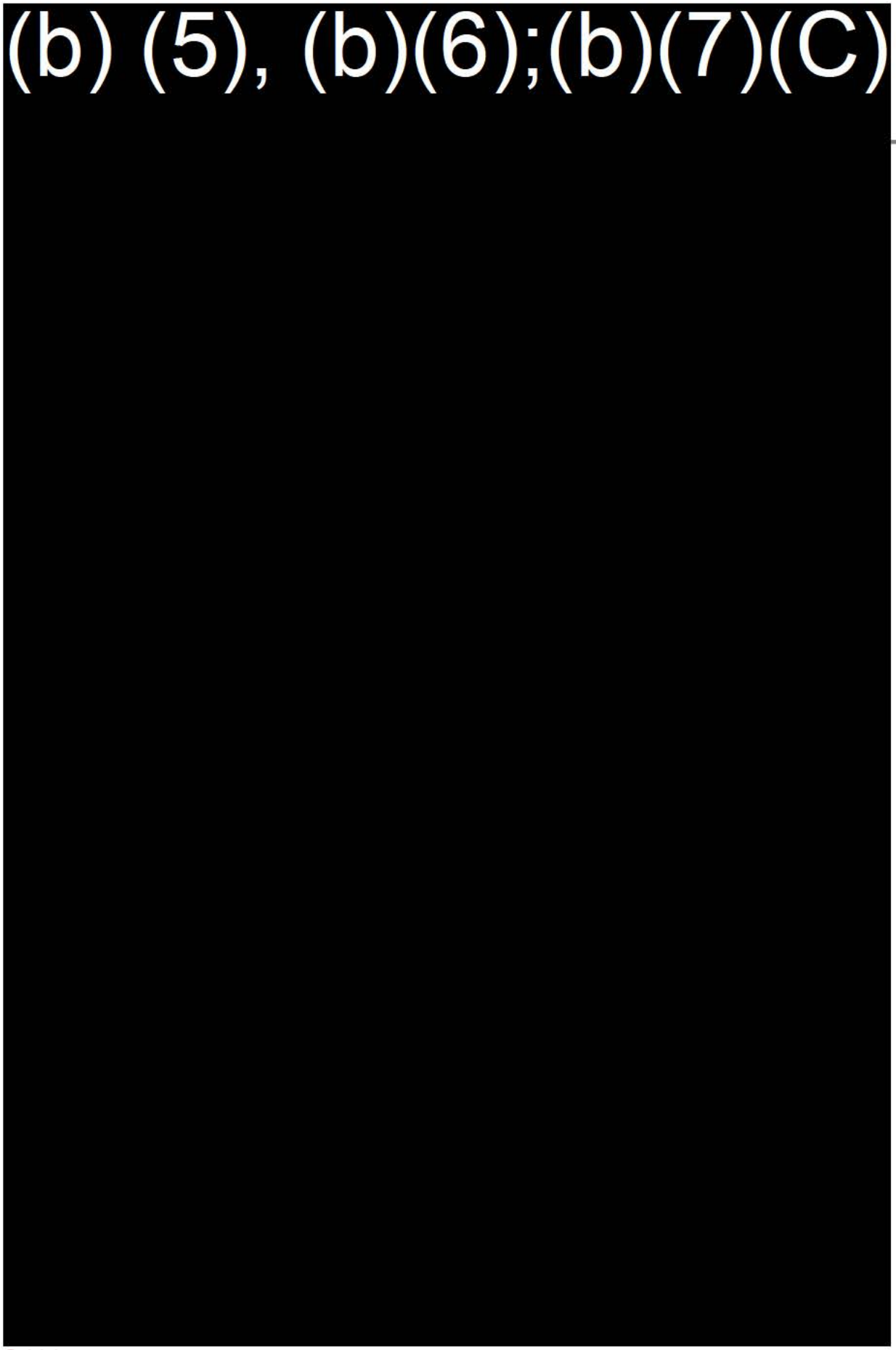

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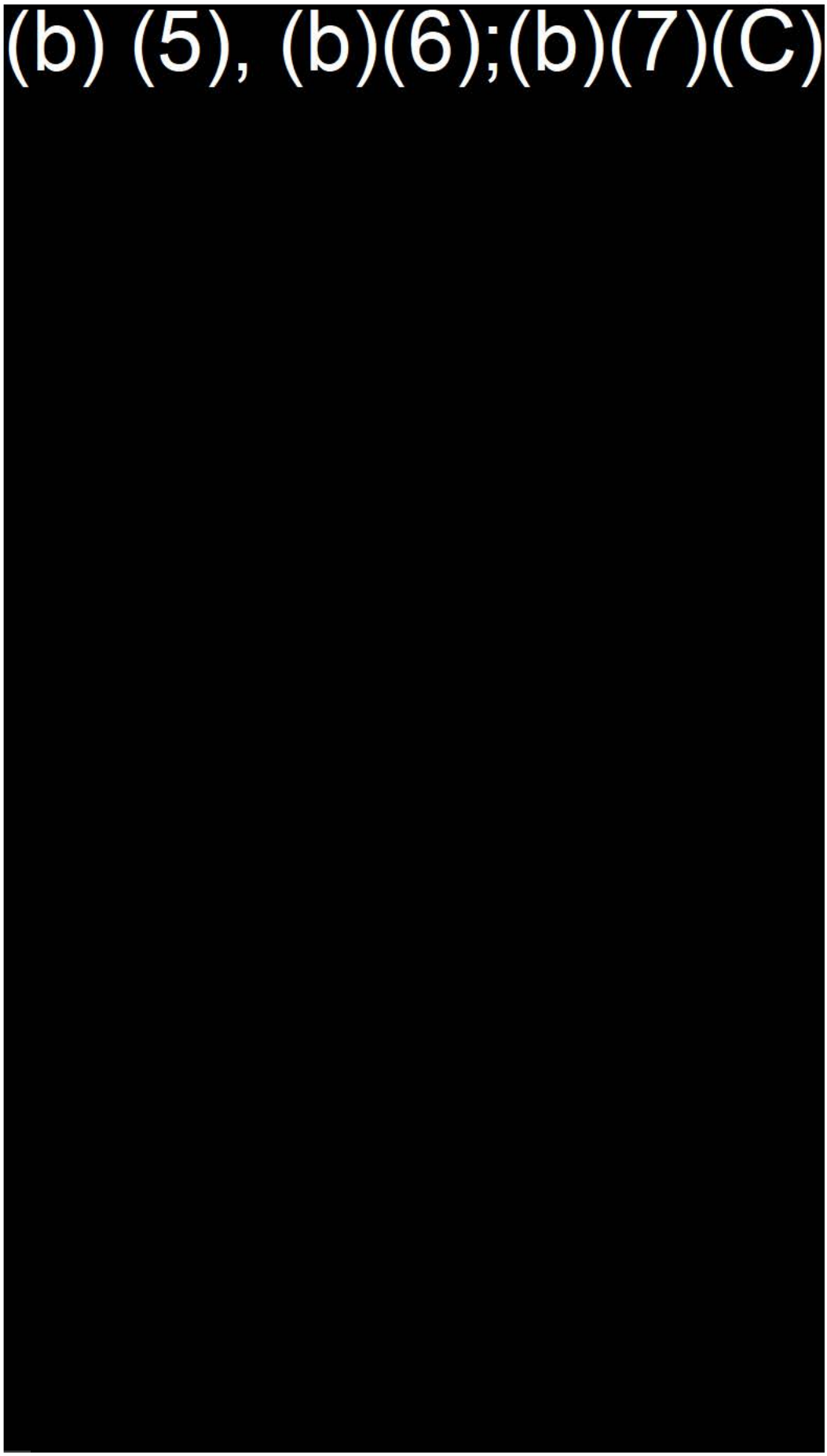

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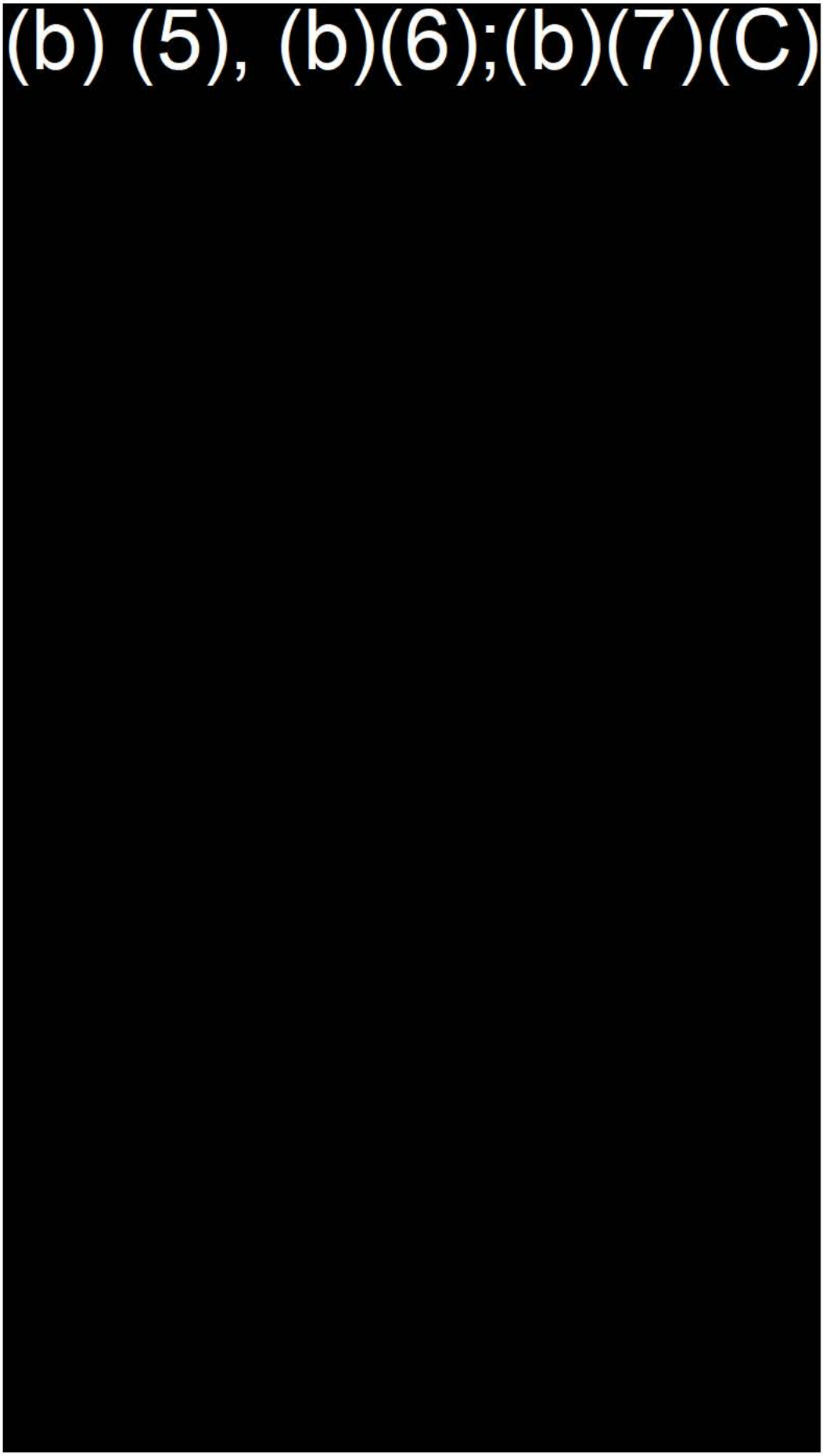

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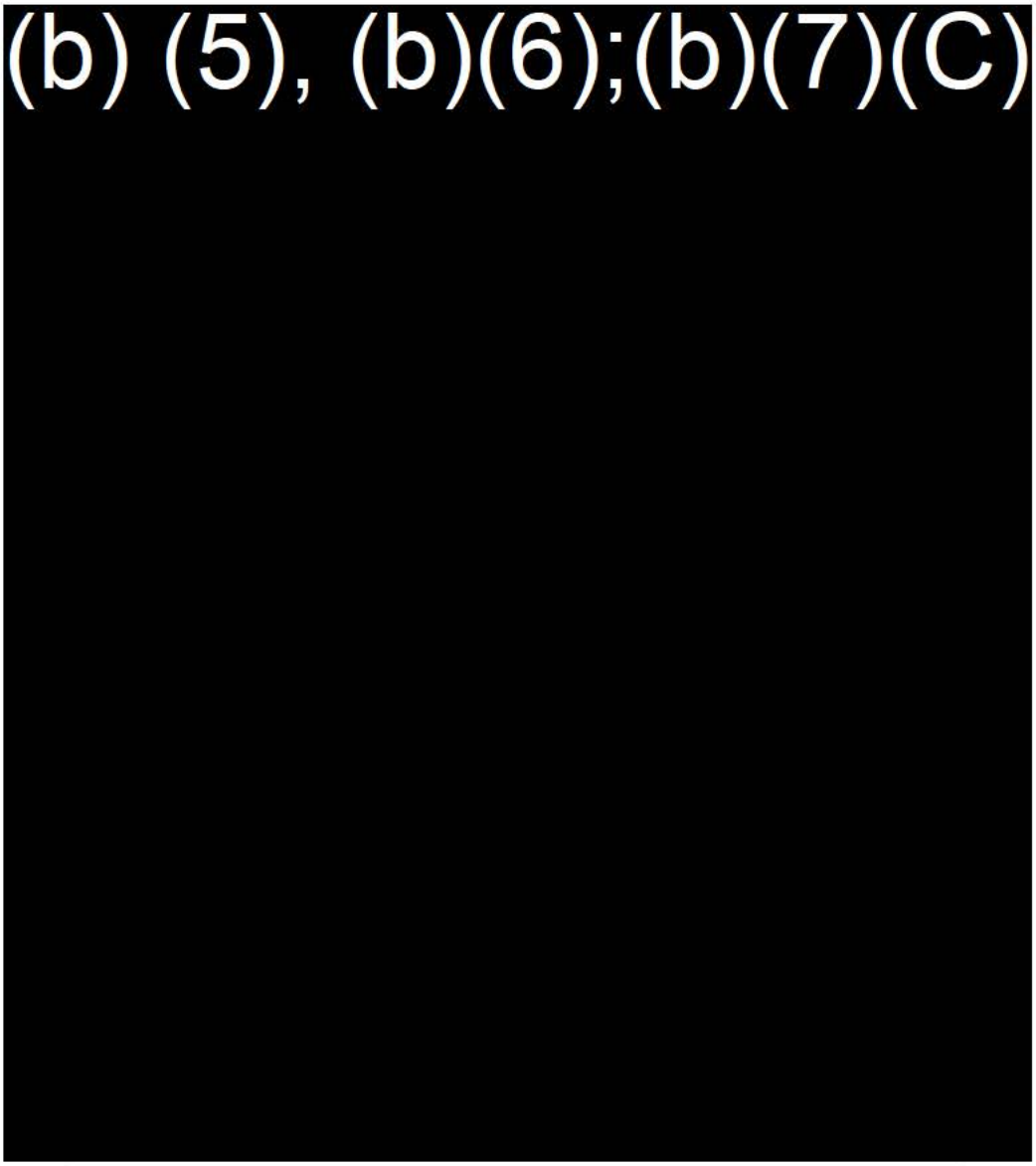


From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) SCOTT, RODNEY S <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner

AMERICAN OVERSIGHT

On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) wrote:

Sir – In speaking with OCC this morning, (b) (5)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: 'kkobach@gmail.com' <kkobach@gmail.com>
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: Follow Up

AMERICAN OVERSIGHT

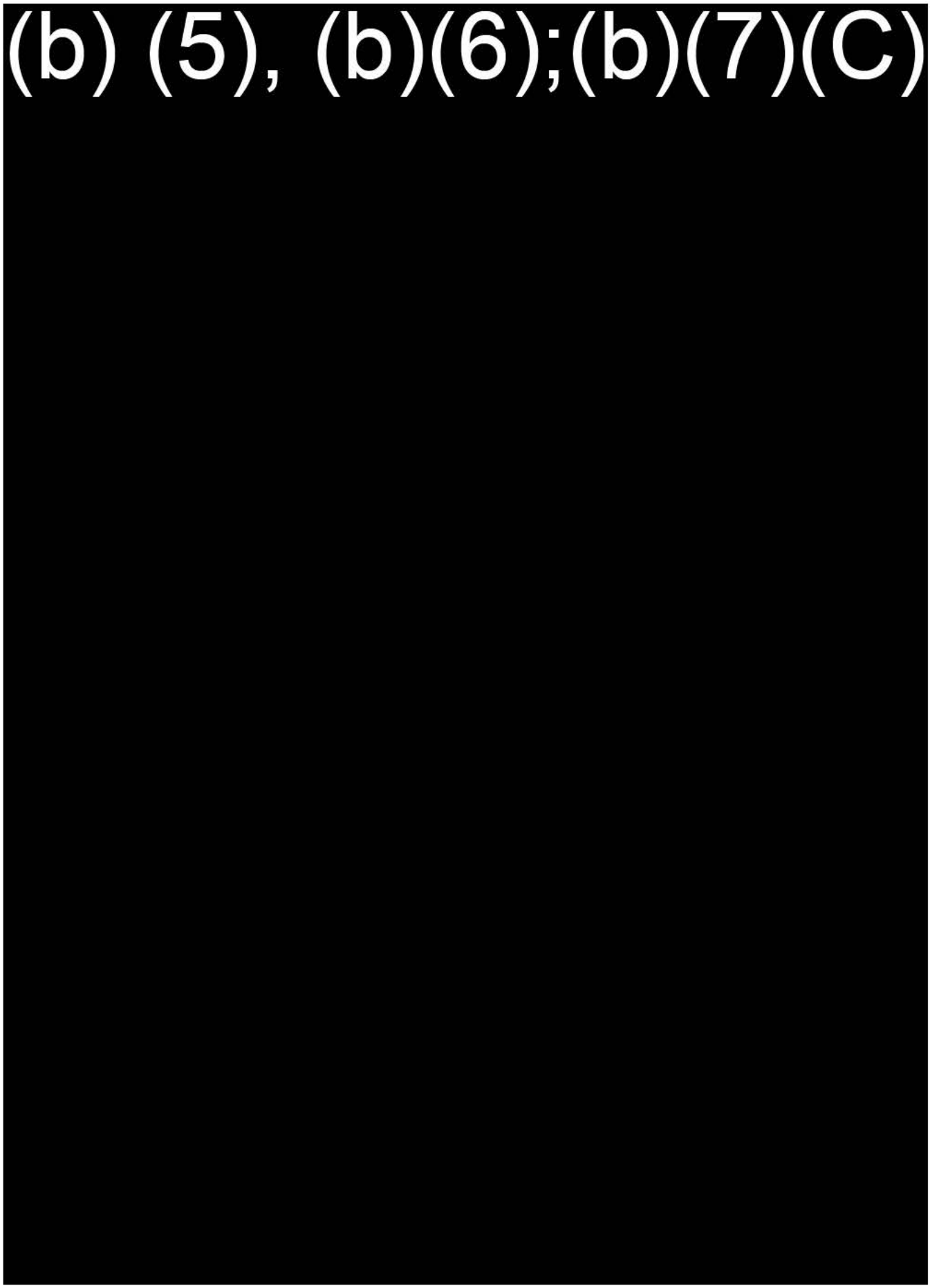
Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

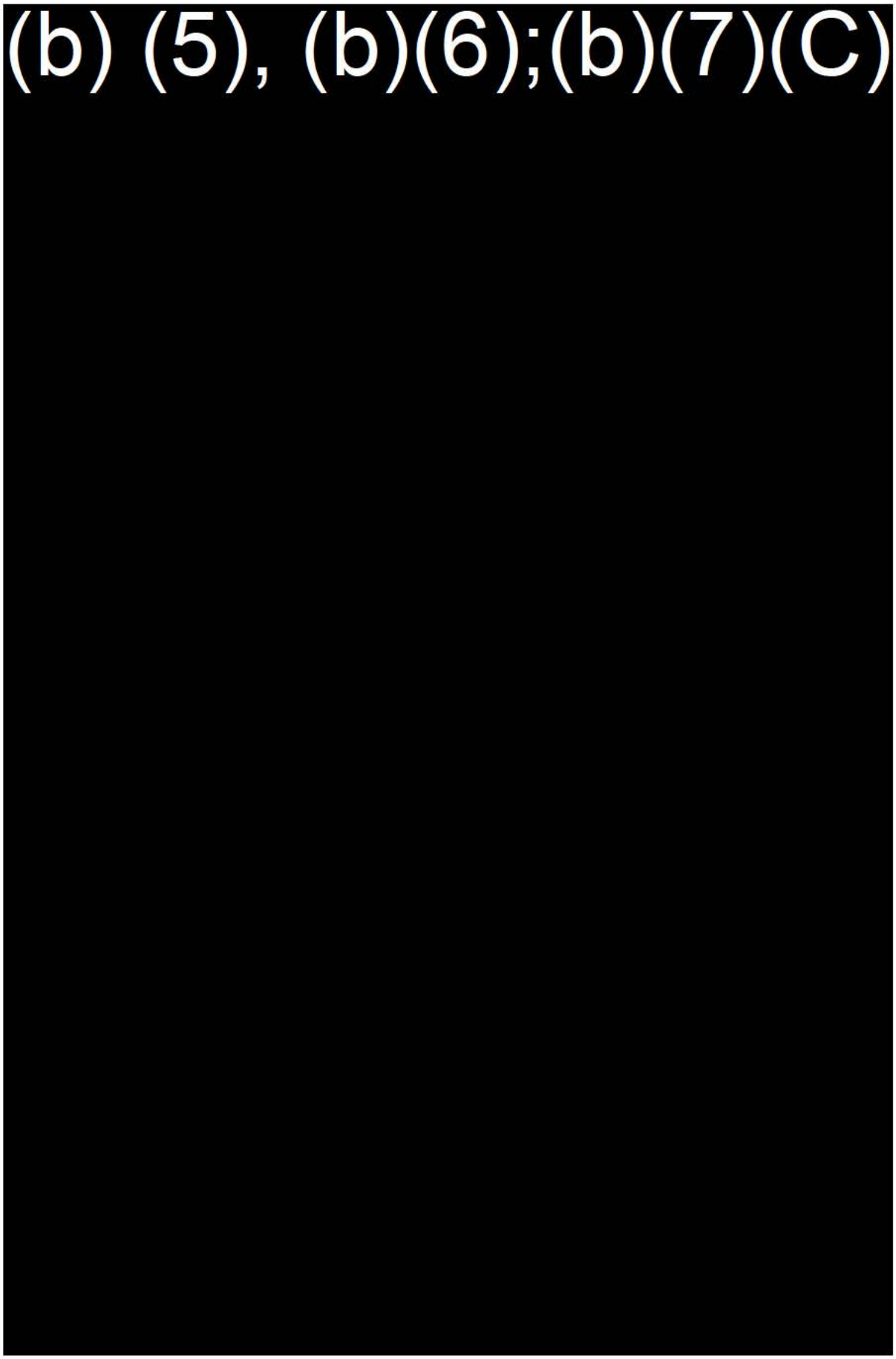
Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

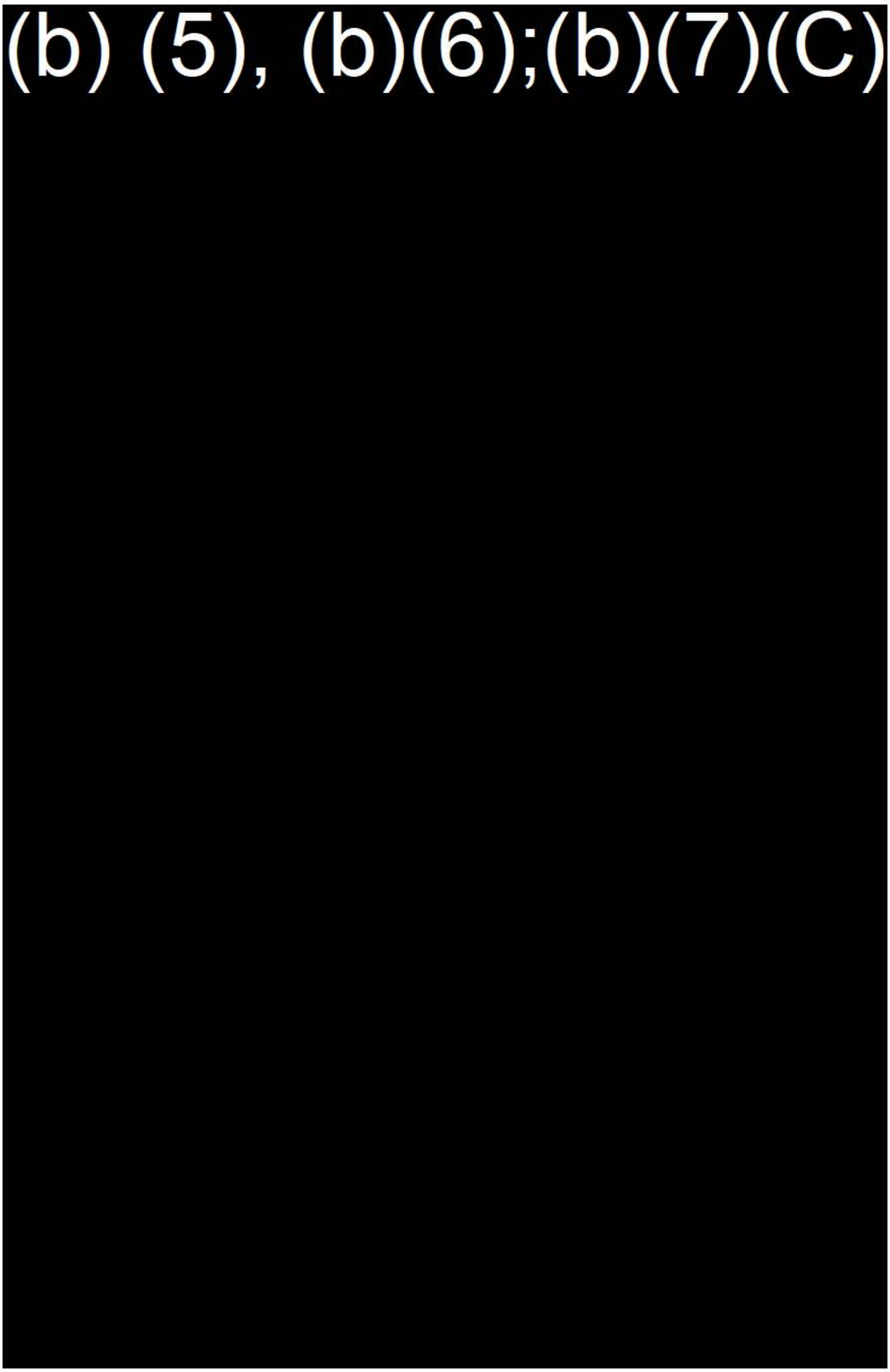
AMERICAN OVERSIGHT



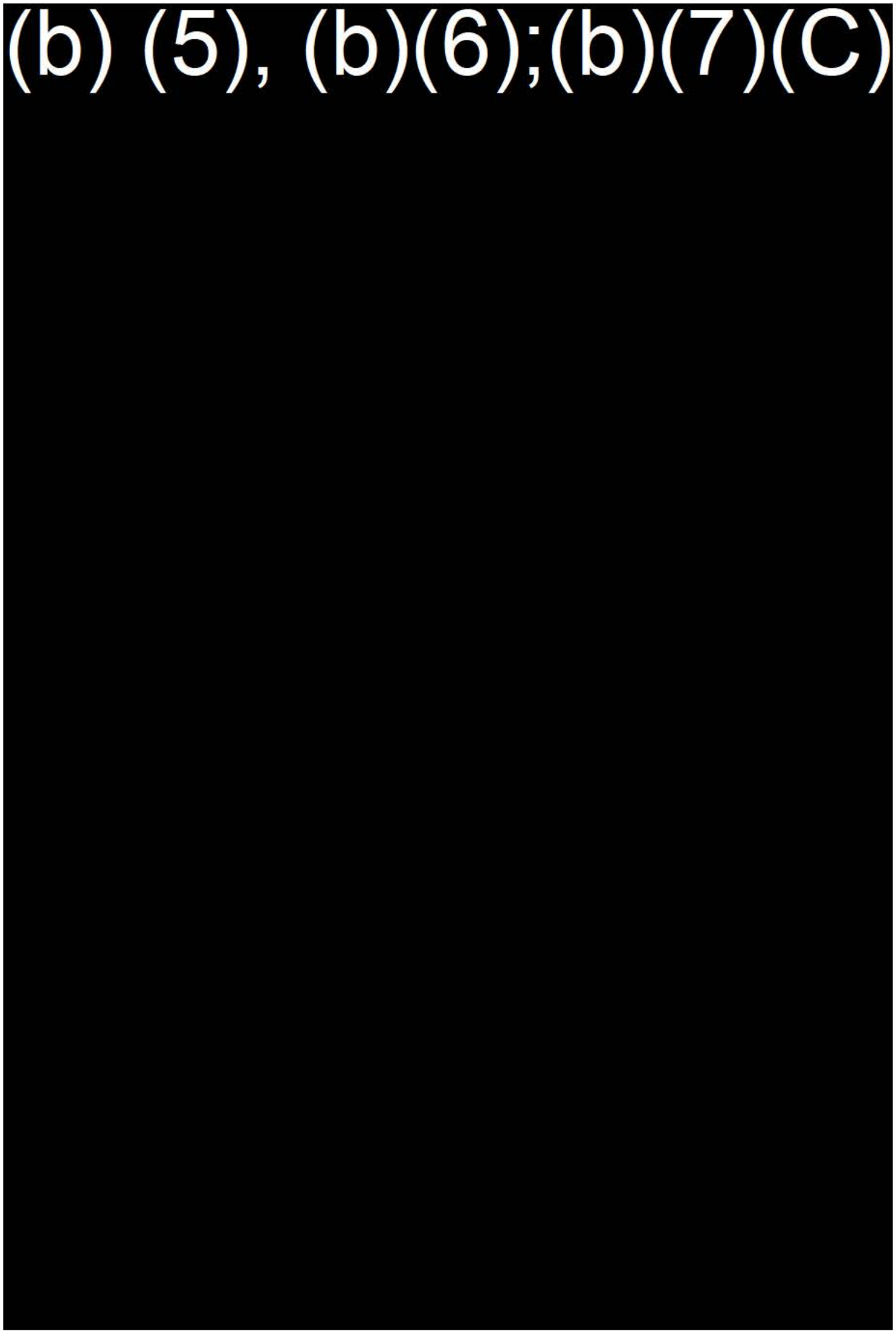
AMERICAN OVERSIGHT



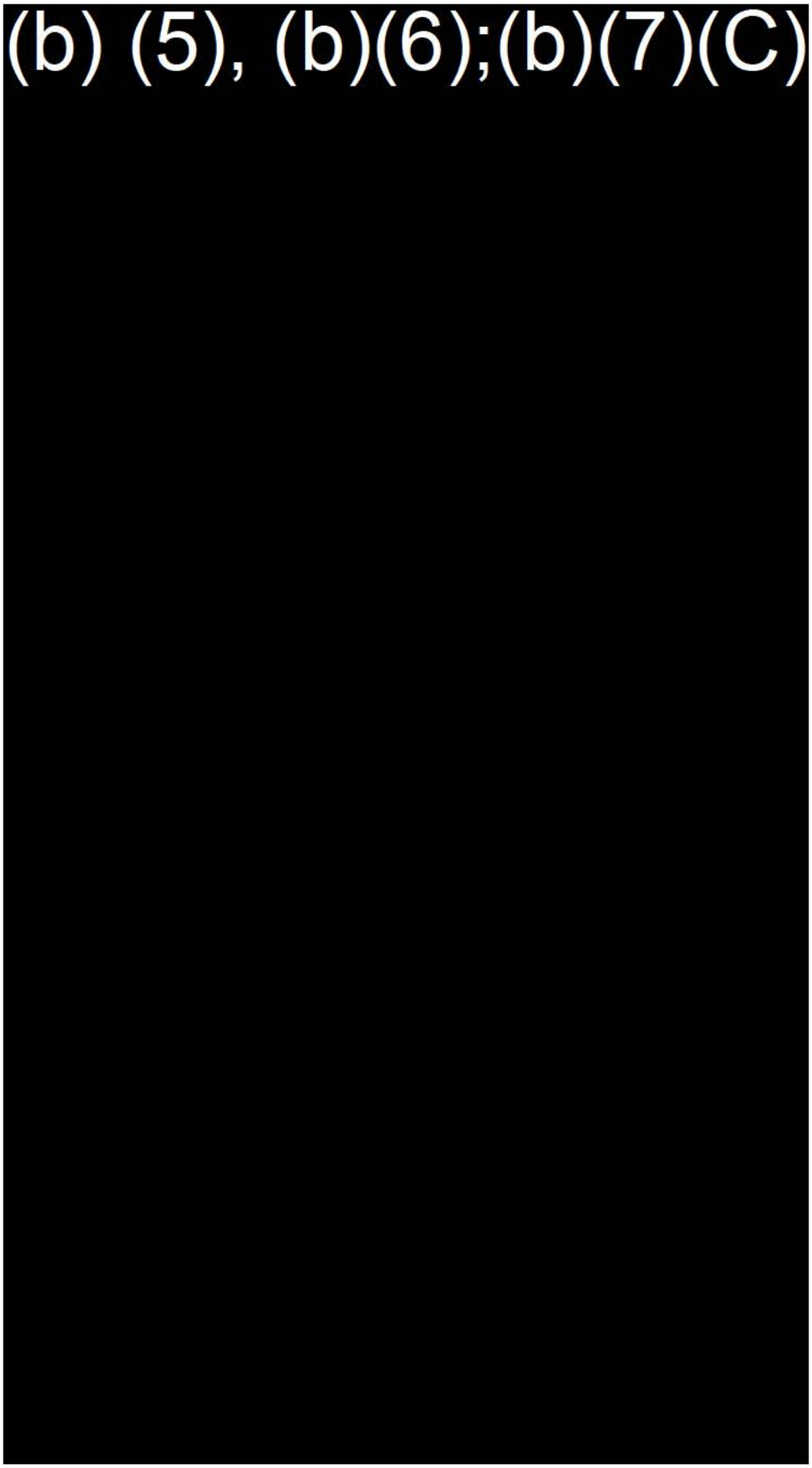
AMERICAN OVERSIGHT



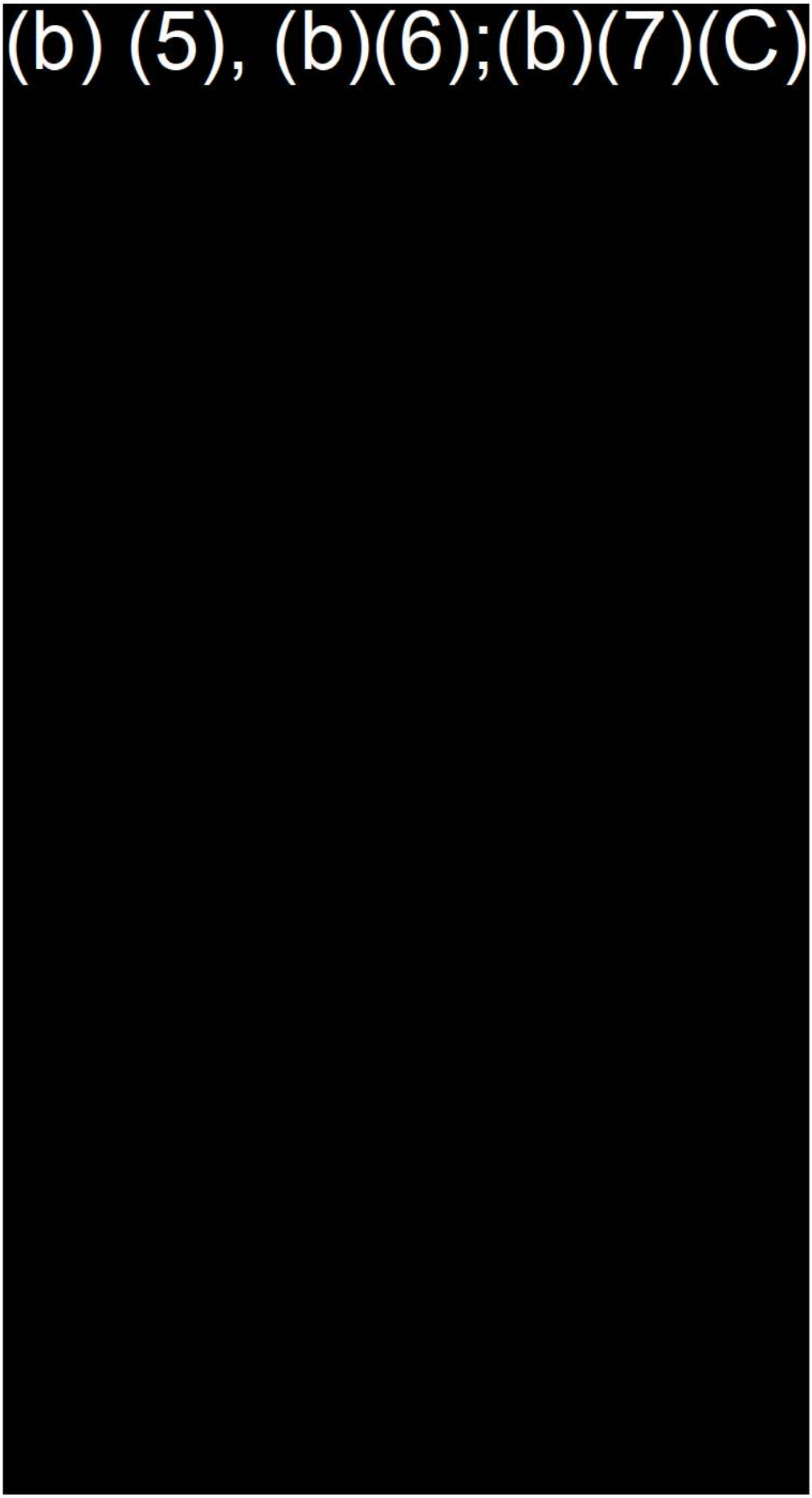
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

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

From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) SCOTT, RODNEY S <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) wrote:

Sir – In speaking with OCC this morning, (b) (5)

Best,
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: 'kkobach@gmail.com' <kkobach@gmail.com>
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) . They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: Follow Up

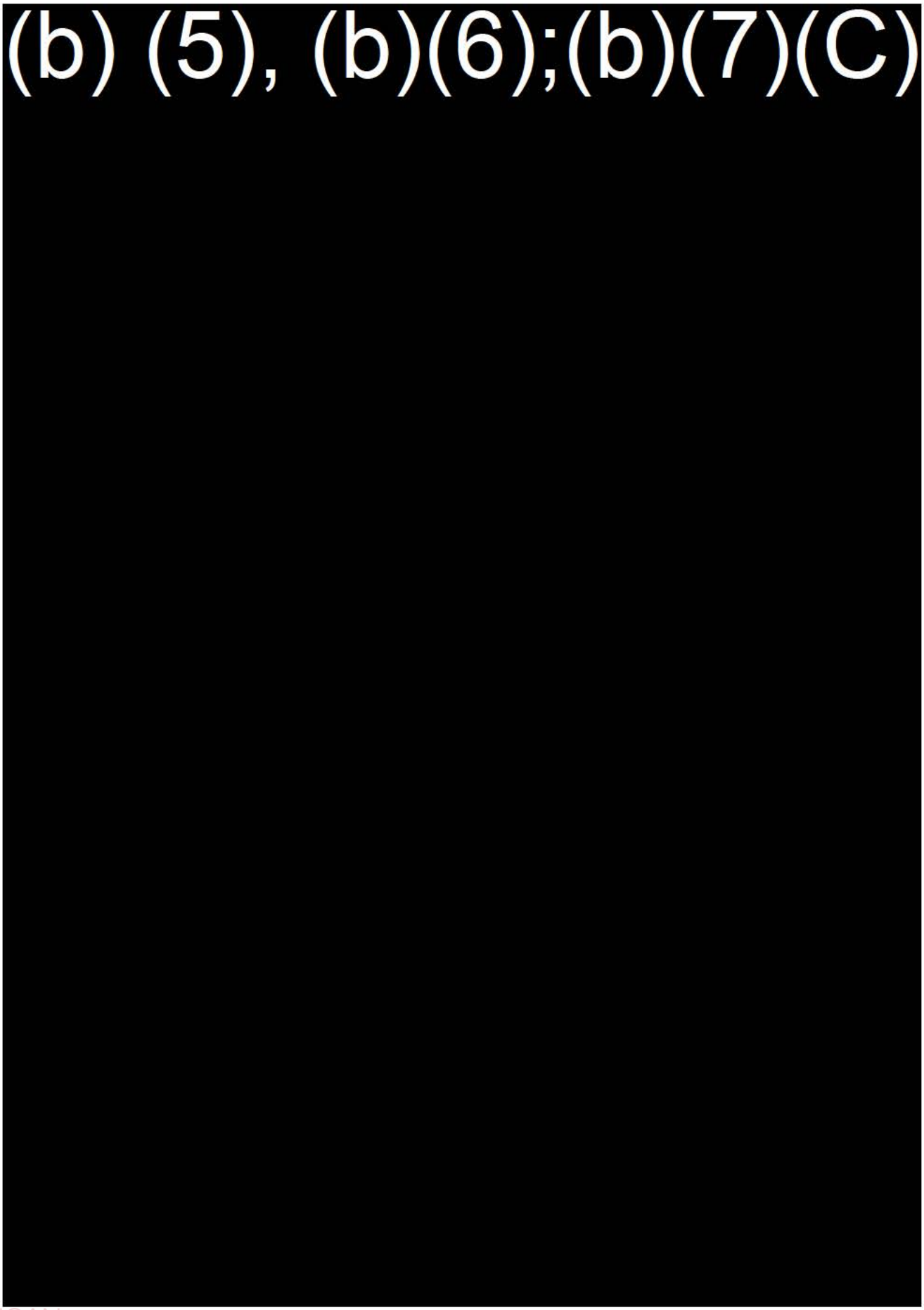
Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

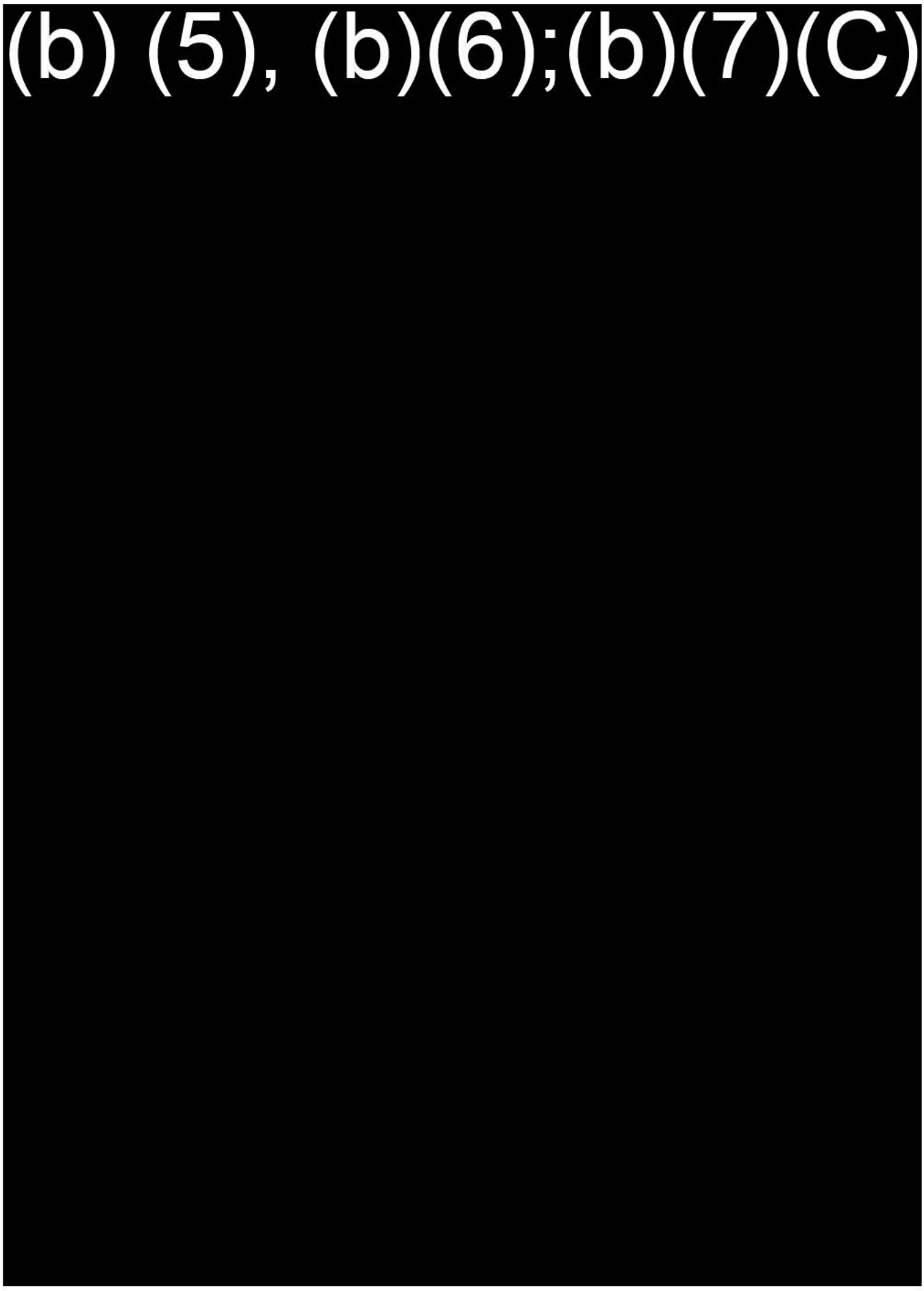
Best,
(b)(6);(b)(7)(C

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) . They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

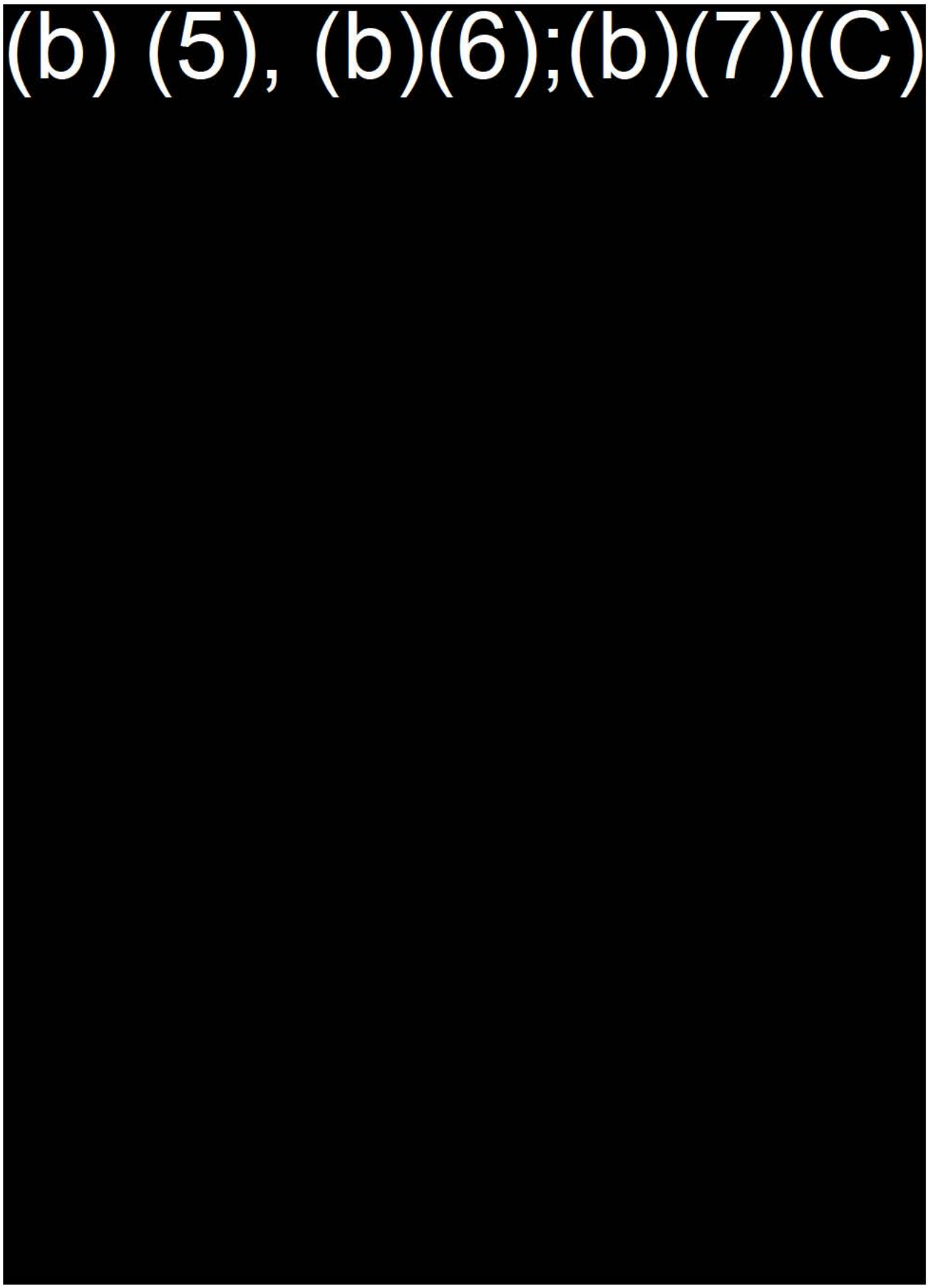
Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

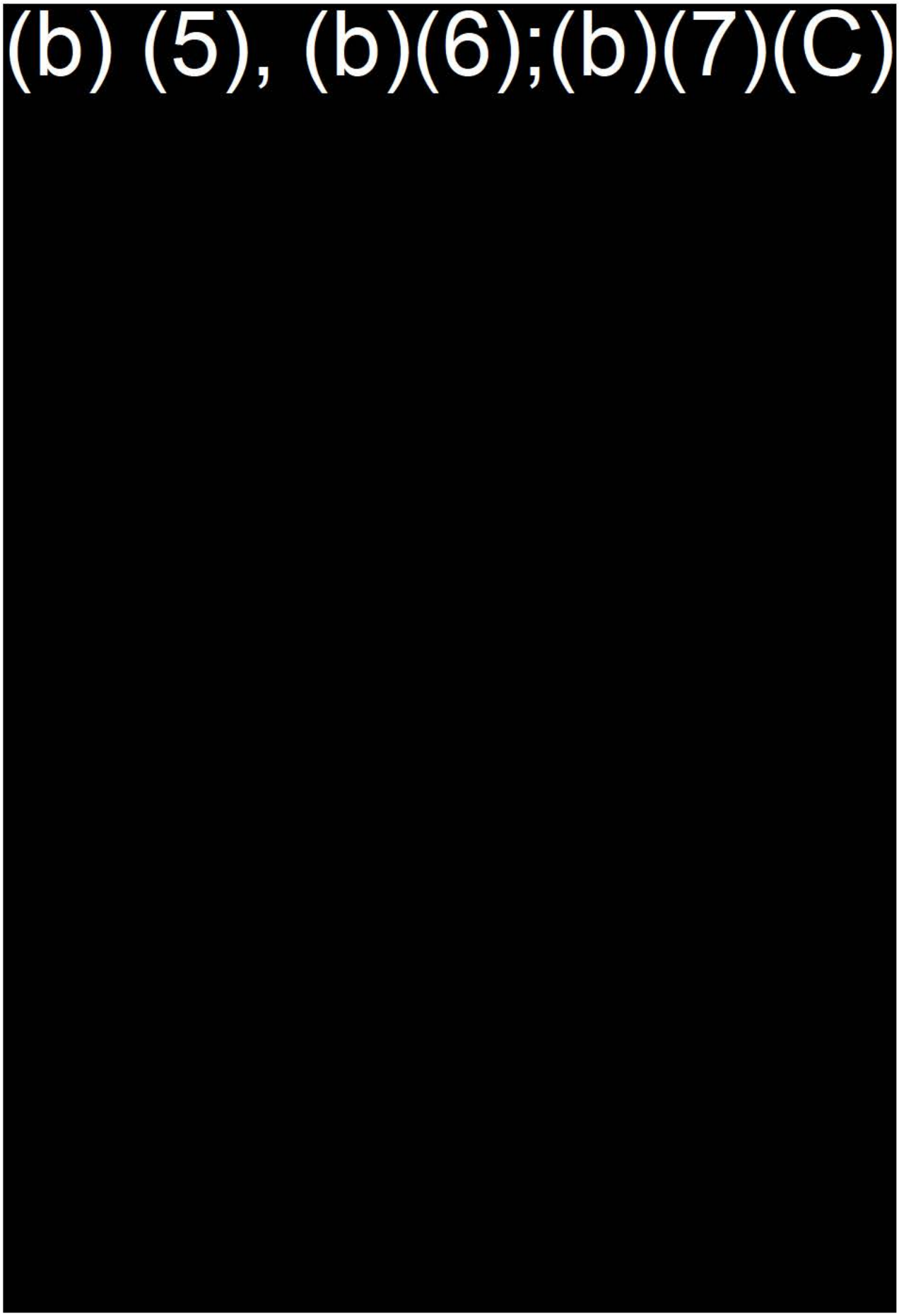
AMERICAN OVERSIGHT

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

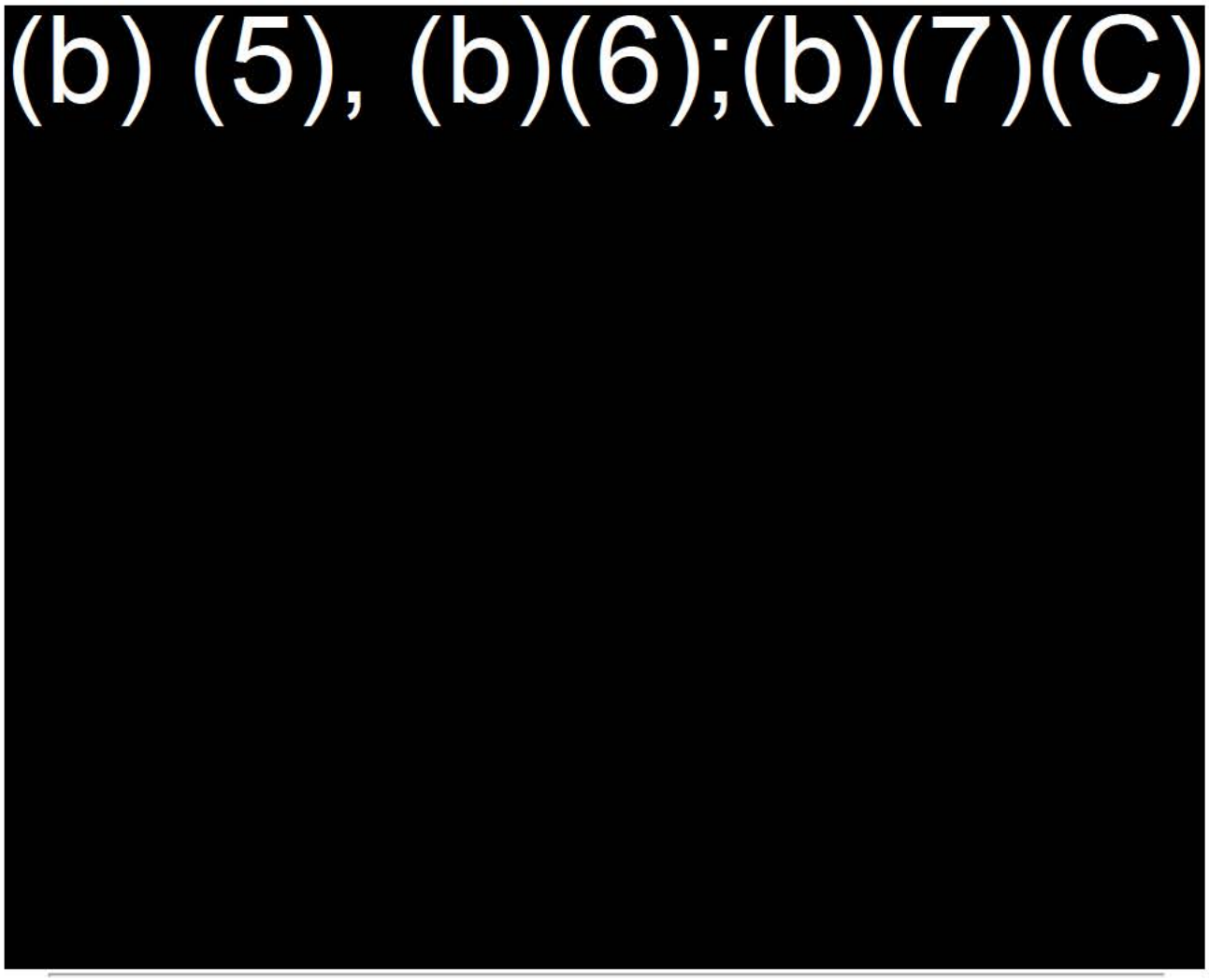
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 8:23:57 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) MARTIN, JERRY B <(b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) HASTINGS, BRIAN S <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Chief/[redacted] – checking if you've heard back from WBTW on this. Also, any update on the RGV activity? Thanks.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

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

AMERICAN OVERSIGHT

Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris,

In response to your inquiry last week about (b) (7)(E) the attorneys and I touched base again today. It (b) (5), (b) (7)(E) .

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

Thanks for the update. Let's circle back next week.

AMERICAN OVERSIGHT

Kris

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS
Subject: Re: Contacts at stakeholder agencies
Date: Tuesday, September 24, 2019 8:46:45 AM

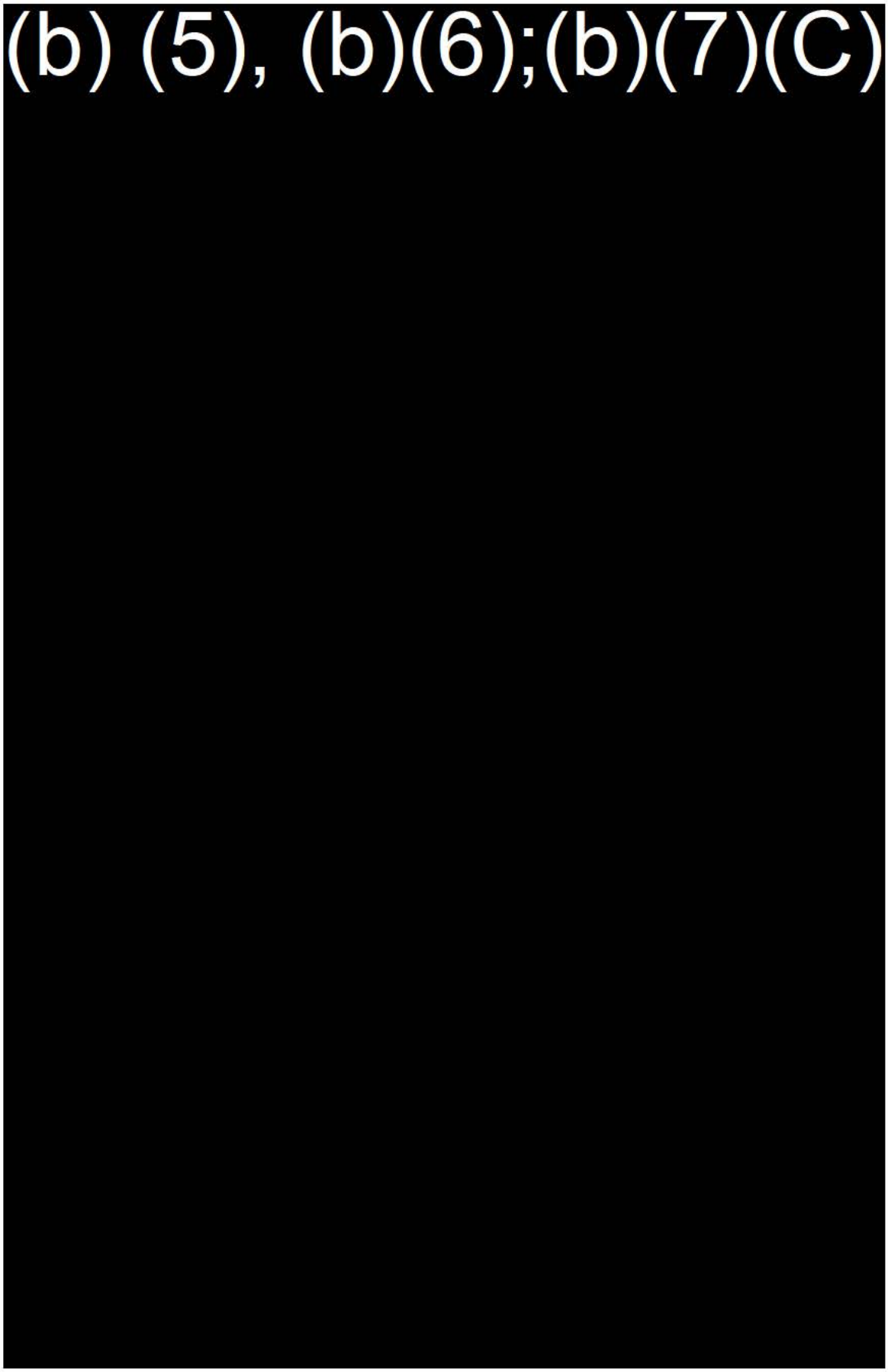
Why don't we put a call together for 12 and we can go through as many of the things we need to catch up on, including this, as time allows.

Sent from my iPad

On Sep 24, 2019, at 8:43 AM, (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) wrote:

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

AMERICAN OVERSIGHT



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[redacted]

Sent from my iPad

Begin forwarded message:

From: <kkobach@gmail.com>
Date: September 23, 2019 at 1:24:09 PM EDT
To: <[redacted]
Subject: Contacts at stakeholder agencies

[redacted]

Could you please provide me with contact information regarding officials at stakeholder agencies that We Build the Wall may reach out to, in order to do our due diligence with respect to future wall-building projects, with particular emphasis on the eastern New Mexico border area? Thanks.

Kris Kobach
General Counsel, We Build the Wall

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: MARTIN, JERRY B
Subject: Re: Request for Statement of No Interest Section 404 CWA
Date: Saturday, October 26, 2019 11:52:15 AM

Good question. Let me check. (b) (5), (b)(6);(b)(7)(C) .

Sent from my iPhone

On Oct 26, 2019, at 11:49 AM, MARTIN, JERRY B <(b)(6);(b)(7)(C) wrote:

> Who should we refer him to?
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** "(b) (6) (b) (6)
> **Date:** October 25, 2019 at 6:51:31 PM EDT
> **To:** "(b) (6)
> <(b) (6)
> **Cc:** "(b)(6);(b)(7)(C)
> <(b)(6);(b)(7)(C) "(b)(6);(b)(7)(C)
> <(b)(6);(b)(7)(C) "kkobach@gmail.com"
> <kkobach@gmail.com>
> **Subject: Request for Statement of No Interest Section 404 CWA**
>
> Dear (b) (6), I wanted to follow up with you (b) (5), (b) (7)(E)
> [redacted]
>
> (b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

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

Thank you again for your kind attention to this matter. Should you have any further requirements, please let me know.

Respectfully submitted,

(b) (6)

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)
<image008.gif>
Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

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received
this in error, please notify us immediately by return
email and
promptly delete this message and its attachments from
your
computer system. We do not waive attorney-client or work
product
privilege by the transmission of this message.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Fwd: Request for Statement of No Interest Section 404 CWA
Date: Saturday, October 26, 2019 11:52:39 AM

Would it be someone from your team who would do this walk through with them?

Sent from my iPhone

Begin forwarded message:

From: "MARTIN, JERRY B" <(b)(6);(b)(7)(C)
Date: October 26, 2019 at 11:49:04 AM EDT
To: "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Fwd: Request for Statement of No Interest Section 404 CWA

Who should we refer him to?

Sent from my iPhone

Begin forwarded message:

From: "(b) (6) (b) (6)
Date: October 25, 2019 at 6:51:31 PM EDT
To: "(b) (6) <(b) (6)
Cc: "(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
"(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) "kkobach@gmail.com"
<kkobach@gmail.com>
Subject: Request for Statement of No Interest Section 404 CWA

Dear Mr. (b) (6), I wanted to follow up with you concerning (b) (5), (b) (7)(E)
[redacted]
.

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

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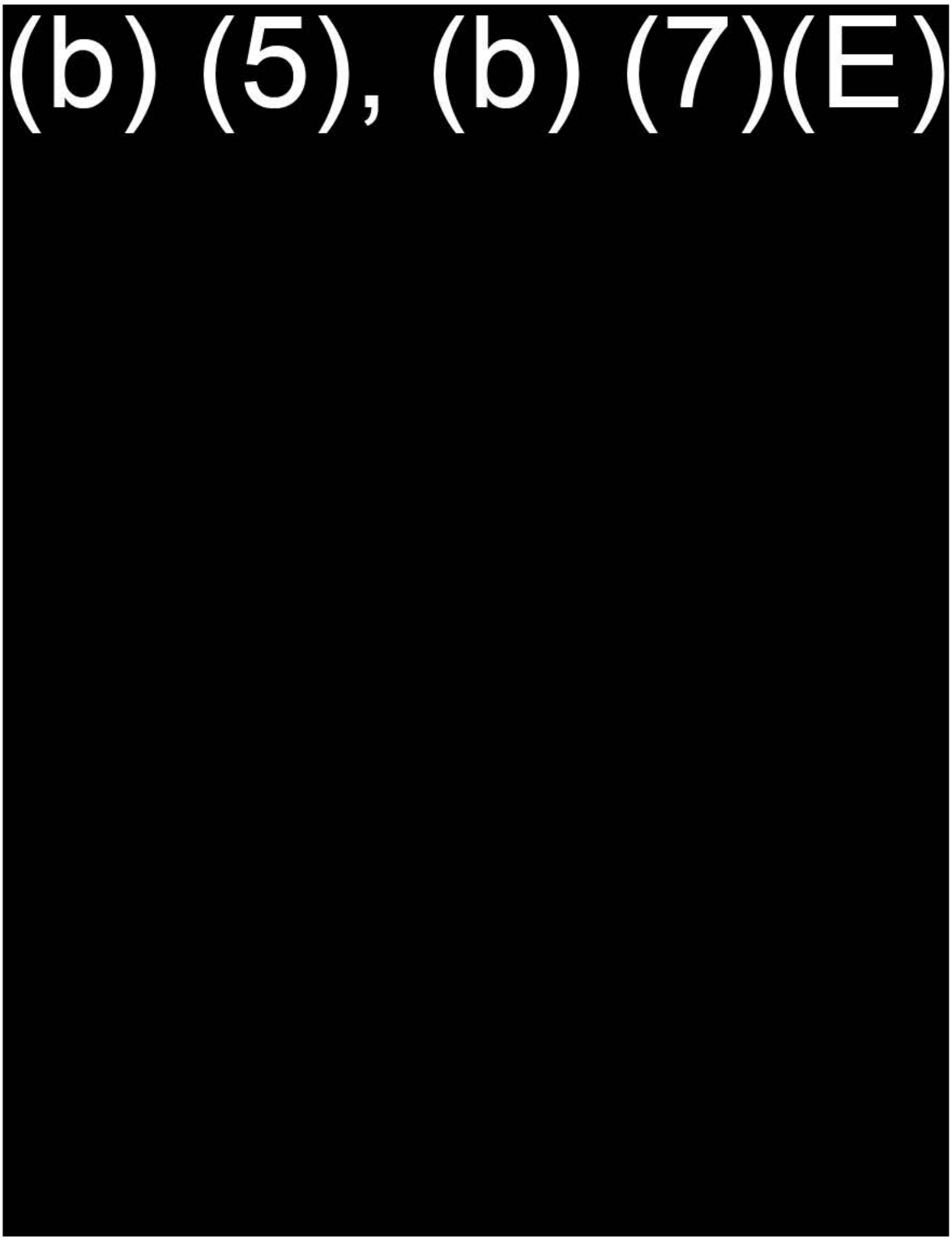

I am aware that you or someone from your team will need to physically inspect the area prior to making your determination. By copy of this email, I am reaching out to Chief Brian Martin, Strategic Planning & Analysis Directorate of DHS, CBP, who will provide to you a local CBP contact to assist with your physical inspection of the area.

Thank you again for your kind attention to this matter. Should you have any further requirements, please let me know.

Respectfully submitted,

AMERICAN OVERSIGHT

(b) (6)

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct: (b) (6) | Mobile: (b) (6) | Fax: (b) (6)

BARNES & THORNBURG LLP

Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: kkobach@gmail.com
Cc: MARTIN, JERRY B
Subject: Re: Follow Up
Date: Thursday, December 5, 2019 2:40:51 PM

I just got out of a block of meetings and am headed into another. I won't be free at 4, but could do 5 EST if that works for you.

Sent from my iPhone

On Dec 5, 2019, at 2:21 PM, "kkobach@gmail.com" <kkobach@gmail.com> wrote:

> That window has now passed. Would you be available at 3:00 central/4:00 eastern this afternoon?
>
> ---
>
> **From:** kkobach@gmail.com <kkobach@gmail.com>
> **Sent:** Thursday, December 5, 2019 11:48 AM
> **To:** (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
> **Cc:** 'MARTIN, JERRY B' <(b)(6);(b)(7)(C)
> **Subject:** RE: Follow Up
>
> (b) (6), (b) (7),
>
> Yes. I am available for 15 minutes today at 1:00 central/2:00 eastern if that works for you. Thanks.
>
> Kris
>
> ---
>
> **From:** (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
> **Sent:** Thursday, December 5, 2019 8:34 AM
> **To:** kkobach@gmail.com
> **Cc:** MARTIN, JERRY B <(b)(6);(b)(7)(C)
> **Subject:** Follow Up
>
> Good Morning Kris –
>
> Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)
>
> Best,
> (b) (6), (b) (7)
>
> (b) (6), (b) (7)(C)
> Deputy Executive Director, Strategic Planning & Analysis
> U.S. Border Patrol

AMERICAN OVERSIGHT

Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: HASTINGS, BRIAN S
Subject: Re: Follow Up
Date: Wednesday, January 8, 2020 10:32:55 AM

Bless you.

Sent from my iPad

On Jan 8, 2020, at 10:25 AM, HASTINGS, BRIAN S <(b)(6);(b)(7)(C) wrote:

LEOD concurs strongly with the impact paper.

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Wednesday, January 8, 2020 9:09 AM
To: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) HASTINGS, BRIAN S <(b)(6);(b)(7)(C) MARTIN, JERRY B <(b)(6);(b)(7)(C) FALK, SCOTT K (OCC) <(b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – Per our discussion last week, (b) (5), (b) (6)

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

AMERICAN OVERSIGHT

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 6:36 PM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) HASTINGS, BRIAN S <(b)(6);(b)(7)(C) MARTIN, JERRY B <(b)(6);(b)(7)(C) FALK, SCOTT K (OCC) <(b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Got it (b)(6);(b)(7)(C) – once we have a better idea of likely path forward, we'll need to more specifically quantify the miles potentially impacted. Thanks.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 4:50 PM
To: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) HASTINGS, BRIAN S <(b)(6);(b)(7)(C) MARTIN, JERRY B <(b)(6);(b)(7)(C) FALK, SCOTT K (OCC) <(b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – A couple follow ups on the content below.

First, I sent a follow up email to Kris Kobach this morning with you in the blind as discussed. I will let you know if we hear anything. My guess is with the holidays they've been focused on other things, but we'll keep a close eye on this and follow up with text/call next week if we still don't hear anything back.

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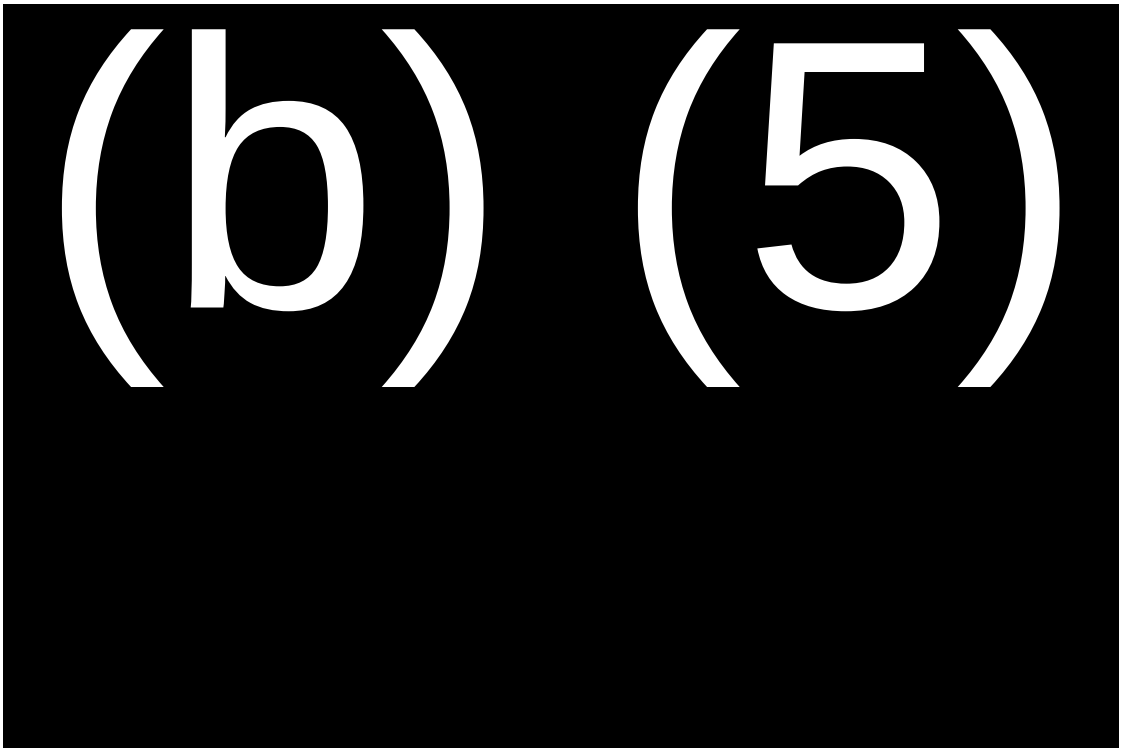
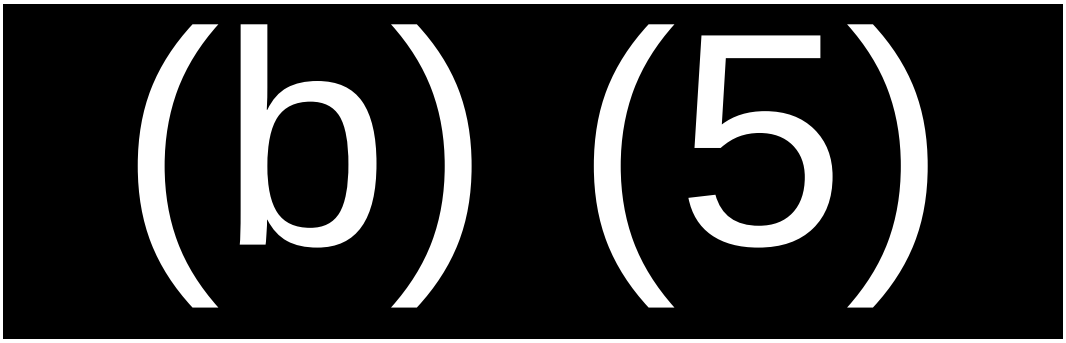


Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 11:01 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – As promised, OCC has provided the latest.



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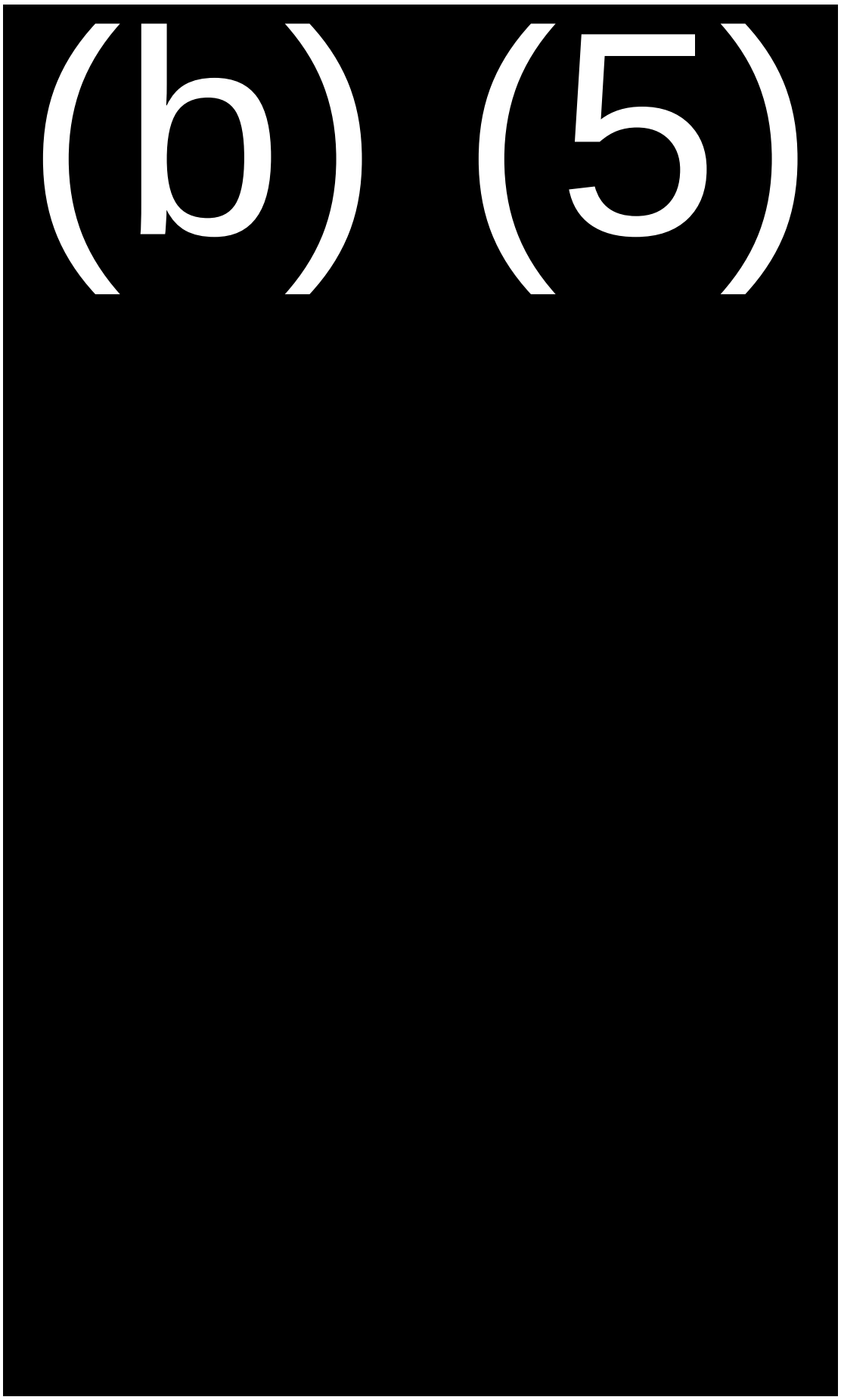

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(b)(5)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 9:32 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Sir - We have not heard reply from WBTW. Given the holidays our plan is to check back at week's end if nothing has been received.

(b)(5)

More to come shortly.

Thanks,
(b)(6);(b)(7)(C)

Get Outlook for iOS

From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 8:23:57 AM

AMERICAN OVERSIGHT

To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Chief/(b)(6);(b)(7)(C) – checking if you've heard back from WBTW on this. Also, any update on the RGV activity? Thanks.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris,

In response to your inquiry last week about (b) (7)(E) the attorneys and I touched base again today. (b) (5), (b) (7)(E)

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation

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of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

Thanks for the update. Let's circle back next week.

Kris

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

To: (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner
Date: Thursday, July 11, 2019 9:55:03 AM

These guys are for

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Wednesday July 10 2019 2 34 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: FW U.S. Customs and Border Protection Deputy Commissioner

FYSA

(b)(6);(b)(7)(C)
Special Projects Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobile: (b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Wednesday July 10 2019 3 13 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) |

Washington, DC 20229
Work (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday July 10 2019 1 29 PM
To: (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Subject: RE U.S. Customs and Border Protection Deputy Commissioner

Ms. (b)(6);(b)

Thanks for emailing the letter to me. I wanted to get back to you right away about one matter though. There appears to be a miscommunication. The Perez letter says that 5 land owners own border land between (b) (7)(E) NM and Texas. That is correct. However we are only referring to the land that is owned by the United States of America and starts at (b) (7)(E) and ends a (b) (7)(E) .

County tax records clearly show that to be the property of the United States government. See below. The narrow strip in blue is listed as property of the United States as is the (b) (7)(E) Could you please have the relevant CBP people review this and either confirm those records to be correct or let us know if you believe these county records to be wrong.

Assuming that can be done within a day so we have the correct information I would like to speak with Mr Perez tomorrow at a time that suits him. Please let me know any times that might work.

Thank you for your assistance.

Kris Kobach

see attached.

Location	Owner Information	Assessment History

(b) (7)(E)

Transfers
No Transfer Documents

Images

Tax Year	Taxes
*2019	$0.00
2018	$0.00

GIS

* Estimated

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

From: (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Sent: Tuesday July 9 2019 4 36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr Kobach,

Good afternoon My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U S Customs and Border Protection Deputy Commissioner Robert E Perez Attached you will find a letter for your reference, please note an original is being mailed to you as well A CBP team will be reaching out to you soon to discuss this topic further In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns

Please feel free to contact me directly and I will be happy to coordinate further

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U S Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)

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From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner
Date: Monday, July 22, 2019 9:56:05 AM

You will take yes?

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

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday July 10 2019 1 29 PM
To: (b)(6);(b)(7)(C) + (b)(6);(b)(7)(C)
Subject: RE U.S. Customs and Border Protection Deputy Commissioner

Ms. (b) (6), (b

Thanks for emailing the letter to me. I wanted to get back to you right away about one matter though. There appears to be a miscommunication. The Perez letter says that 5 land owners own border land between (b) (7)(E) NM and Texas. That is correct. However we are only referring to the land that is owned by the United States of America and starts at (b) (7)(E)

County tax records clearly show that to be the property of the United States government. See below. The narrow strip in blue is listed as property of the United States as is the (b) (7)(E) Could you please have the relevant CBP people review this and either confirm those records to be correct or let us know if you believe these county records to be wrong.

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Thank you for your assistance.

Kris Kobach

see attached.

Location | Owner Information | Assessment History

(b) (7)(E)

Transfers

No Transfer Documents

Images

Tax Year	Taxes
*2019	$0.00
2018	$0.00

GIS

* Estimated

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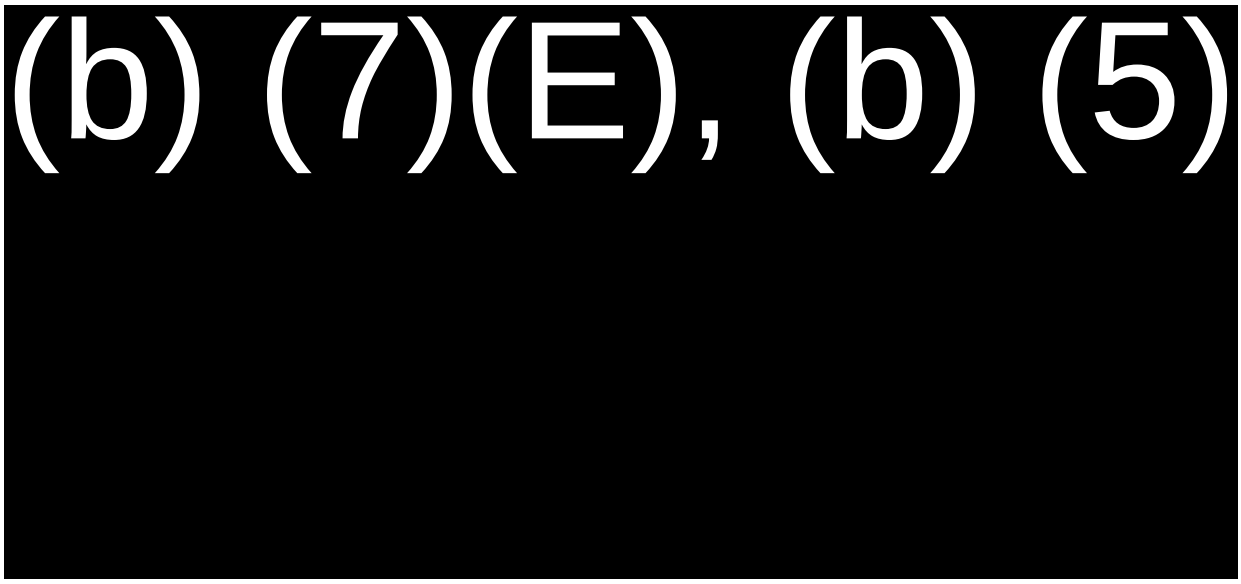

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Tuesday July 9 2019 4 36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr Kobach,

Good afternoon My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U S Customs and Border Protection Deputy Commissioner Robert E Perez Attached you will find a letter for your reference, please note an original is being mailed to you as well A CBP team will be reaching out to you soon to discuss this topic further In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns

Please feel free to contact me directly and I will be happy to coordinate further

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U S Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal
Date: Tuesday, October 1, 2019 2:27:10 PM
Attachments: (b) (7)(E) - WBTW - Answers to CBP Checklist.xlsx
(b) (7)(E) - WBTW - Hydro Analysis.pdf
(b) (7)(E) - WBTW - Slope information re hydro analysis.pdf
(b) (7)(E) - WBTW - Profile grades and panel information.pdf
(b) (7)(E) - WBTW - NOAA Precipitation Data.pdf

Adding (b)(6);(b)(7)(C).

(b)(6);(b)(7)(C)
Acting Deputy Associate Chief Counsel (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room 4.4B
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Tuesday, October 1, 2019 2:23 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b) (7)(E) Project Proposal

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

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

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

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

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

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WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - N/A; see hydro analysis, attached.
12	NEPA - No federal or state permits are required on this site. It should be noted that, becase the project extends existing barrier that was built in 2008 to the (b) (7)(by only (b) (7)(E), the same environmental impacts (or lack thereof) in 2008 should apply to the proposed extension of the existing barrier. It should also be noted that the barrier would remain open on the (b) (7)(E) end, so any animals unable to move between the bollards could continue to walk around the (b) (7)(E) end of the project. Finally, with respect to historical preservation, the SHPO has been contacted and informed of proposed project. The SHPO found no adverse impact to historical sites with the construction of the WBTW project (b) (7)(E) (b) (7)(E)
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - Due to the rugged surface condition we will have (b) (7) offset.
21	Height - We will match the existing fence height of (b) (
22	(b) (7)(E) .
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E) .
26	Spacing - Agreed (b) (spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E) .
40	Time to cross - Agreed.
41	Deterrent to under-digging - (b) (7)(E)
42	(b) (7)(E) .
43	(b) (7)(E)
44	(b) (7)(E)
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

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September 18, 2019

We Build The Wall
P.O. Box 131567
Houston, TX. 77219-1567

Attn: (b) (6)
Legal Counsel, We Build The Wall

RE: Bollard Project; (b) (7)(E) New Mexico
Subject: Drainage Report for (b) (7)(E)

Greetings,

Please be advised that upon completion of this Project all of the off-property drainage patterns and capacity at this site will continue to allow for the free passage onto, through and continuing downslope from this site. No significant volumes of drainage will be blocked by the installation of the new bollard fence and the small amount of additional on-site drainage that sheet flows from the new road surface to the south will not significantly increase the volumes handled by the existing washes.

Our review of the topography indicates that there are three small watersheds, each of which will contribute flow to drainages that will cross south into Mexico. We will construct low-flow crossings at the three identified outlet locations. The length of these low-flow crossings will be determined by the volume of flow calculated for the 50 year event to pass through the spacing in the bollard fence system. Each watershed will drain to it's own corresponding low-flow crossing.

Thank you for your time regarding this issue. Please feel free to call if you have any questions or require any additional information.

Regards,
(b) (6)(b) (6)
Civil Engineer

Cc: (b) (6) President, FSG, TGR

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ATTACHMENT: We Build The Wall; Project at (b) (7)(E) LETTER dated September 18, 2019

i = 3.23 inches/hour for the 50 year 30 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average 5-15%) is determined to be 4 ft./sec.

CCR area	surface	C	A(ac.)	Q (cfs)
W1	rocky soil	0.2	8.3	5.39
W2	rocky soil	0.2	2.8	1.81
W3	rocky soil	0.2	2.0	1.28

The peak flow rates for these three watersheds has been determined as listed above for the 50 year event. These flow rates will be handled by the existing washes and tributaries and will pass through the bollards at the appropriately sized low-flow crossings.

(b) (6)

(b) (6)

(b) (6)



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(b) (7)(E)

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OVERSIGHT

(b) (7)(E)

AMERICAN
OVERSIGHT

(b) (7)(E)

AMERICAN
OVERSIGHT

(b) (7)(E)

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TOTAL (b) (7)(E) PANELS = (b) (7)(E) EACH

(b) (7)(E)

Panel Sequence Per Profile

(b) (7)(E)

CL FENCE PROFILE

END PROJECT

(b) (7)(E)

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NOAA Atlas 14, Volume 1, Version 5
Location name: (b) (7)(E) New Mexico, USA*
Latitude: (b) (7)(E) Longitude: (b) (7)(E)
Elevation: (b) (7)(E) *
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	2.59 (2.27-2.93)	3.35 (2.94-3.80)	4.51 (3.97-5.10)	5.41 (4.74-6.12)	6.64 (5.78-7.50)	7.63 (6.61-8.63)	8.66 (7.46-9.77)	9.74 (8.34-11.0)	11.2 (9.49-12.7)	12.4 (10.5-14.1)
10-min	1.97 (1.72-2.23)	2.55 (2.24-2.90)	3.43 (3.02-3.89)	4.12 (3.61-4.66)	5.05 (4.40-5.71)	5.81 (5.03-6.56)	6.59 (5.68-7.44)	7.41 (6.35-8.38)	8.53 (7.22-9.65)	9.45 (7.96-10.7)
15-min	1.63 (1.42-1.84)	2.11 (1.85-2.39)	2.84 (2.50-3.21)	3.40 (2.98-3.85)	4.18 (3.64-4.71)	4.80 (4.16-5.43)	5.44 (4.69-6.15)	6.12 (5.25-6.92)	7.05 (5.97-7.97)	7.81 (6.57-8.85)
30-min	1.10 (0.960-1.24)	1.42 (1.25-1.61)	1.91 (1.68-2.16)	2.29 (2.01-2.59)	2.81 (2.45-3.17)	3.23 (2.80-3.65)	3.67 (3.16-4.14)	4.12 (3.53-4.66)	4.75 (4.02-5.37)	5.26 (4.43-5.96)
60-min	0.678 (0.594-0.768)	0.878 (0.772-0.997)	1.18 (1.04-1.34)	1.42 (1.24-1.61)	1.74 (1.52-1.96)	2.00 (1.73-2.26)	2.27 (1.96-2.56)	2.55 (2.19-2.88)	2.94 (2.49-3.32)	3.25 (2.74-3.69)
2-hr	0.387 (0.342-0.438)	0.503 (0.446-0.572)	0.686 (0.610-0.778)	0.832 (0.731-0.940)	1.03 (0.902-1.16)	1.19 (1.03-1.34)	1.37 (1.17-1.54)	1.55 (1.32-1.74)	1.80 (1.51-2.03)	2.01 (1.67-2.27)
3-hr	0.272 (0.242-0.307)	0.352 (0.313-0.396)	0.476 (0.424-0.536)	0.573 (0.506-0.643)	0.708 (0.622-0.793)	0.816 (0.711-0.912)	0.932 (0.805-1.04)	1.06 (0.901-1.18)	1.23 (1.03-1.38)	1.37 (1.14-1.54)
6-hr	0.156 (0.139-0.174)	0.200 (0.179-0.224)	0.265 (0.236-0.297)	0.316 (0.280-0.353)	0.385 (0.339-0.430)	0.440 (0.384-0.490)	0.497 (0.431-0.554)	0.558 (0.479-0.623)	0.642 (0.544-0.718)	0.709 (0.596-0.796)
12-hr	0.085 (0.076-0.095)	0.109 (0.098-0.122)	0.143 (0.128-0.160)	0.169 (0.151-0.188)	0.204 (0.181-0.227)	0.231 (0.204-0.257)	0.259 (0.228-0.289)	0.288 (0.251-0.322)	0.328 (0.282-0.368)	0.360 (0.307-0.405)
24-hr	0.049 (0.044-0.054)	0.062 (0.056-0.070)	0.083 (0.074-0.093)	0.099 (0.088-0.112)	0.123 (0.107-0.139)	0.141 (0.122-0.161)	0.161 (0.137-0.186)	0.182 (0.152-0.213)	0.212 (0.172-0.254)	0.237 (0.187-0.290)
2-day	0.026 (0.023-0.029)	0.033 (0.030-0.038)	0.045 (0.040-0.050)	0.054 (0.048-0.061)	0.067 (0.058-0.076)	0.079 (0.067-0.090)	0.091 (0.076-0.106)	0.105 (0.085-0.124)	0.125 (0.098-0.152)	0.142 (0.107-0.177)
3-day	0.019 (0.017-0.021)	0.024 (0.021-0.027)	0.032 (0.028-0.036)	0.038 (0.034-0.043)	0.048 (0.042-0.054)	0.056 (0.048-0.064)	0.064 (0.054-0.075)	0.073 (0.060-0.087)	0.087 (0.069-0.106)	0.099 (0.075-0.123)
4-day	0.015 (0.013-0.017)	0.019 (0.017-0.021)	0.025 (0.023-0.029)	0.031 (0.027-0.035)	0.038 (0.033-0.043)	0.044 (0.038-0.051)	0.051 (0.043-0.059)	0.058 (0.047-0.068)	0.068 (0.054-0.083)	0.077 (0.059-0.096)
7-day	0.010 (0.009-0.011)	0.012 (0.011-0.014)	0.017 (0.015-0.019)	0.020 (0.018-0.023)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.034 (0.029-0.039)	0.038 (0.031-0.045)	0.045 (0.036-0.055)	0.051 (0.039-0.063)
10-day	0.007 (0.007-0.008)	0.010 (0.008-0.011)	0.013 (0.011-0.014)	0.016 (0.014-0.018)	0.020 (0.017-0.022)	0.023 (0.019-0.026)	0.026 (0.022-0.030)	0.030 (0.025-0.035)	0.036 (0.028-0.043)	0.040 (0.031-0.049)
20-day	0.005 (0.004-0.005)	0.006 (0.005-0.007)	0.008 (0.007-0.009)	0.010 (0.008-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.017)	0.017 (0.014-0.020)	0.020 (0.016-0.023)	0.022 (0.018-0.027)
30-day	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.011 (0.010-0.013)	0.012 (0.011-0.014)	0.014 (0.012-0.017)	0.016 (0.013-0.019)
45-day	0.003 (0.003-0.003)	0.004 (0.003-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.008 (0.007-0.010)	0.009 (0.008-0.011)	0.010 (0.009-0.012)	0.011 (0.009-0.013)
60-day	0.002 (0.002-0.003)	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.007 (0.006-0.008)	0.008 (0.007-0.009)	0.009 (0.007-0.010)	0.010 (0.008-0.011)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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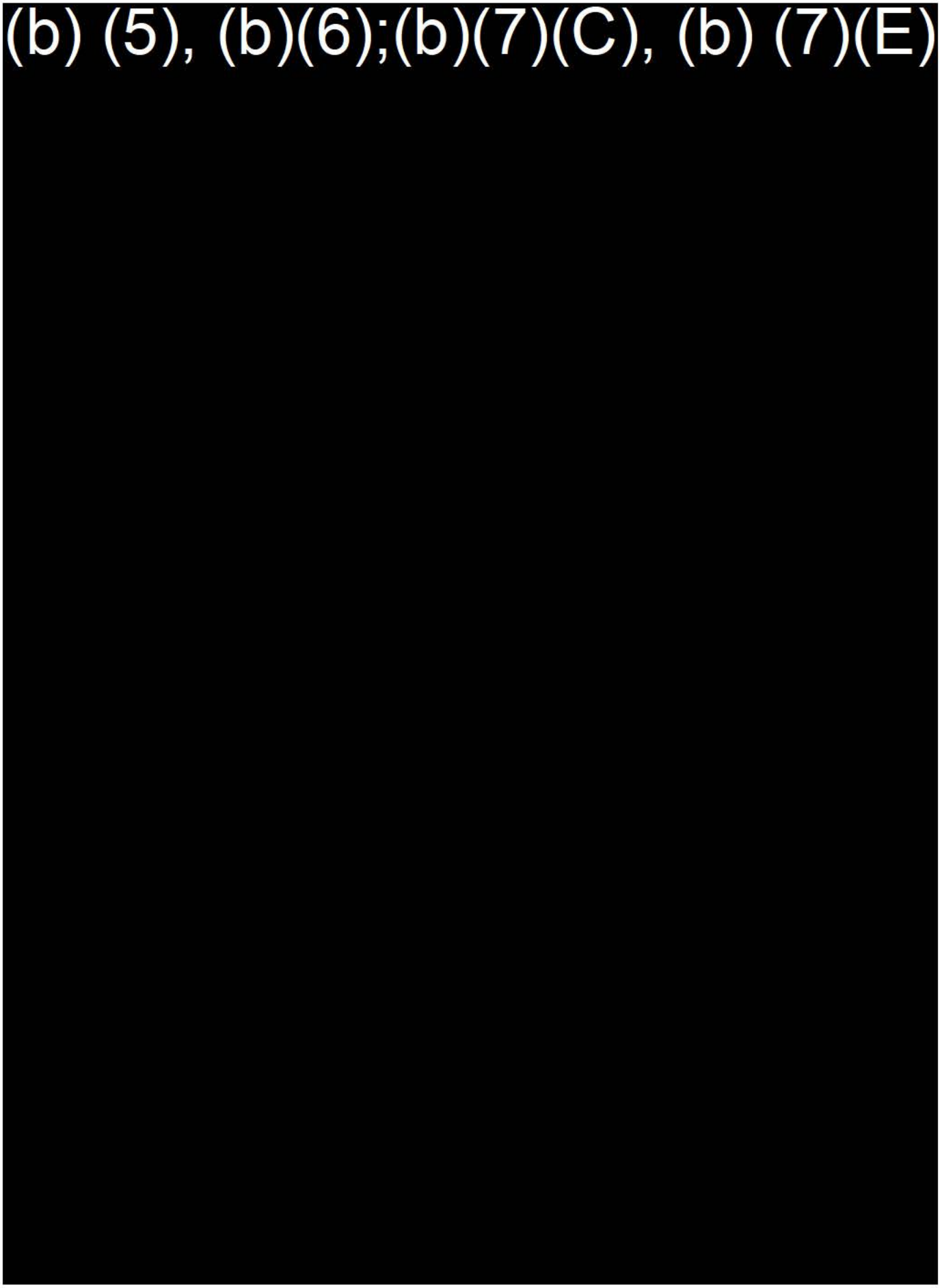

AMERICAN OVERSIGHT

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

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b)(6);(b)(7)(C) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) SINGLETON, RUYNARD R; (b)(6);(b)(7)(C)
Subject: RE: We Build the Wall [redacted] Project Proposal
Date: Friday, October 11, 2019 4:24:01 PM
Attachments: (b) (7)(E) WBTW USACE Real Estate Reivew.pdf

Sir,

The team has reviewed the We Build The Wall (WBTW) checklist. I appreciate your patience as we've carefully gone through each of the items. Below are the following issues captured by the team:

1. Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.
2. Environmental: WBTW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.
3. The wall should be offset (b) (7)(E) as noted in the checklist
4. The wall should be (b) (7)(E) as noted in the checklist
5. IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.
6. Gates are required at all IBWC monuments per TI standards (2 to 3 monuments may be in this area)
7. It was stated that fill sections will be filled with "processed fill" – need confirmation that this will be "certified clean fill" as per environmental needs.
8. Need an explanation on the "N/A" response from WBTW regarding Procurement process.
9. Need explanation on how WBTW will " (b) (7)(E) [redacted]

Please consider these concerns and let me know if you have time to discuss.

Have a great weekend,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, October 11, 2019 4:16 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: RE: We Build the Wall (b) (7)(E) Project Proposal

Brian,

Just left you a voicemail touching base. Please give me a call when you have a chance. Thanks.

Kris

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, October 4, 2019 11:57 AM
To: kkobach@gmail.com
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: FW: We Build the Wall (b) (7)(E) Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents. Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: We Build the Wall (b) (7)(E) Project Proposal

Dear Brian, (b) (7)(E), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the proposed (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at the (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at the (b) (7)(E) site.

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Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon – ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b) (7)(E) **Area Land Ownership Map 1**

El Paso Sector / (b) (7)(E)

(b) (7)(E)

Legend

Roosevelt

(b) (7)(E)

Ownership Area

Reference

County ID	Tracts

N

W E

S

0 150 300 Feet

1 inch = 291 feet

(b) (7)(E)

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AMERICAN OVERSIGHT

(b) (7)(E) **Area Land Ownership Map 2**

El Paso Sector

(b) (7)(E)

(b) (7)(E)

Legend

Roosevelt

(b) (7)(E)

Ownership Area

Reference

County ID	Tracts

N

W E

S

0 250 500 Feet

1 inch = 866 feet

(b) (7)(E)

AMERICAN OVERSIGHT

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DHS-19-0993-A-000354

From: Program Management Office
To: (b)(6);(b)(7)(C)
Subject: Wall Deliverables - Formal Letter of Intent re (b) (7)(E) has been changed
Date: Thursday, February 13, 2020 4:20:57 PM

Program Management Office

Formal Letter of Intent re (b) (7)(E) has been changed

Modify my alert settings | View Formal Letter of Intent re (b) (7)(E) | View Wall Deliverables | Mobile View

Date Tasked:	2/10/2020	
Deliverable Title:	Formal Letter of Intent re (b)(7)(E) Project	
Originator:	Other	
Originator (if other):		
Deliverable Type:	Data Call(s)	
Groups Assigned:	(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)	
Responsible Party:	Acquisition, Real Estate, Environmental; Communication and Reporting; Director / Deputy Director	
Progress/Completion:	~~In Progress~~ Completed	Edited
Internal Due Date:	2/13/2020 5:00 PM	
External Due Date:	2/13/2020 5:00 PM	
Turnaround Time:	Between 3-5 days	
BW PMO Submission Date:	2/13/2020 2:00 PM	Edited
Completion Time:	~~Select~~ On Time	Edited
FOIA: Number of Pages Reviewed:		
Progress/Completion Comments:	2/10 - with (b)(6);(b)(7)(C) for individual review	
Archived Updates:		
Deliverable Description:	All, I just cross referenced what we drafted before for requirements of design/construction/ENV/acceptance and the letter outlines all of those provisions. Let us know if it would be helpful to set up a call to discuss, but it sounds like they are willing to work with us all along the way. Adding (b)(6);(b)(7)(C) on the (b)(7)(E) /technology. Thanks, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) Senior Communications Analyst Agile Group Infrastructure Portfolio Program Management Office Directorate	

AMERICAN OVERSIGHT

United States Border Patrol

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

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

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

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Monday, February 10, 2020 1:07 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) SINGLETON, RUYNARD R < (b)(6);(b)(7)(C) BORDERWALLTASKS (b) (7)(E)
Subject: Fwd: Formal Letter of Intent re (b) (7)(E) Project

All - We have received an official donation offer from WBTW that needs to be thoroughly and thoughtfully adjudicated in as expeditious a manner as possible. After speaking with (b)(6);(b)(7)(C) (b) (5)

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

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

From OFAM:

The OFO DAP Branch Chief is (b)(6);(b)(7)(C) and the POC's are (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) The office of Chief Counsel POC is (b)(6);(b)(7)(C)

Sent from my iPad

Begin forwarded message:

From: "kkobach@gmail.com" <kkobach@gmail.com>
Date: February 7, 2020 at 9:48:50 PM EST
To: "MARTIN, JERRY B" < (b)(6);(b)(7)(C) "(b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: Formal Letter of Intent re (b) (7)(E) **Project**

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.

Brian,

Please find attached We Build the Wall's formal letter of intent. Attachments include:

AMERICAN OVERSIGHT

1. DHS GIFT DONATION FORM 112-02
2. ALIGNMENT MAP
3. PROJECT RENDERING
4. HYDRO ANALYSIS
5. RAINFALL DATA

As we discussed at our meeting last week, we would appreciate it if you team could review this package as quickly as possible. The NM SHPO has 30 days to review our report to them—a period that commenced on February 5, 2020. If your review could be completed within the same period, by March 6, that would be ideal.

Thanks your work on this. We look forward to contributing to our nation's border security and to advancing CBP's mission.

Kris

Predecessors:

Last Modified 2/13/2020 4:18 PM by (b)(6);(b)(7)(C)

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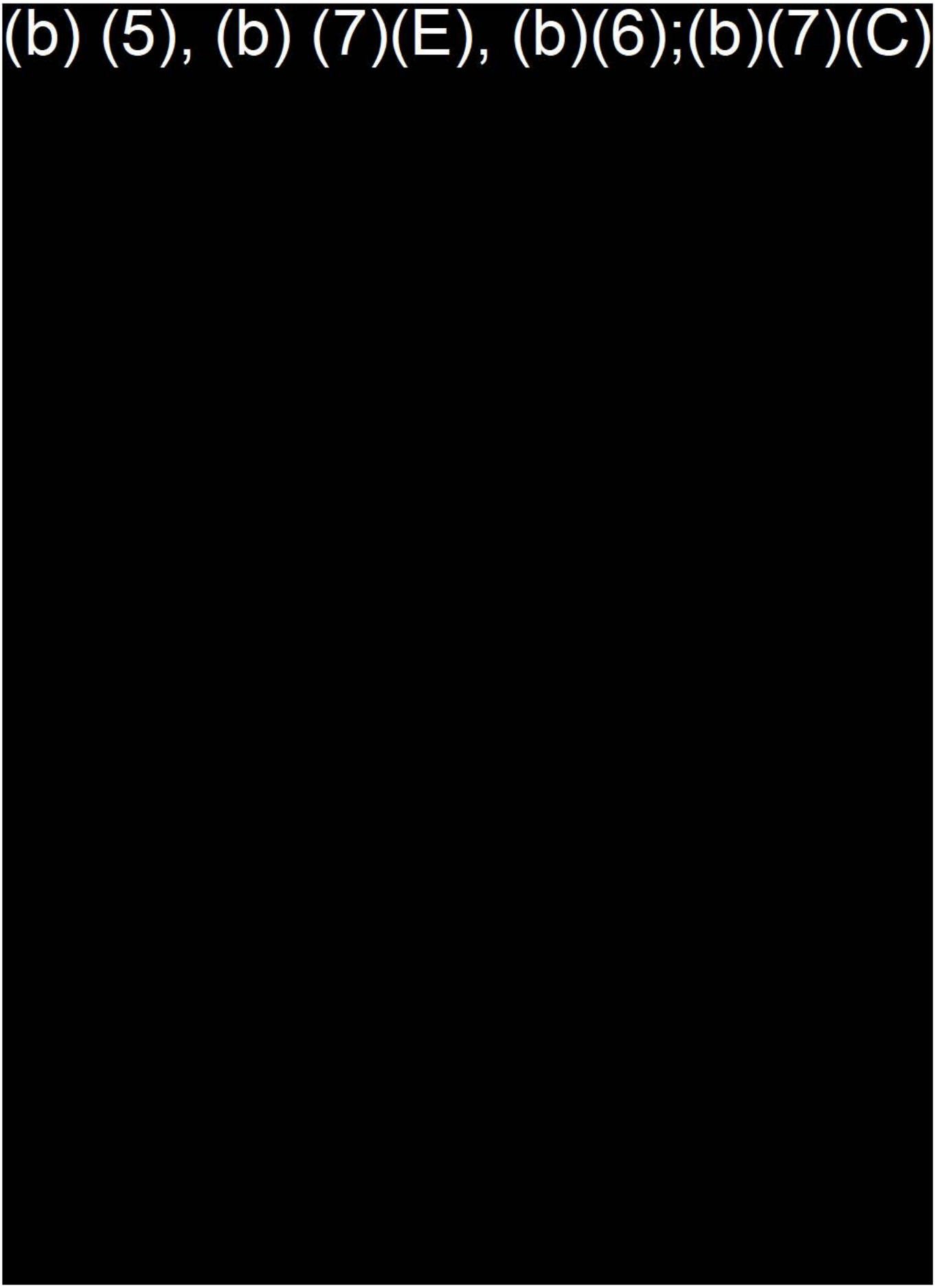

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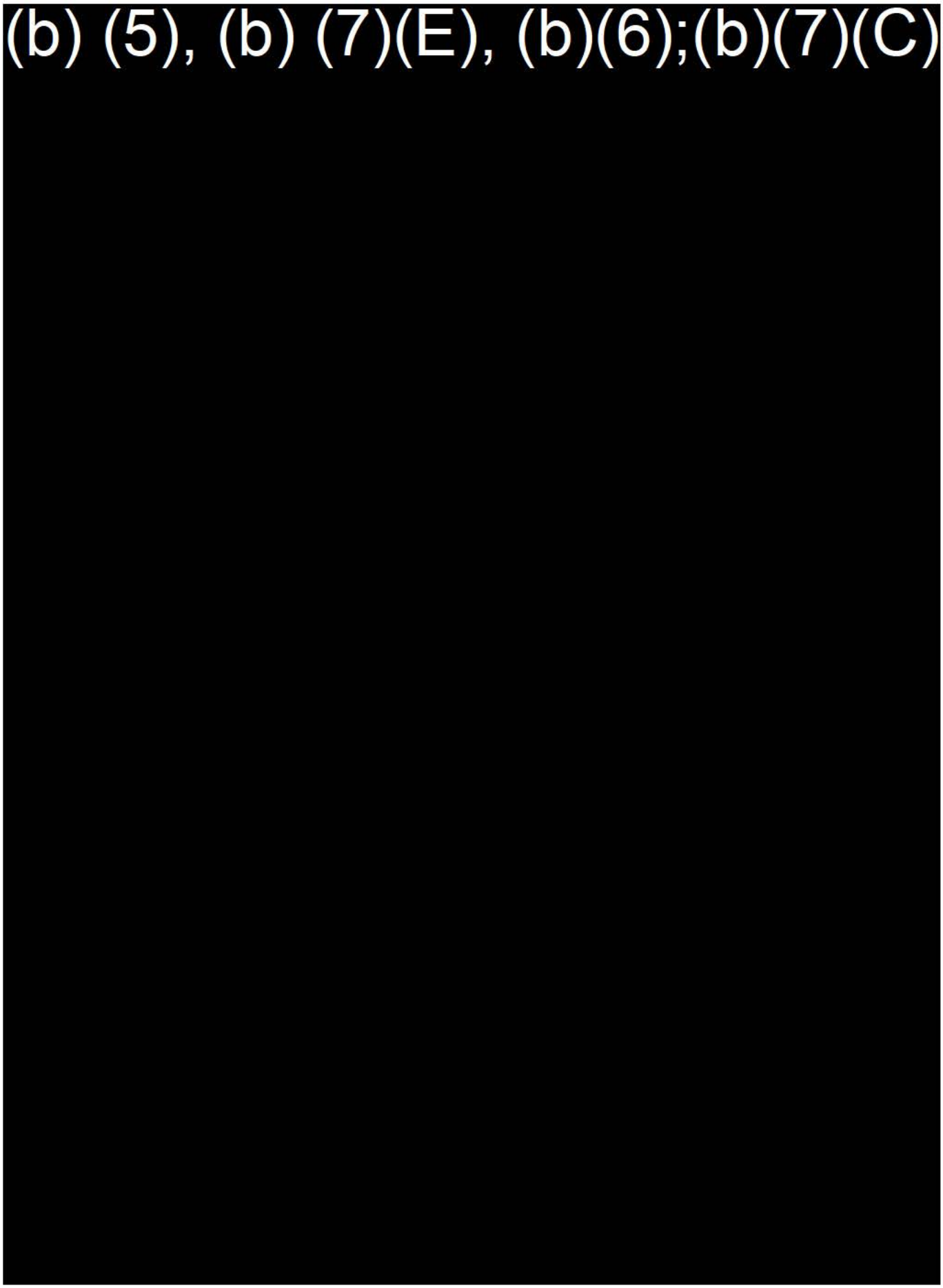

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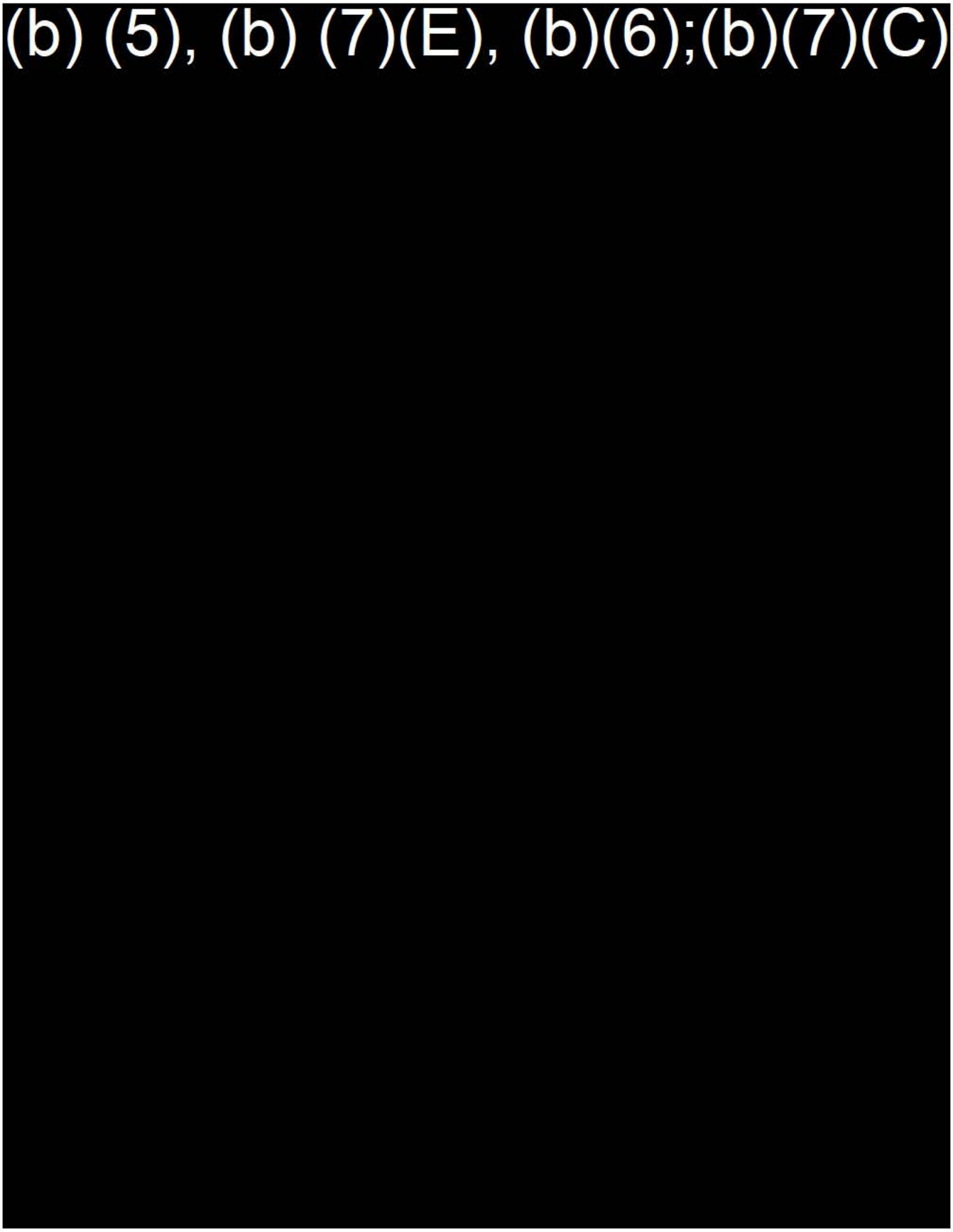

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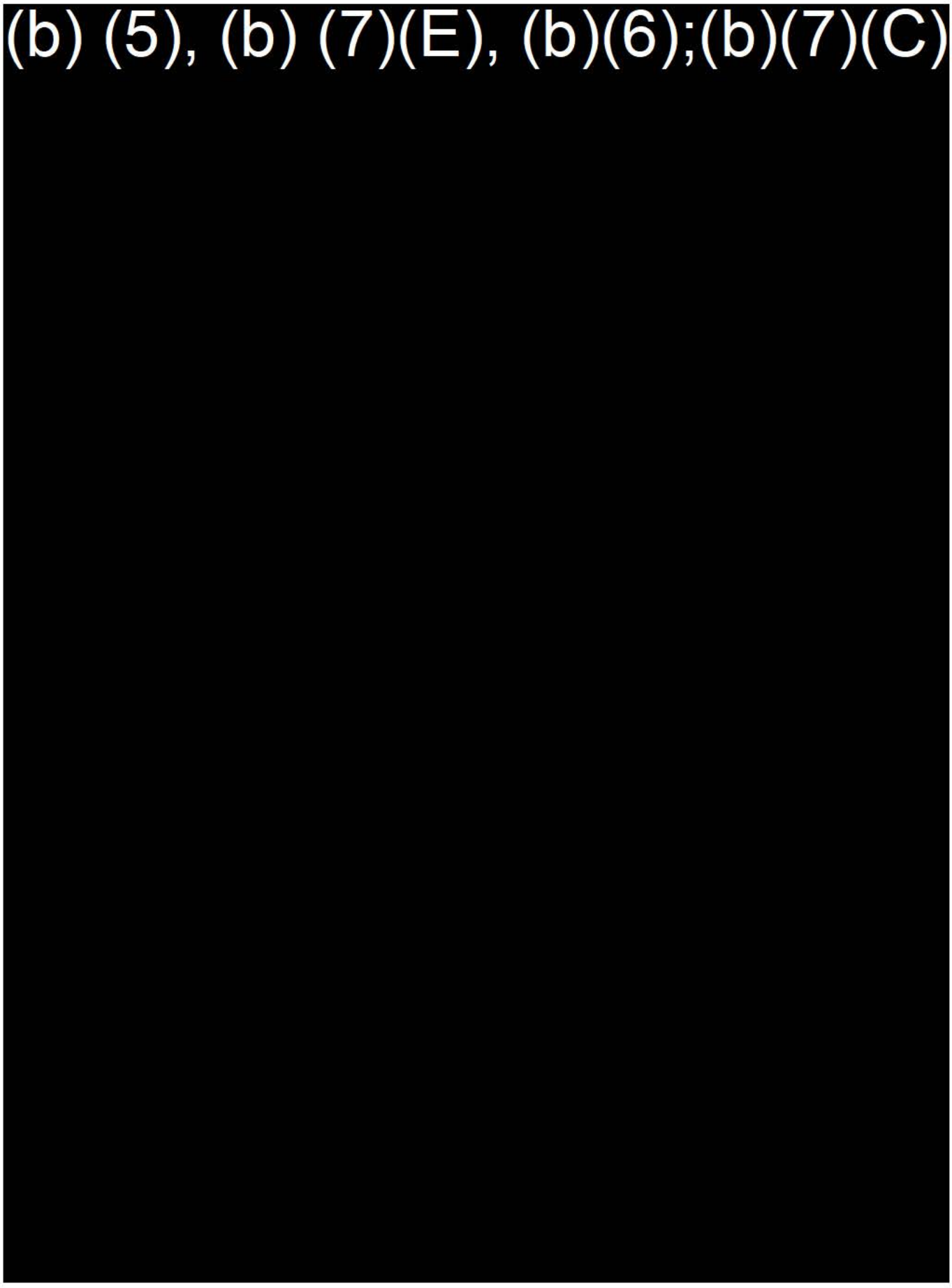

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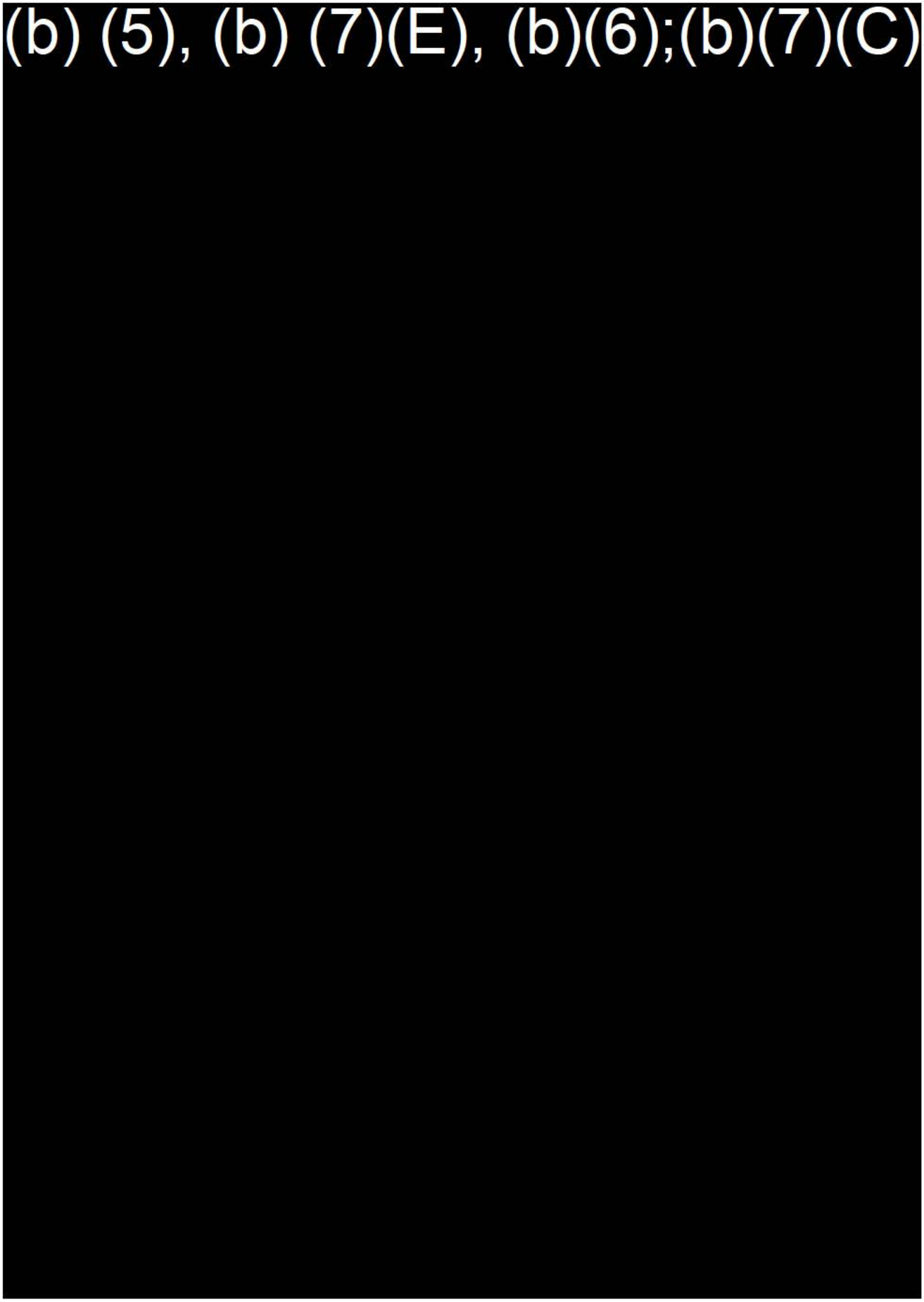

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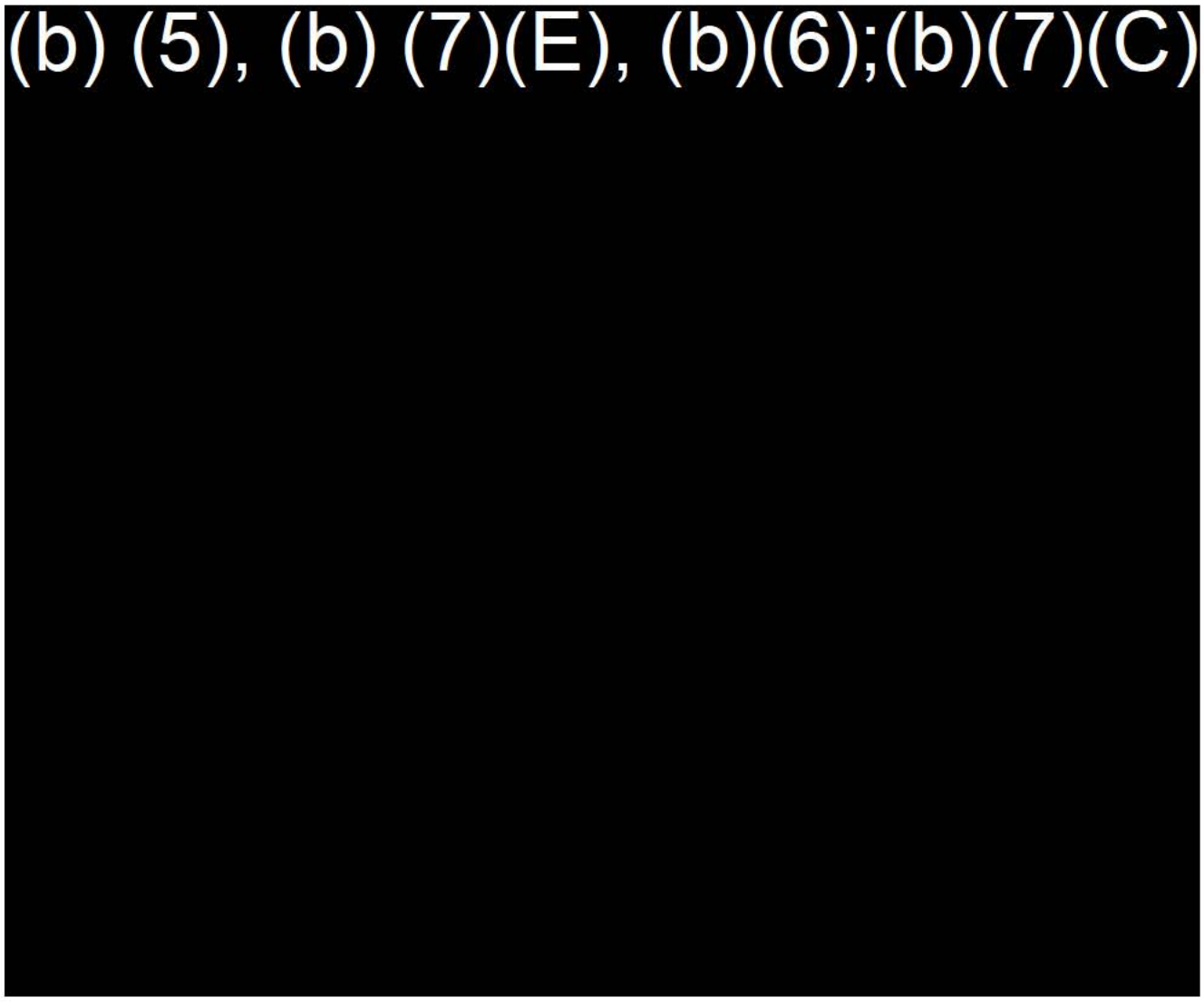

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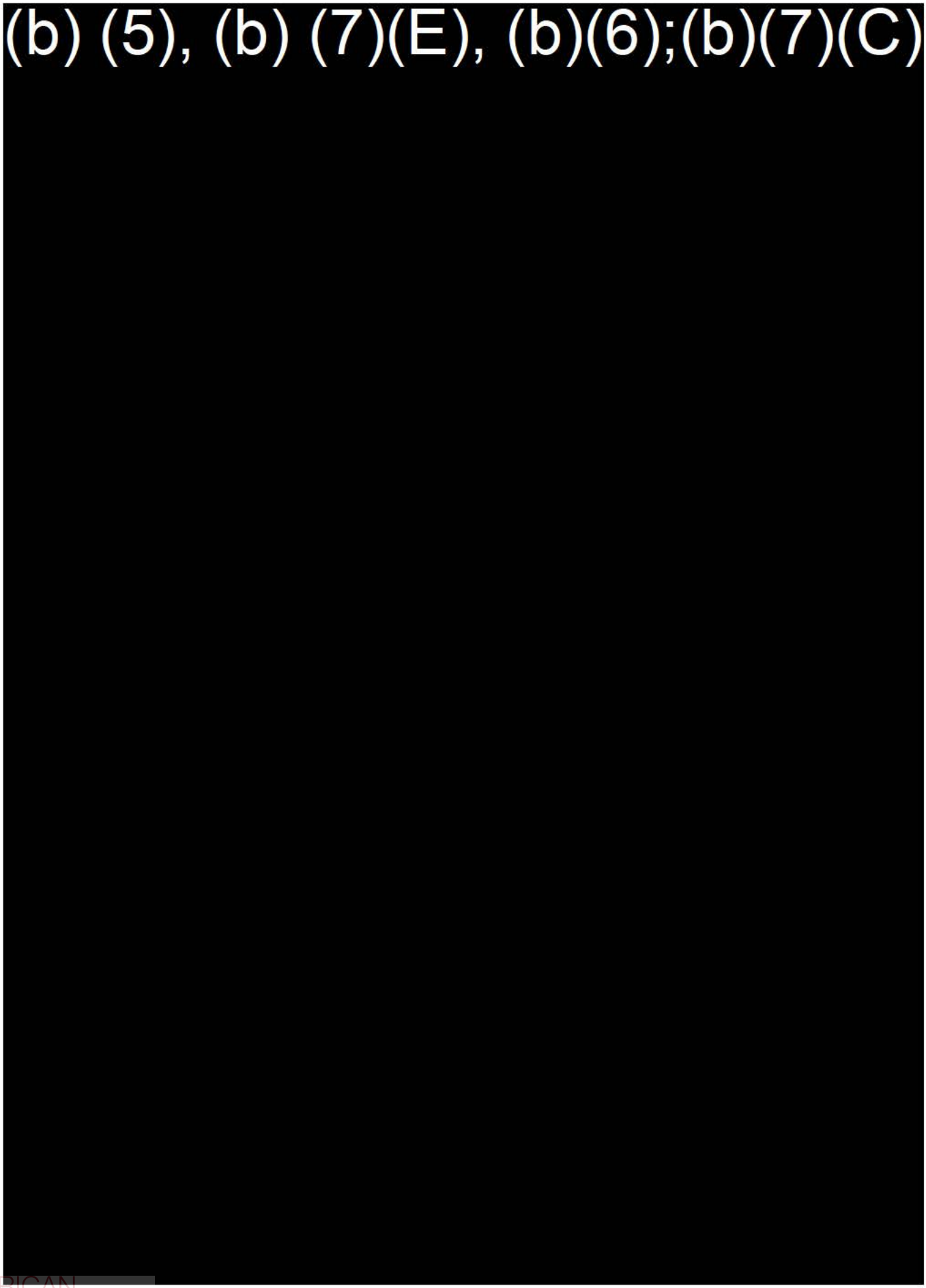

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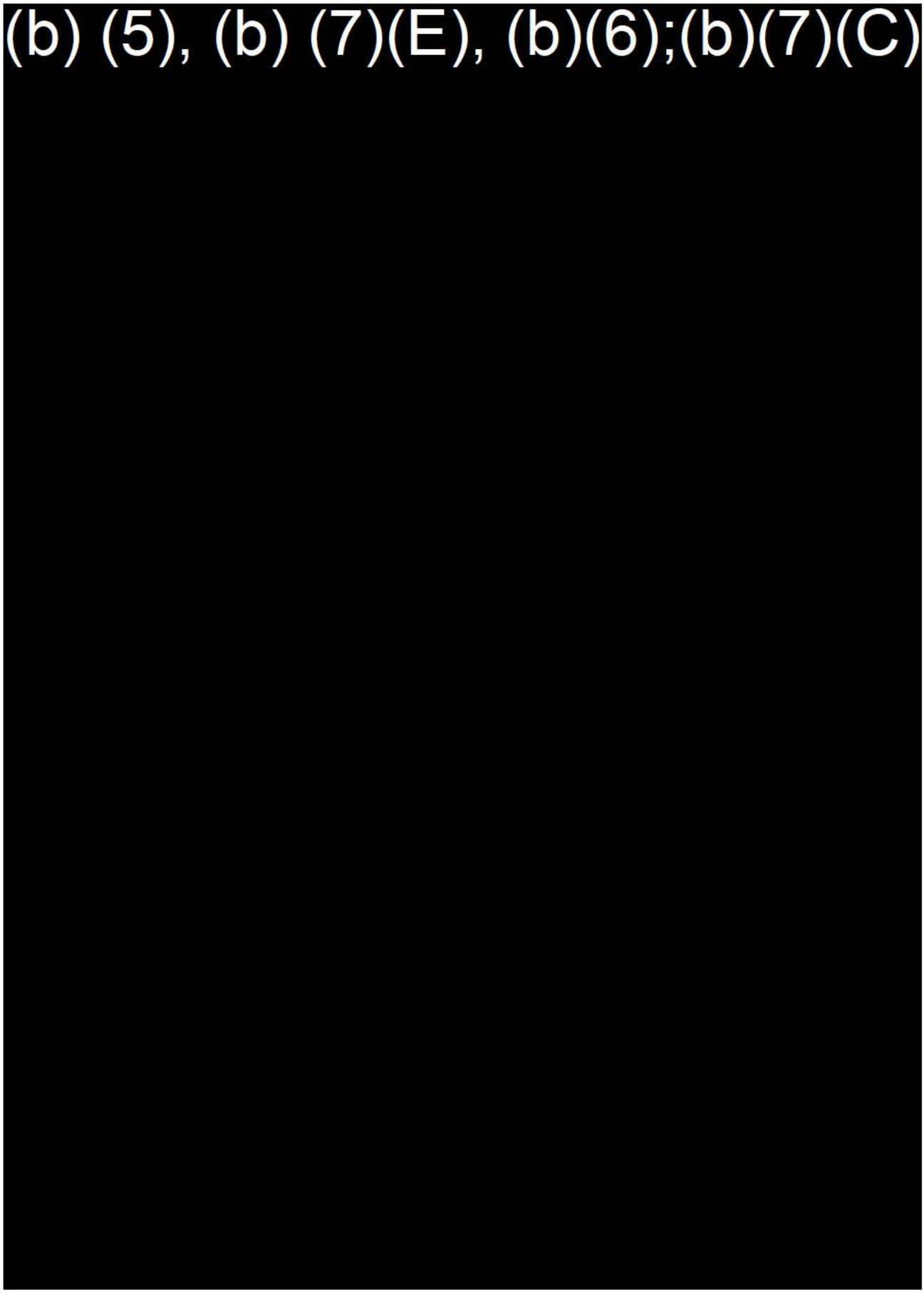

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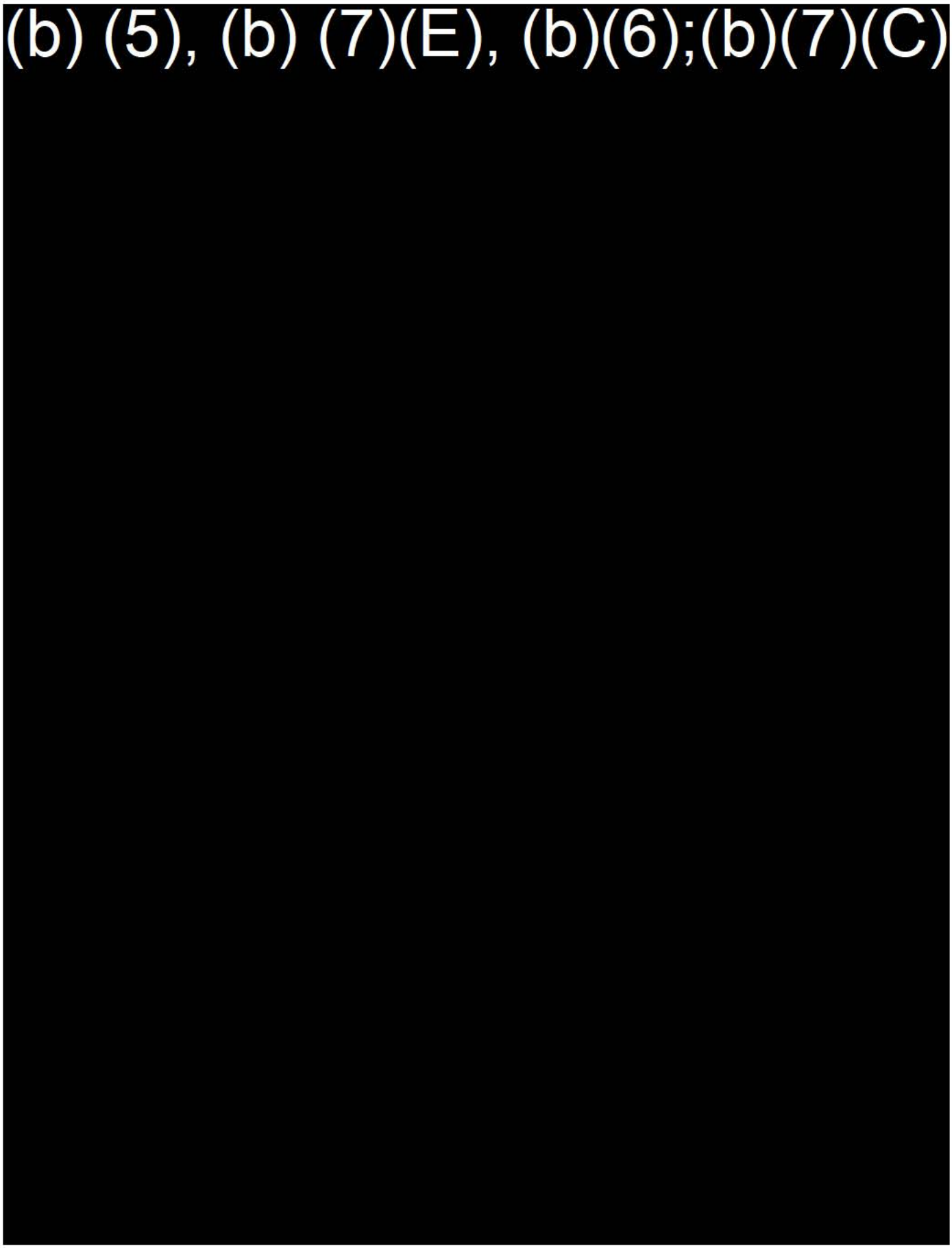

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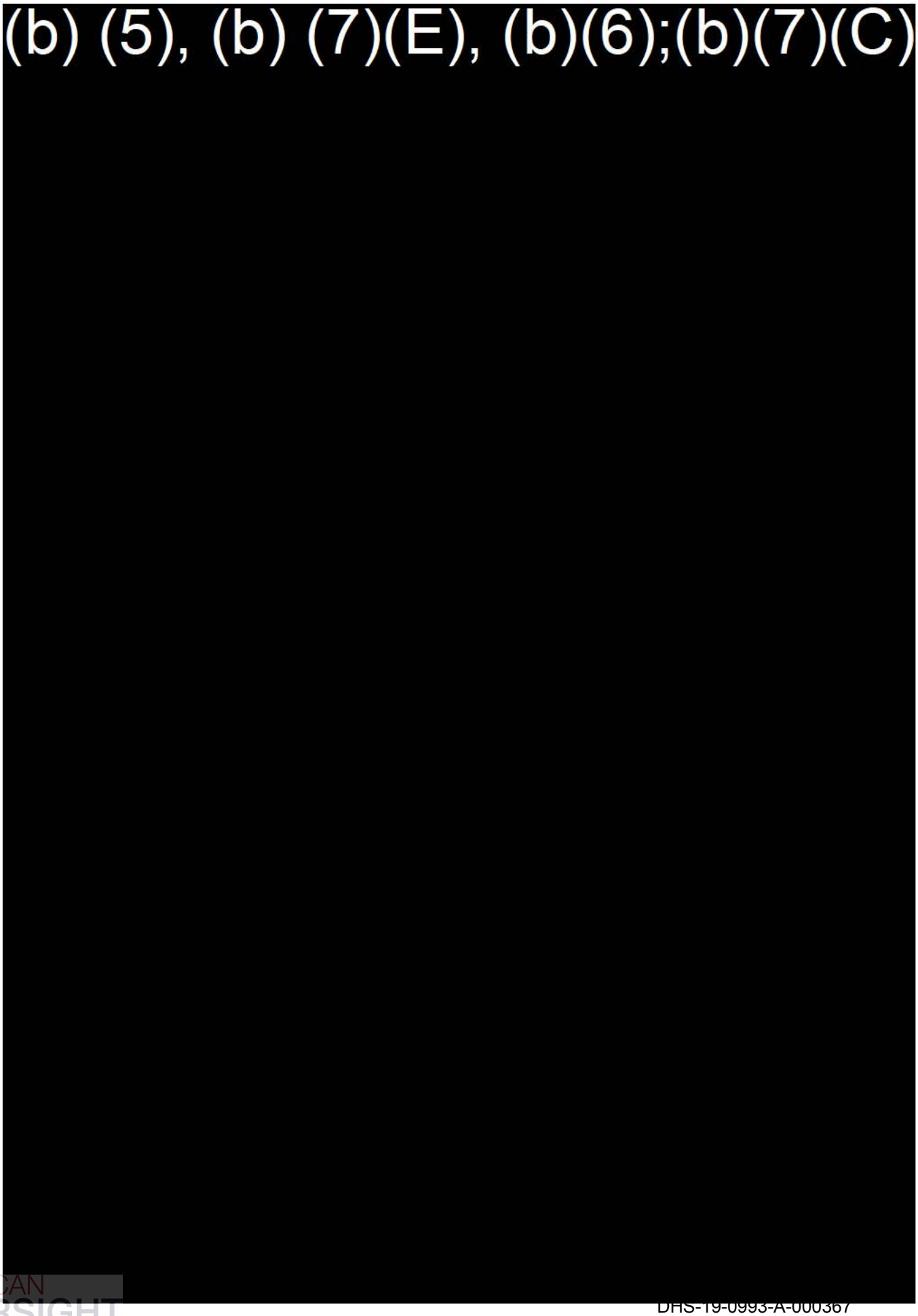

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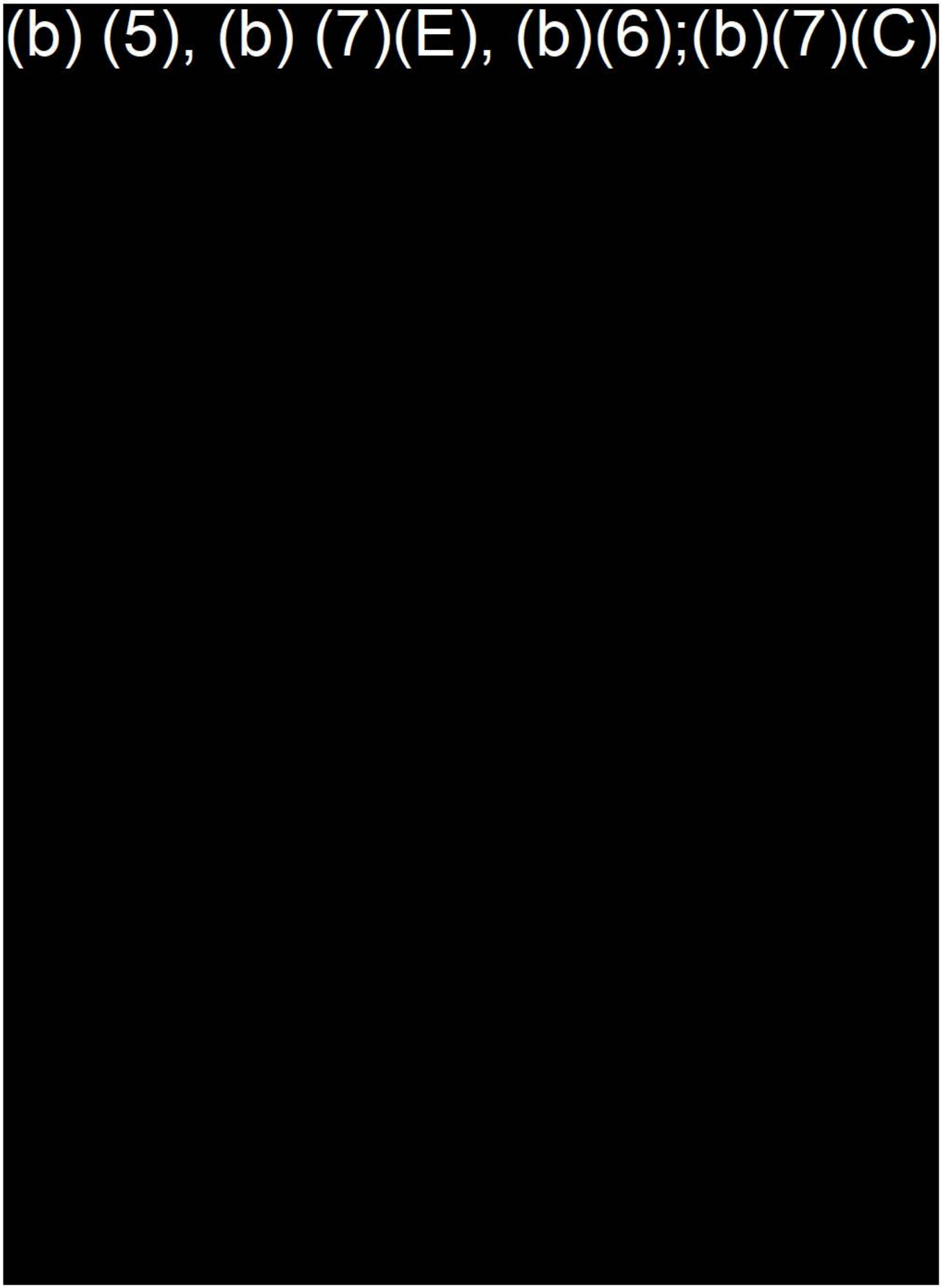

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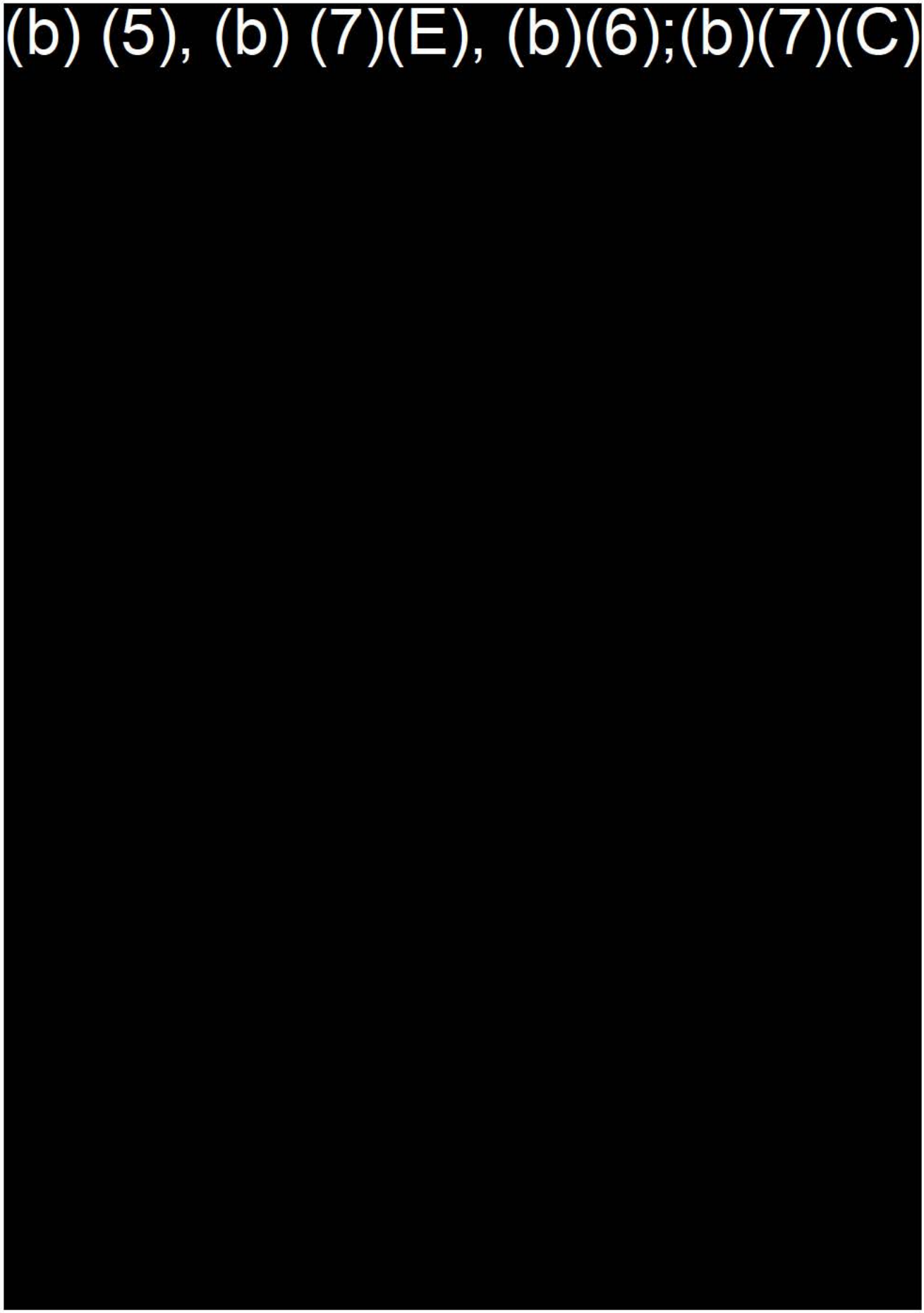

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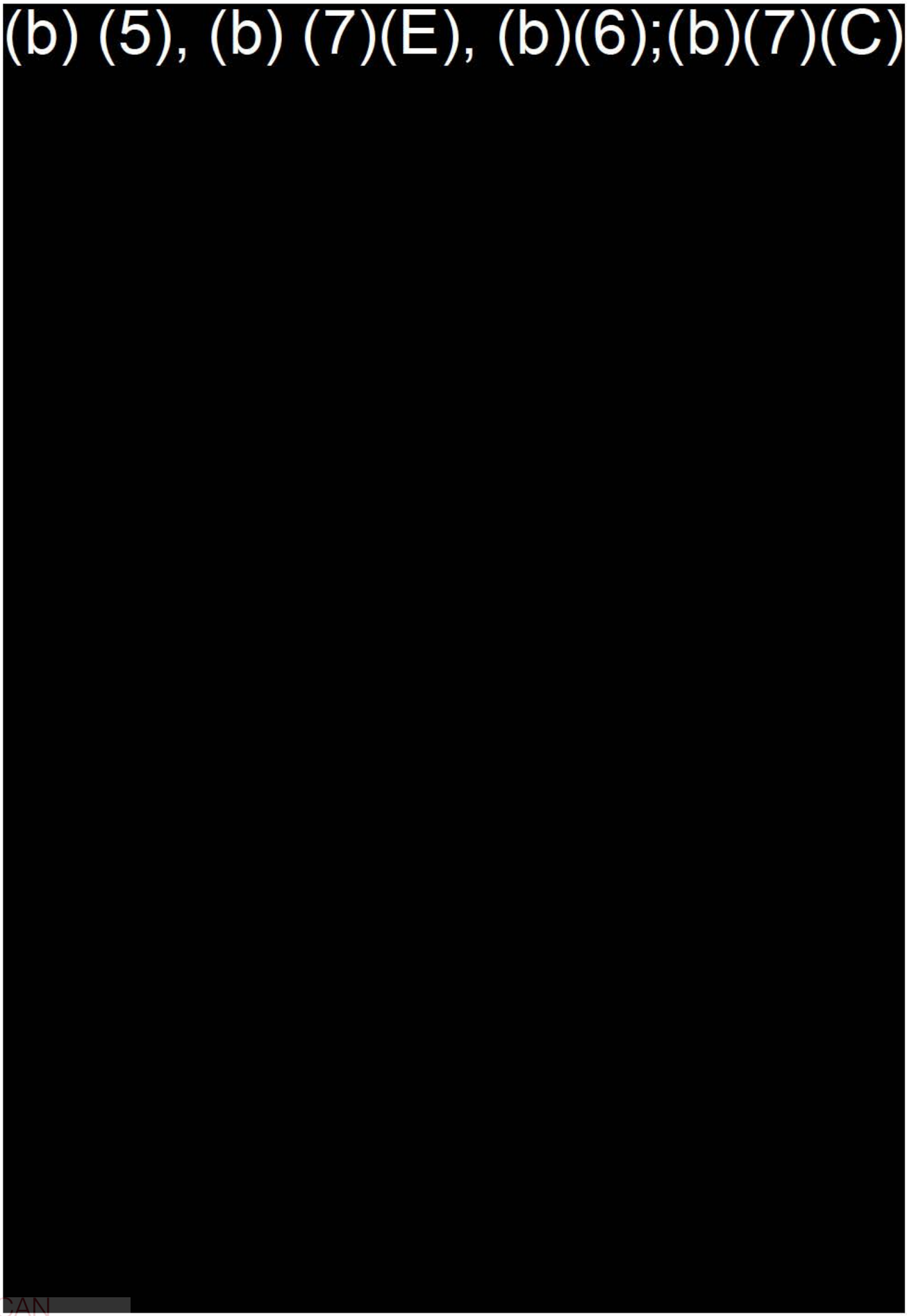

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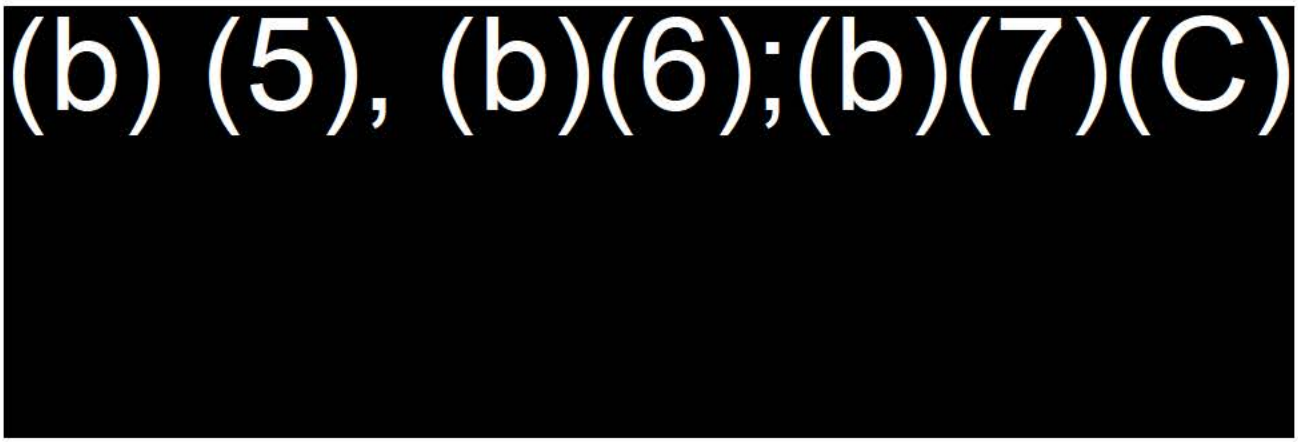

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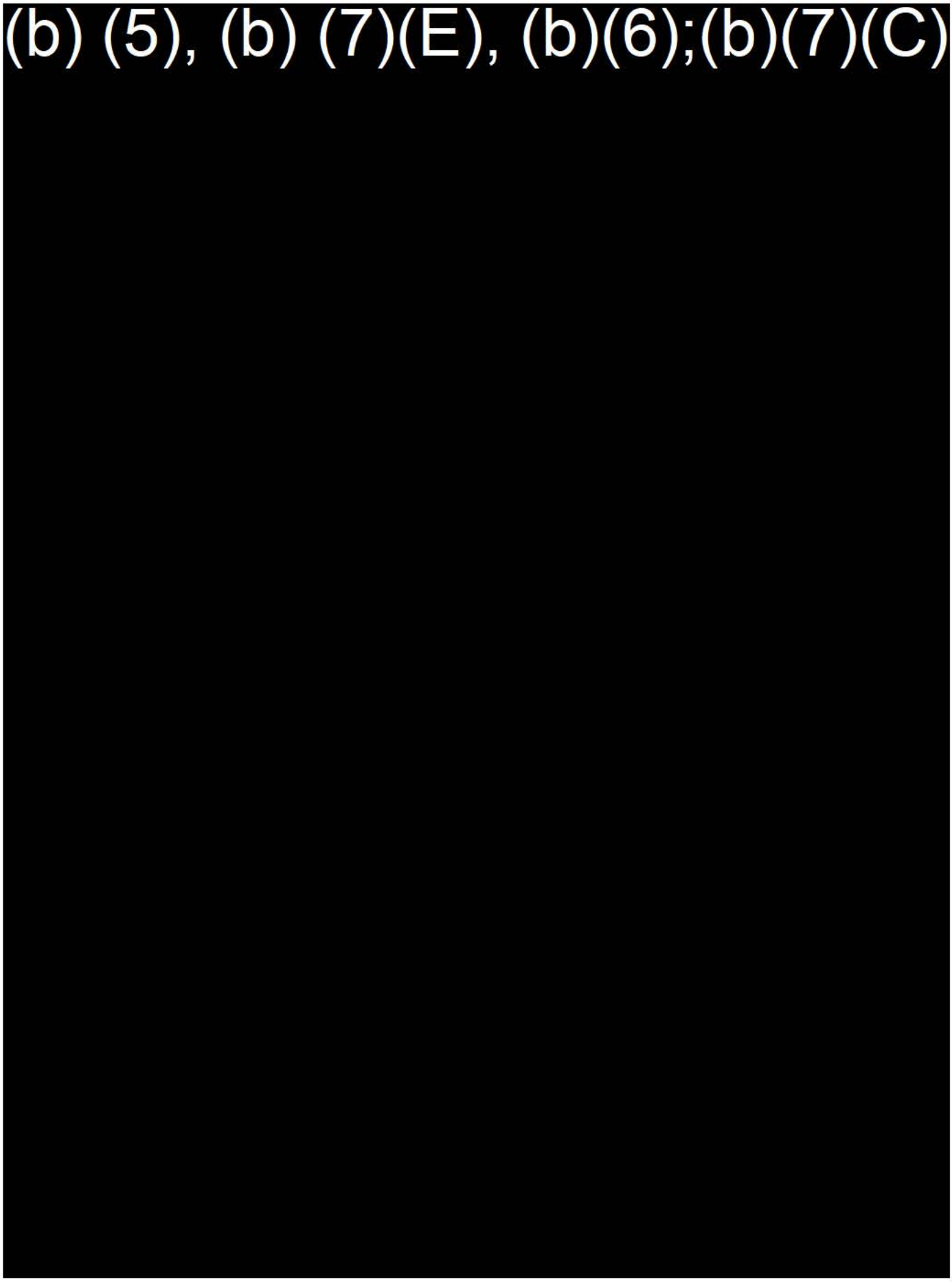

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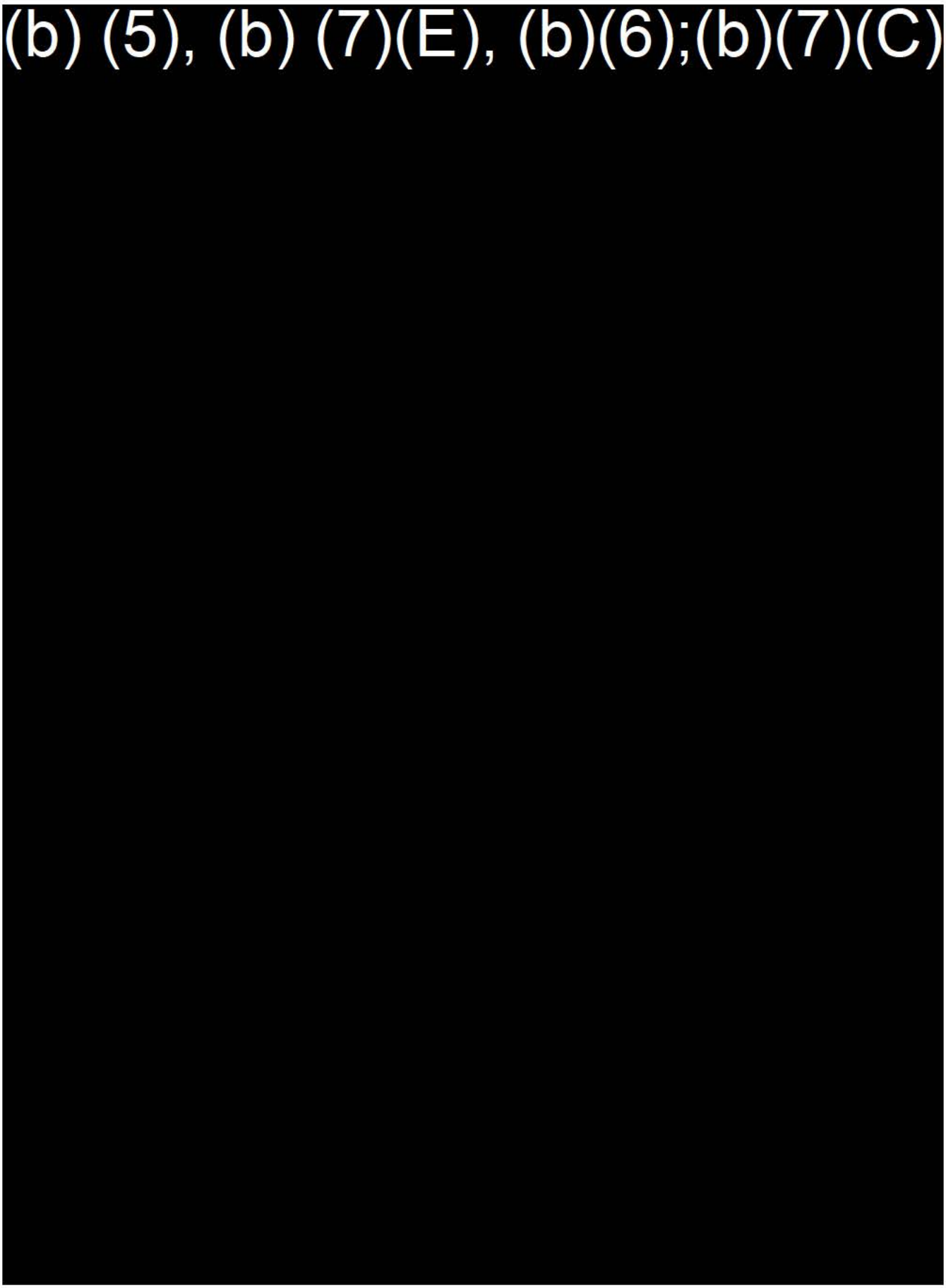

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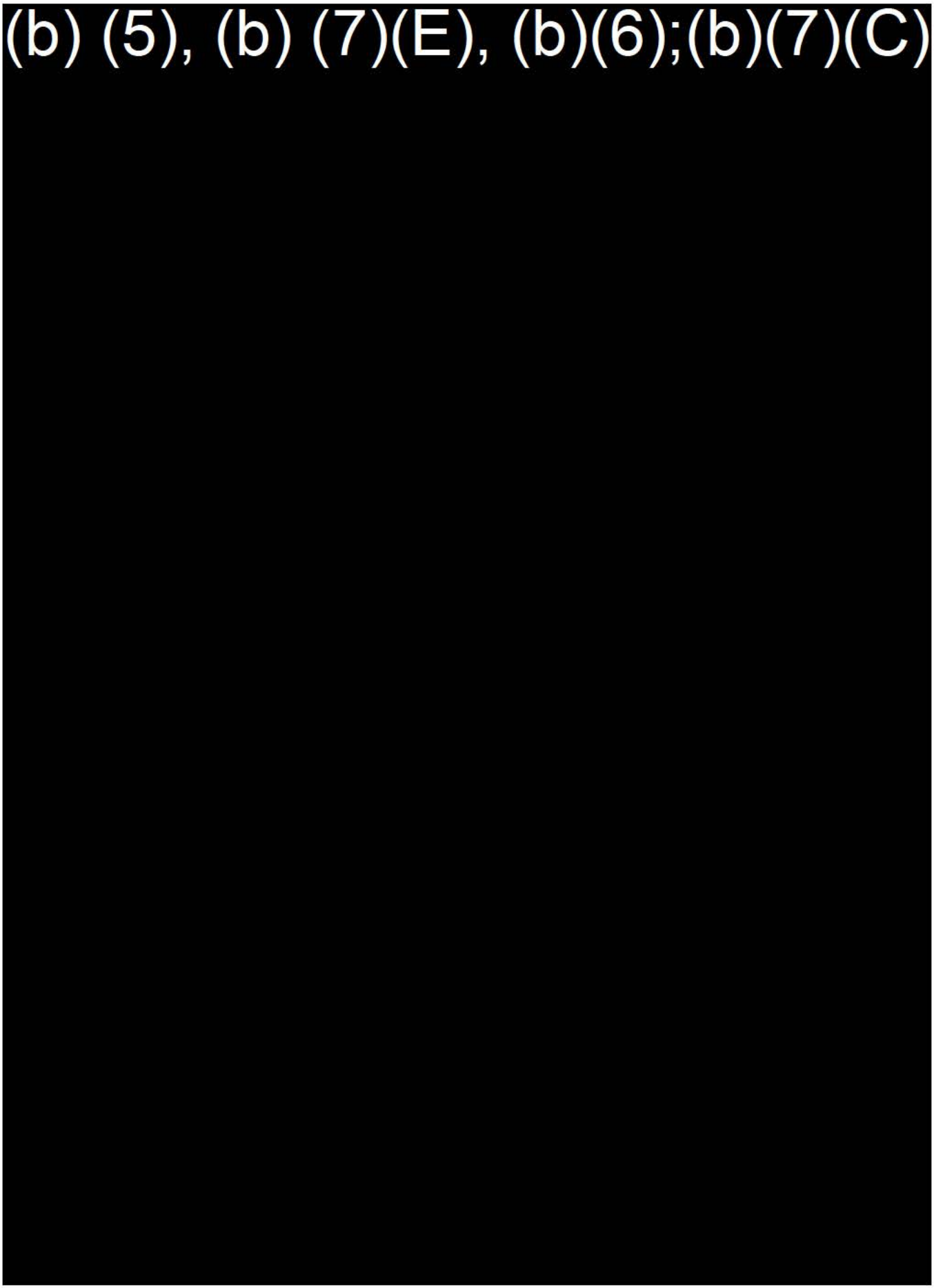

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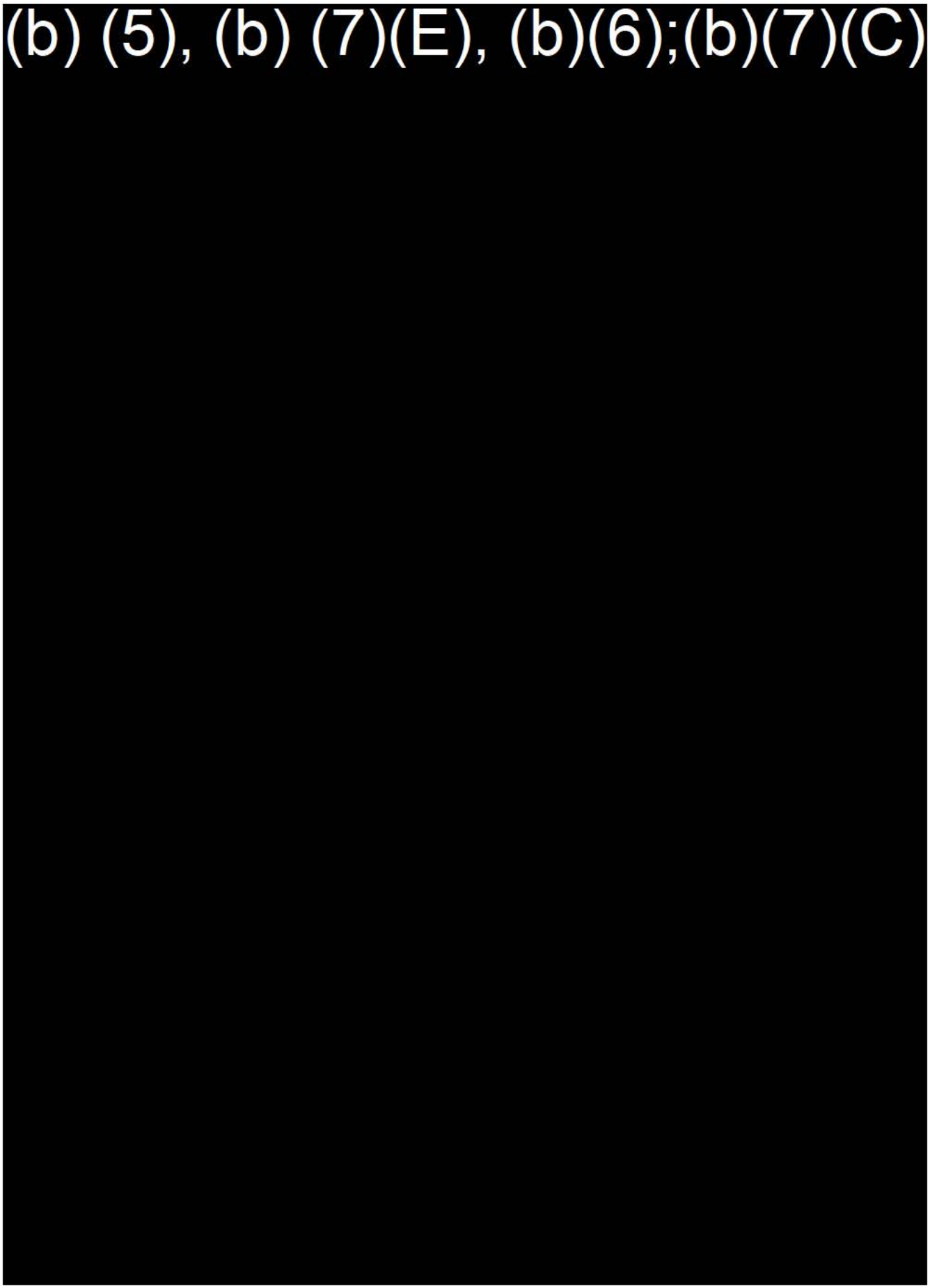

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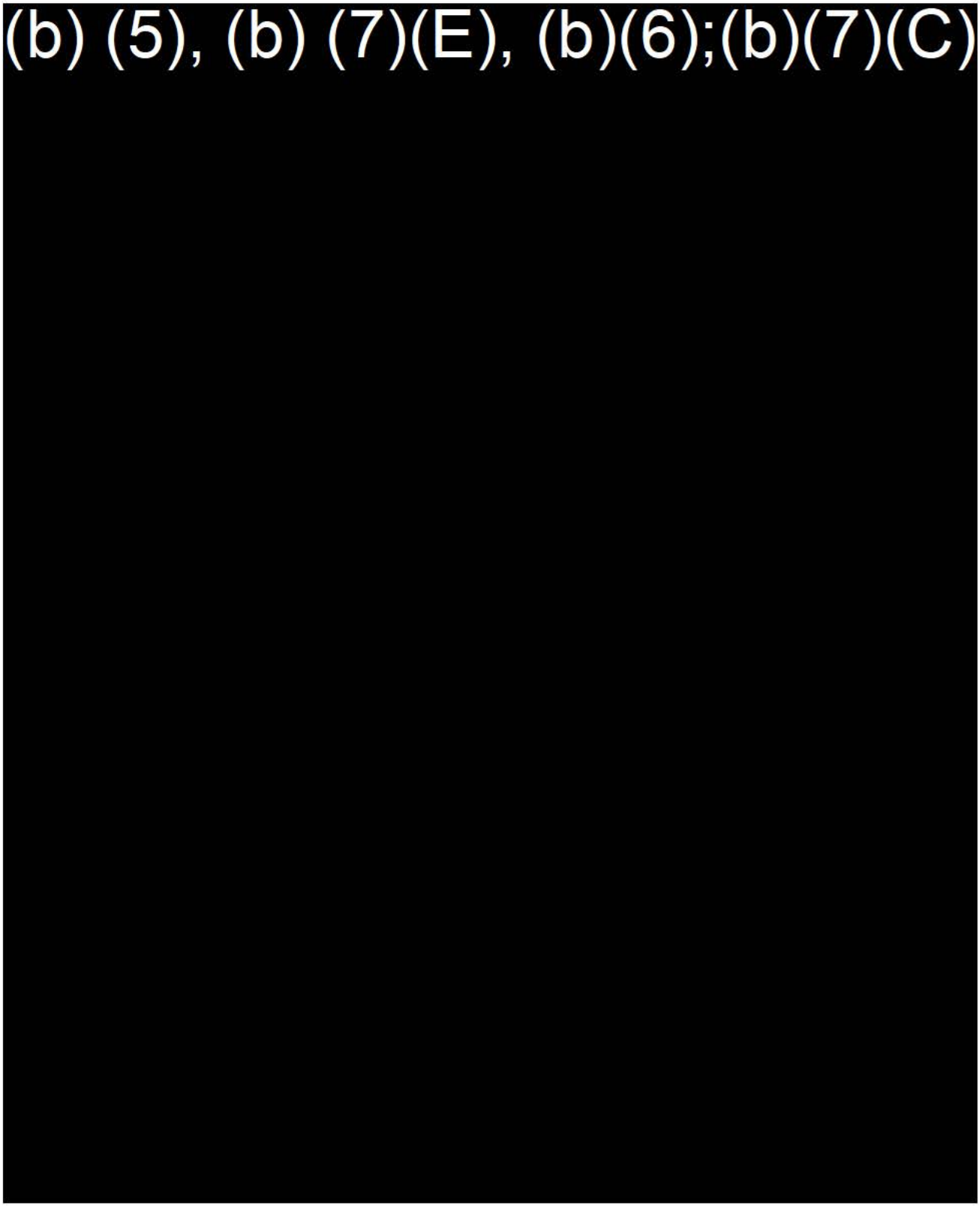

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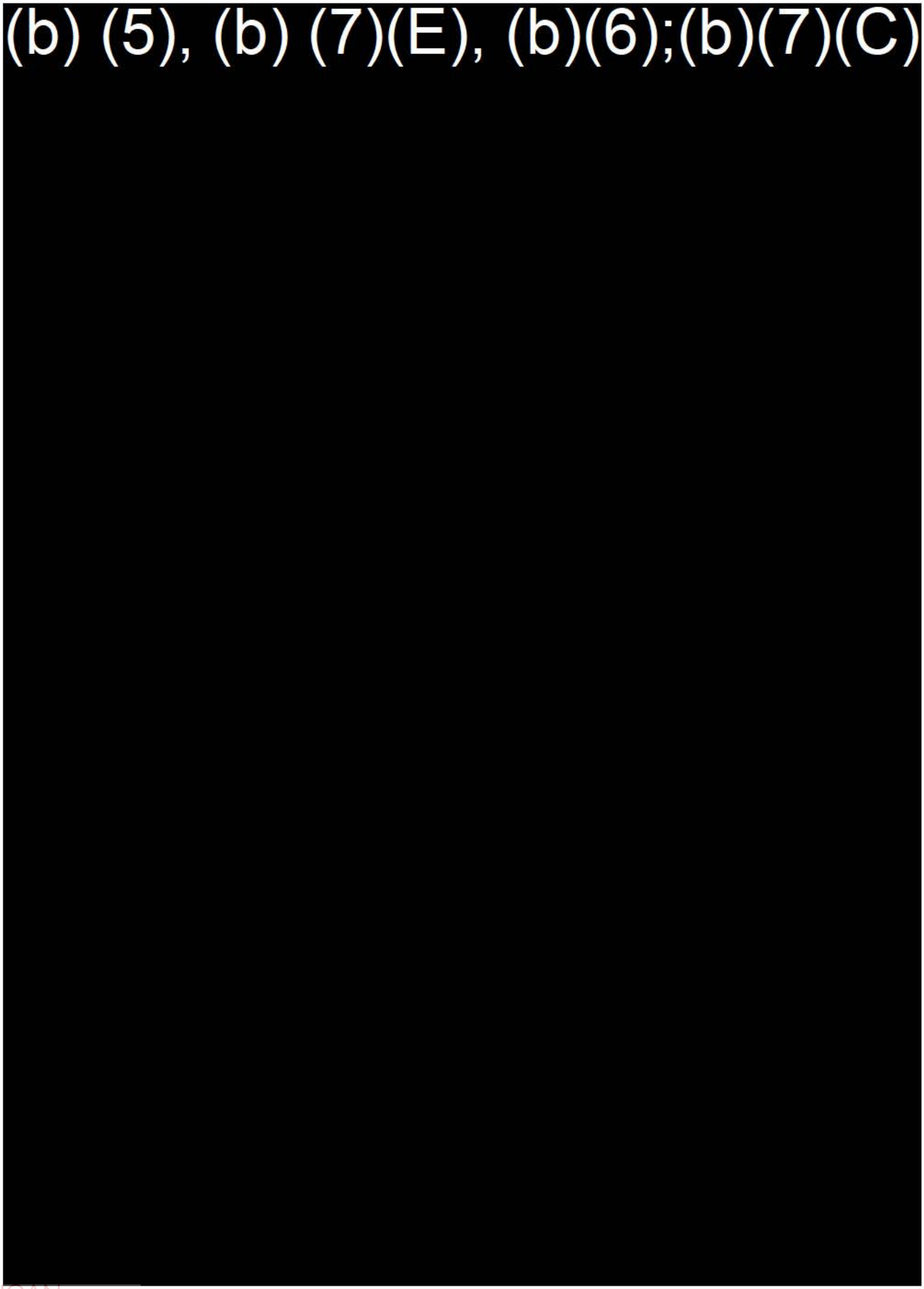

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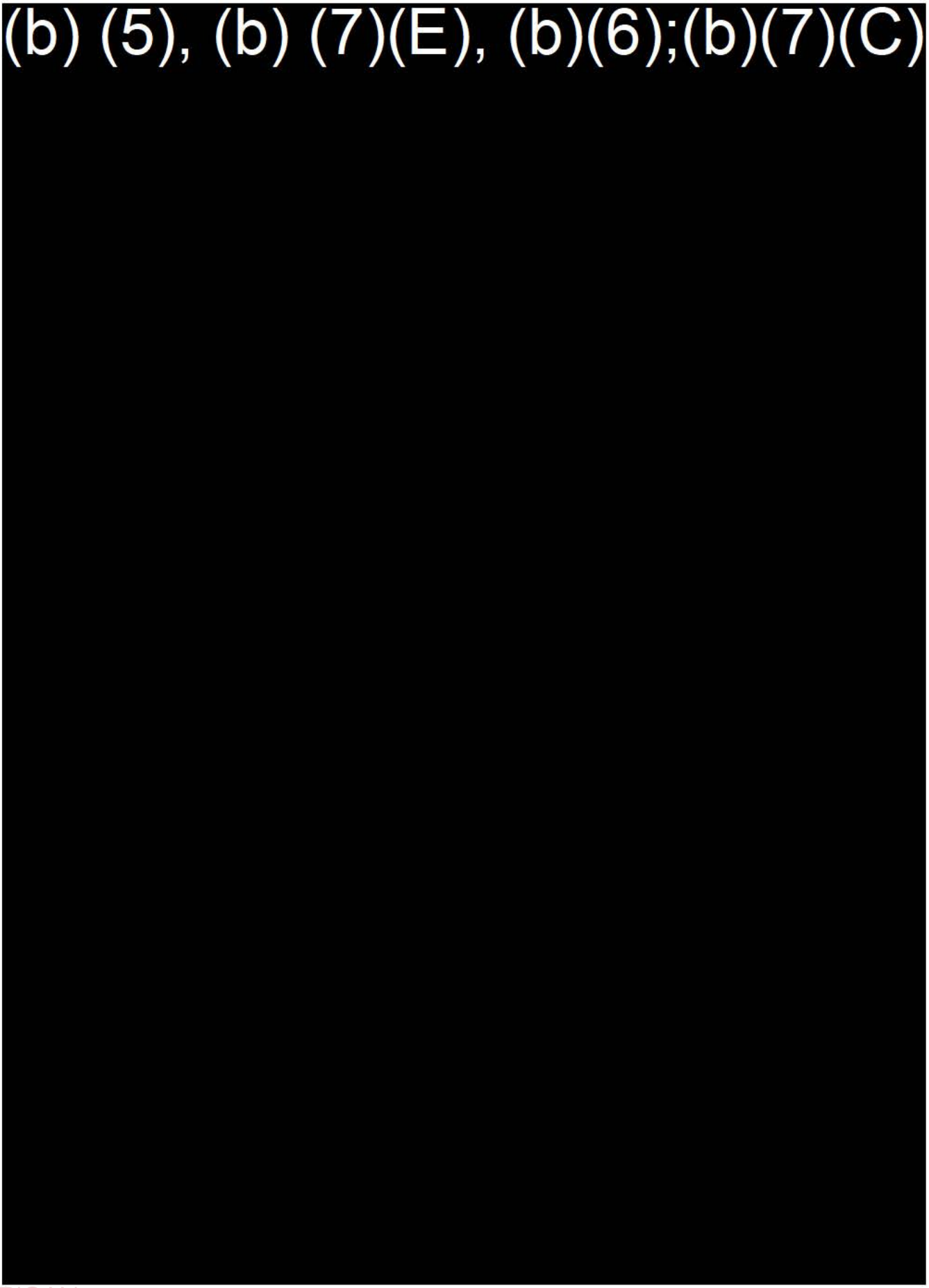

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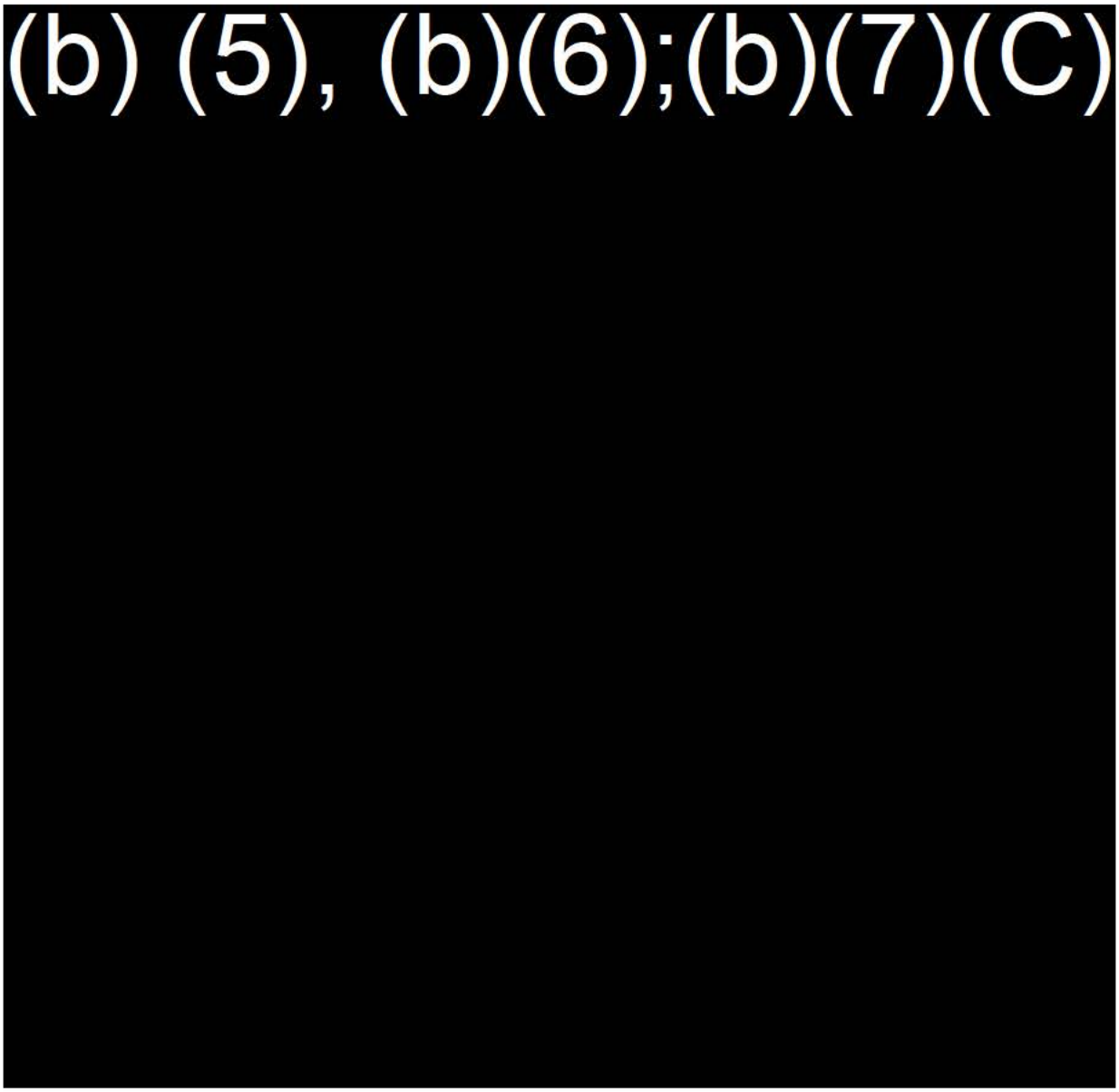

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(b) (5), (b) (7)(E)

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

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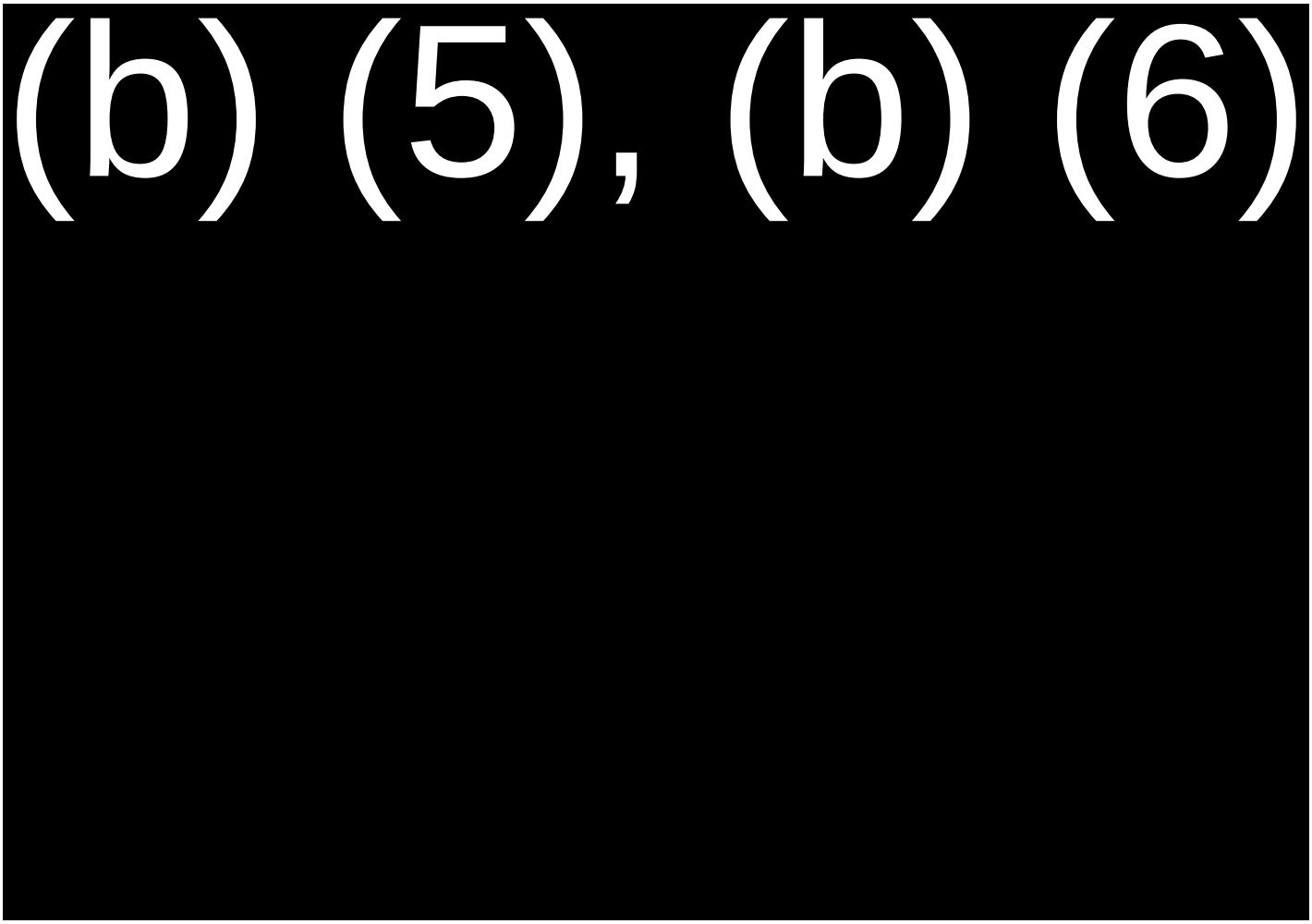

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(b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

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

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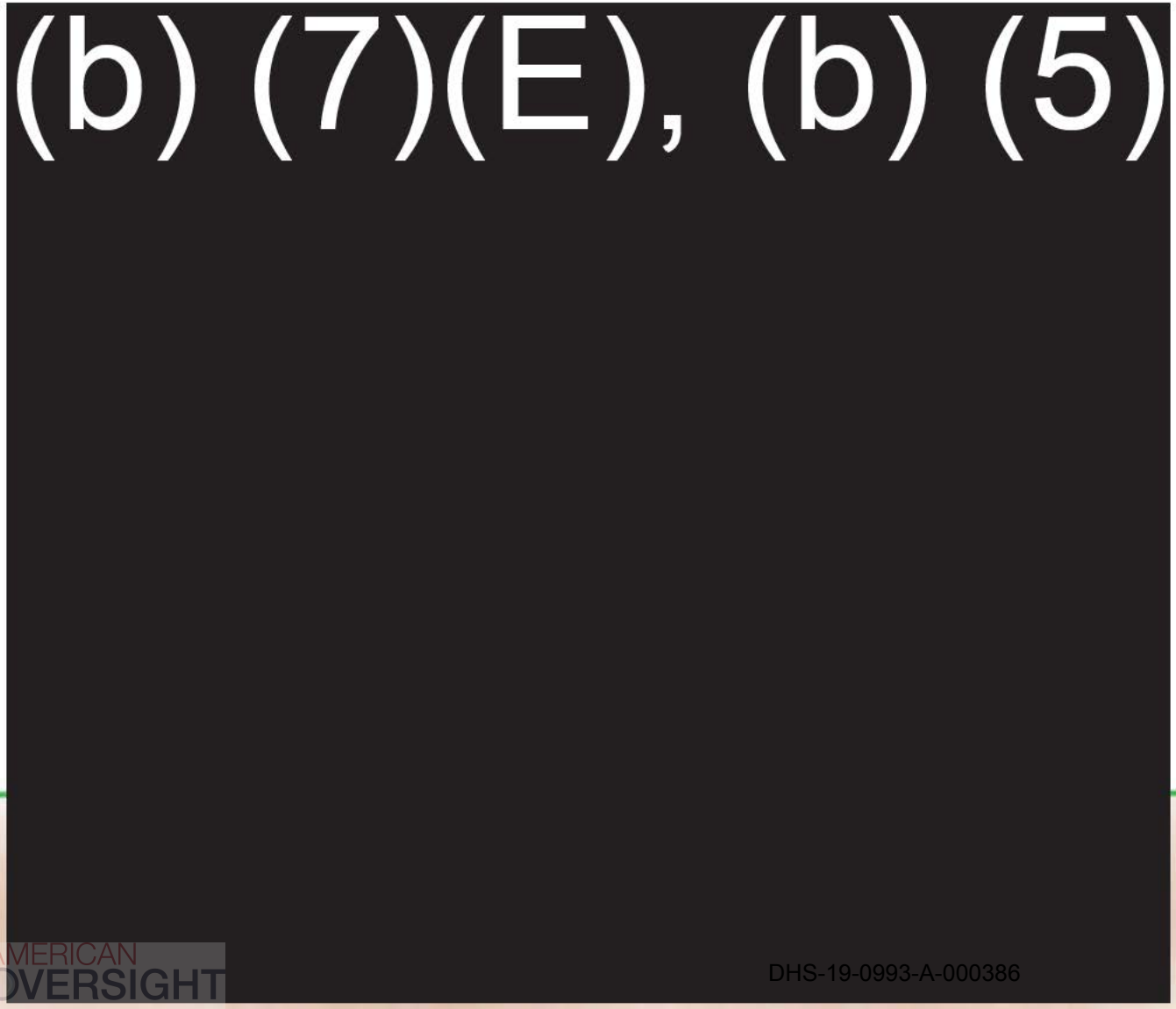

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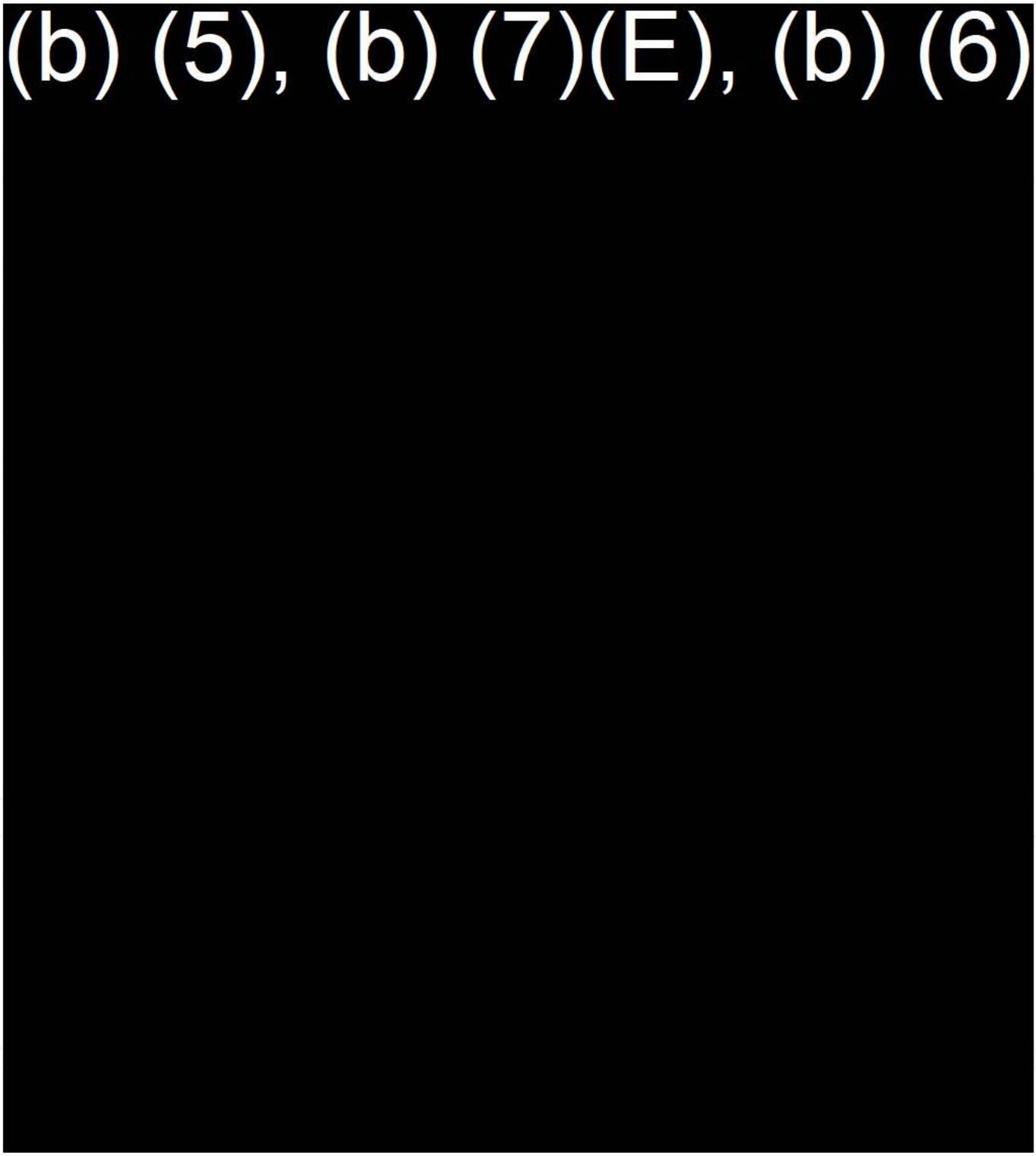

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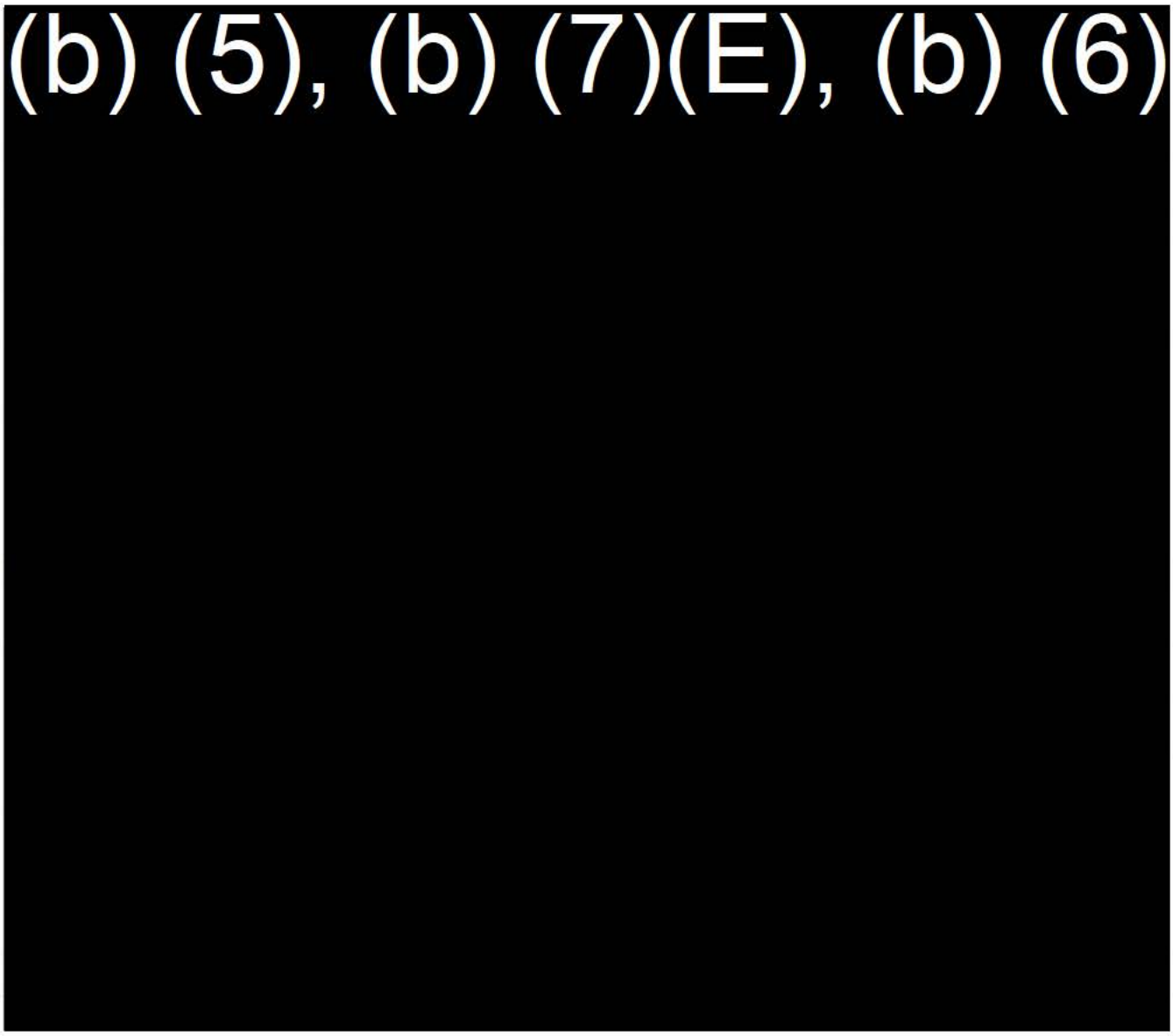

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From: MARTIN, JERRY B
To: PEREZ, ROBERT E
Cc: (b) (7)(E) SMITH, FREDERICK B (OCC); (b) (7)(E) (b)(6);(b)(7)(C) SCOTT, RODNEY S; PROVOST, CARLA (USBP); HASTINGS, BRIAN S; (b)(6);(b)(7)(C)
Subject: WBTW Response
Date: Thursday, January 30, 2020 5:35:49 PM
Attachments: Proposed Donation of Border Wall (b) (7)(E) New Mexico.oft

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Deputy Commissioner,

Per our discussion this morning, we have reviewed the materials submitted by WBTW. While they've undertaken a lot of effort, their materials are incomplete. As a result, we have developed the attached email to help articulate, with greater specificity, exactly what is required to adjudicate their donation package. Given that this is now directly related to the donation and delegated authority for accepting donations rests with the front office, would you like to be the one to send this? If so, the attached Ready-to-Send email can be for your use. If not, I will send it.

If you'd like to discuss, I am standing by.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O-(b) (7)(E), (b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

To: kkobach@gmail.com
Cc: MARTIN, JERRY B; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Proposed Donation of Border Wall, (b) (7)(E) New Mexico
Attachments: Wall Attachments V2 01292020.pdf; Gift Donation Form 112-02.pdf

Dear Mr. Kobach:

Thank you for your recent communication regarding We Build the Wall's (WBTW) proposed donation of border wall. It is my understanding that WBTW, a private entity, would like to start construction on approximately (b) (7)(E) of border wall in (b) (7)(E) New Mexico. Upon completion, WBTW would like to donate this wall as a gift to U.S. Customs and Border Protection (CBP). CBP has reviewed the information WBTW has provided to date regarding the proposed donation. To the extent that WBTW intends to make a formal donation offer to CBP, set out below is the additional information that should be included in the submission. CBP would require this information in order to consider and potentially act upon WBTW's donation offer.

SUBMISSION PROCESS

In order to make a formal offer of donation or gift, WBTW must first submit a formal letter of intent to the Department of Homeland Security (DHS) and CBP. In order to properly evaluate WBTW's gift, CBP needs the information required by DHS Form 112-02. For your convenience, enclosed is a copy of DHS Form 112-02. Those requirements include a detailed description of the gift along with any donor's name and address, as well as any past, present, or pending matters and activities involving the Department and the circumstances regarding donation of the gift. Additionally, the Department's gift acceptance policies further require the donor's estimate of the gift's value, which for non-cash gifts should be the gift's estimated market value.

In addition to the items listed above, WBTW's submission should address the items listed below. The items listed below will assist CBP in its evaluation of WBTW's gift and/or any CBP authorization to construct on federal land that is under CBP's administrative jurisdiction. From our previous discussions, we understand WBTW has offered to fund all design and construction and all real estate and environmental documentation and permitting for the proposed project and will ensure the donation meets the U.S. Border Patrol (USBP) operational requirements.

ALIGNMENT MAP

WBTW must provide an alignment map that is sufficiently identifies the location the proposed border wall segment. The map will allow CBP to evaluate the proposed location relative to United States Border Patrol (USBP) operations. It is CBP's understanding, based on materials previously submitted by WBTW, that the proposed (b) (7)(E) wall project is (b) (7)(E). (Location coordinates – Start: ((b) (7)(E)) Stop: (b) (7)(E))). For your convenience, enclosed you will find a map that shows CBP's understanding of the proposed project location. WBTW's submission should confirm this understanding and show precisely where the proposed wall will be situated.

DESIGN & CONSTRUCTION

As a part of its submission, WBTW must confirm that the proposed wall segment will adhere to the USBP Tactical Infrastructure (TI) Design Standards as the design criteria for the wall design and that WBTW will consult with USBP on any design and construction questions to ensure the wall meets the operational requirements of USBP.

Those design standards include the following requirements or conditions:

Design

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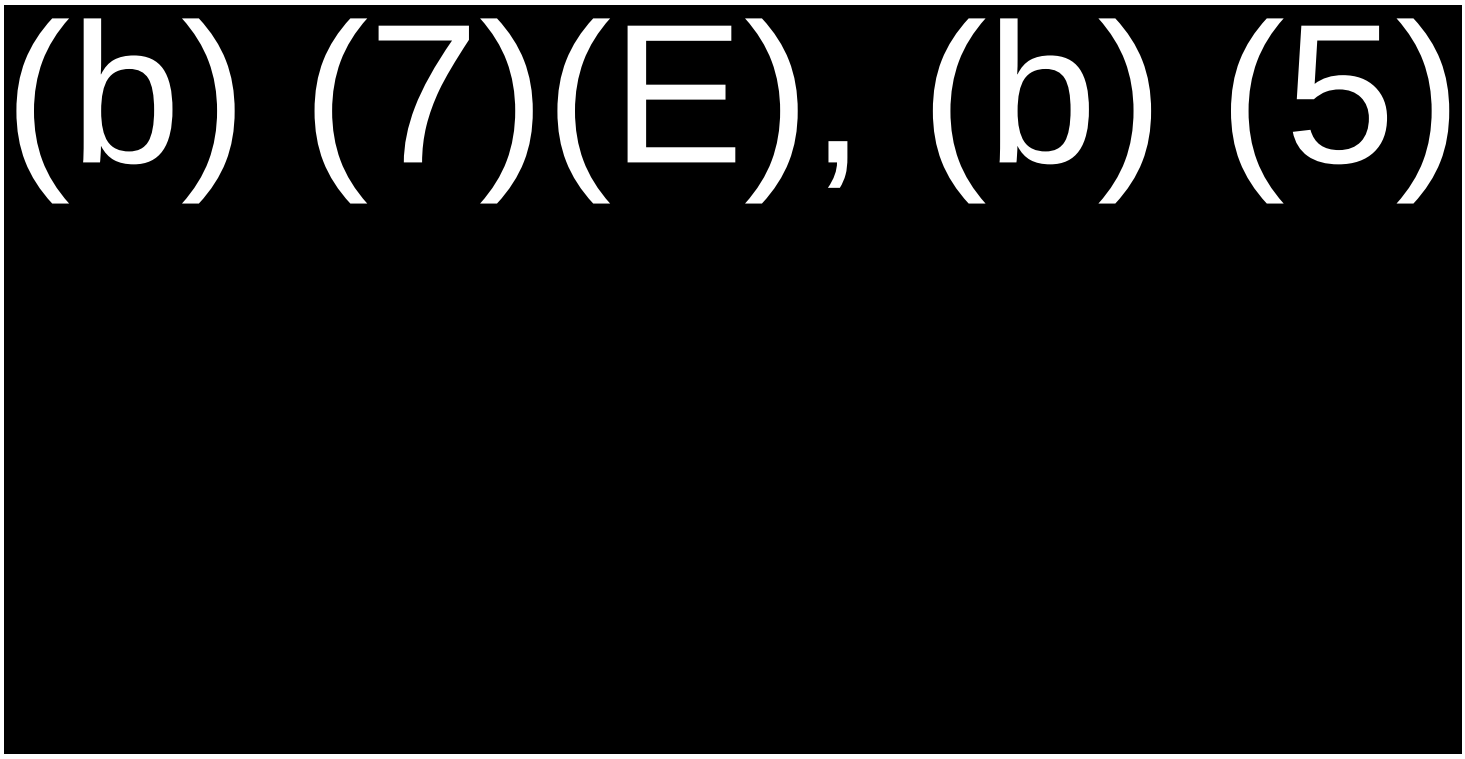

Construction

- All wall should be constructed in accordance with the TI Design Standards.
- Regular communication with USBP personnel, to include providing a high-level milestone schedule, to ensure construction does not adversely impact operations.
- Consultation with USBP subject matter experts prior to start of design to discuss and incorporate such items as wall alignment, design criteria, construction criteria into the design.
- Consultation with USBP subject matter experts during preliminary design and prior to design completion to receive feedback regarding design progress.
- Regular meetings with USBP subject matter experts on a weekly basis but no less than once per month throughout construction of the wall to discuss progress, construction testing, questions and issues encountered by the contractor.

REAL ESTATE & ENVIRONMENTAL

WBTW's submission should also address real estate and environmental issues, to include the following:

Environmental

- Regarding the need for 404 permits under the Clean Water Act, WBTW has stated that the U.S. Army Corps of Engineers (USACE) "has no interest" in the proposed project areas, as there are no Waters of the United States that are within the proposed project area or elsewhere that will be affected by the proposed project. WBTW cites to a "hydro analysis" that was performed in making this determination.
    - WBTW should include a copy of the hydrological analysis and/or any delineation survey that was performed and copies of the correspondence with USACE showing its determination that no 404 or other Clean Water Act permits are required.
- WBTW has already provided CBP with the results of cultural/historical assessment that has been performed concerning the proposed project area.

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- WBTW should provide any correspondence or feedback it has received from the New Mexico State Historic Preservation Officer concerning such assessment and the potential impacts of the proposed project.

- As to other potential environmental obligations, as has been discussed, CBP may be required to comply with the National Environmental Policy Act, the Endangered Species Act, or other environmental statutes in accepting a gift or authorizing construction on federal property. WBTW's donation intent should discuss whether it has the ability to assist with such compliance by CBP. Such assistance would likely come in the form of, among other things, providing project information, conducting additional resource surveys of the project area, or providing a consultant to assist in the preparation of required environmental documents.

CONSTRUCTION CLOSE-OUT

Finally, as a part of its submission WBTW should include or discuss the items that will be provided once construction is complete.

- Final construction close-out package shall be provided by the construction contractor prior to acceptance of the project and consideration for acceptance by CBP. The construction close out package shall include, but not be limited to:
  - Results of all materials testing conducted by a third party consultant.
  - Certification that quality assurance was conducted by an independent third party consultant and associated documentation.
  - Shop and fabrication drawings.
  - Final as-built plans certified by the contractor including, but not limited to, final surveyed location of the wall, plans, profiles, notes and details.

ENCLOSURES:

1. DHS GIFT DONATION FORM 112-02
2. (b) (7)(E) MAP
3. PROJECT RENDERING

Should you have questions or concerns, please do not hesitate to reach out to our team – Chief Martin or DXD (b)(6);(b)(7)(C) CCed here – who will address your questions and coordinate any additional communications with me.

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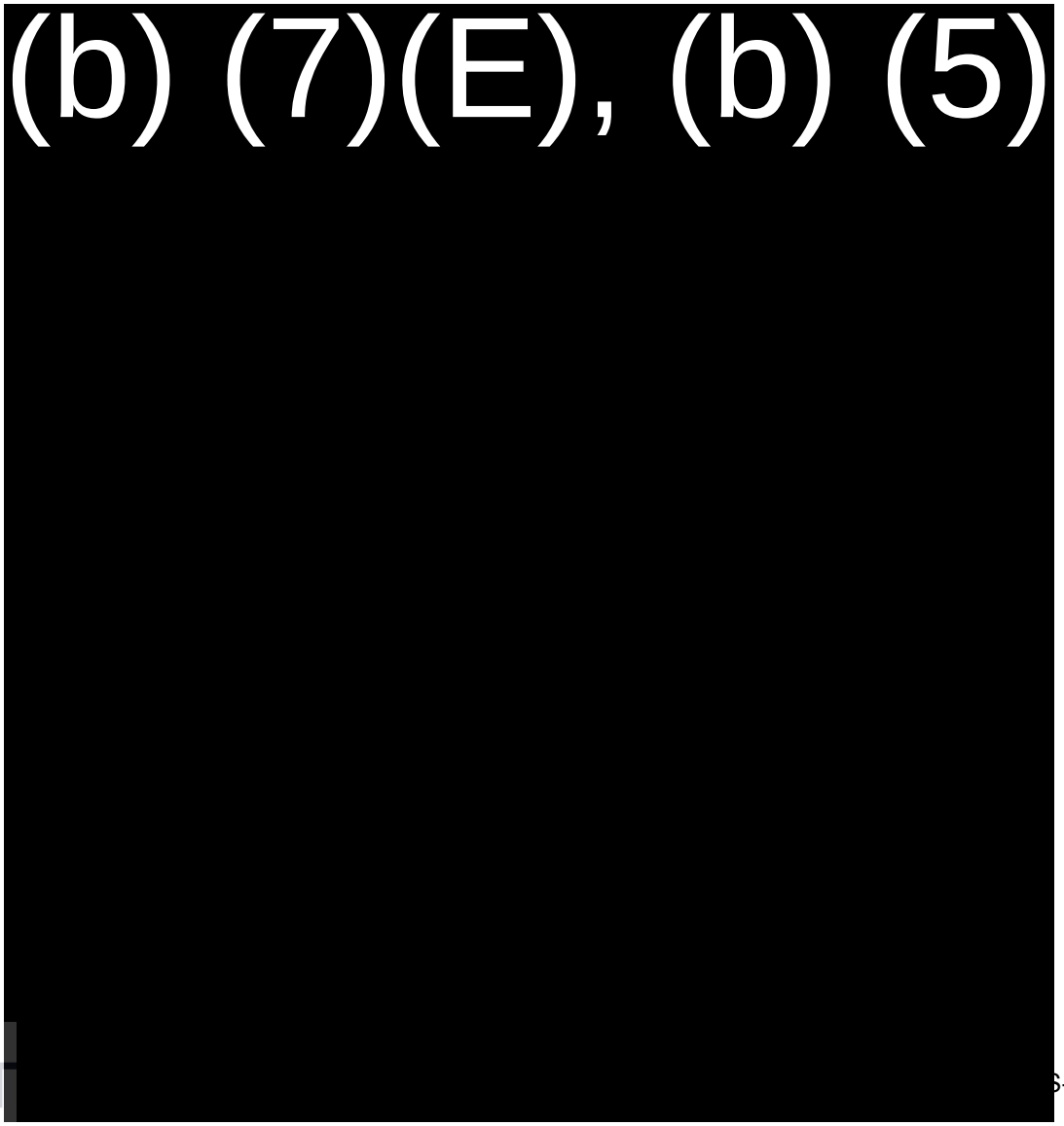
Project Rendering



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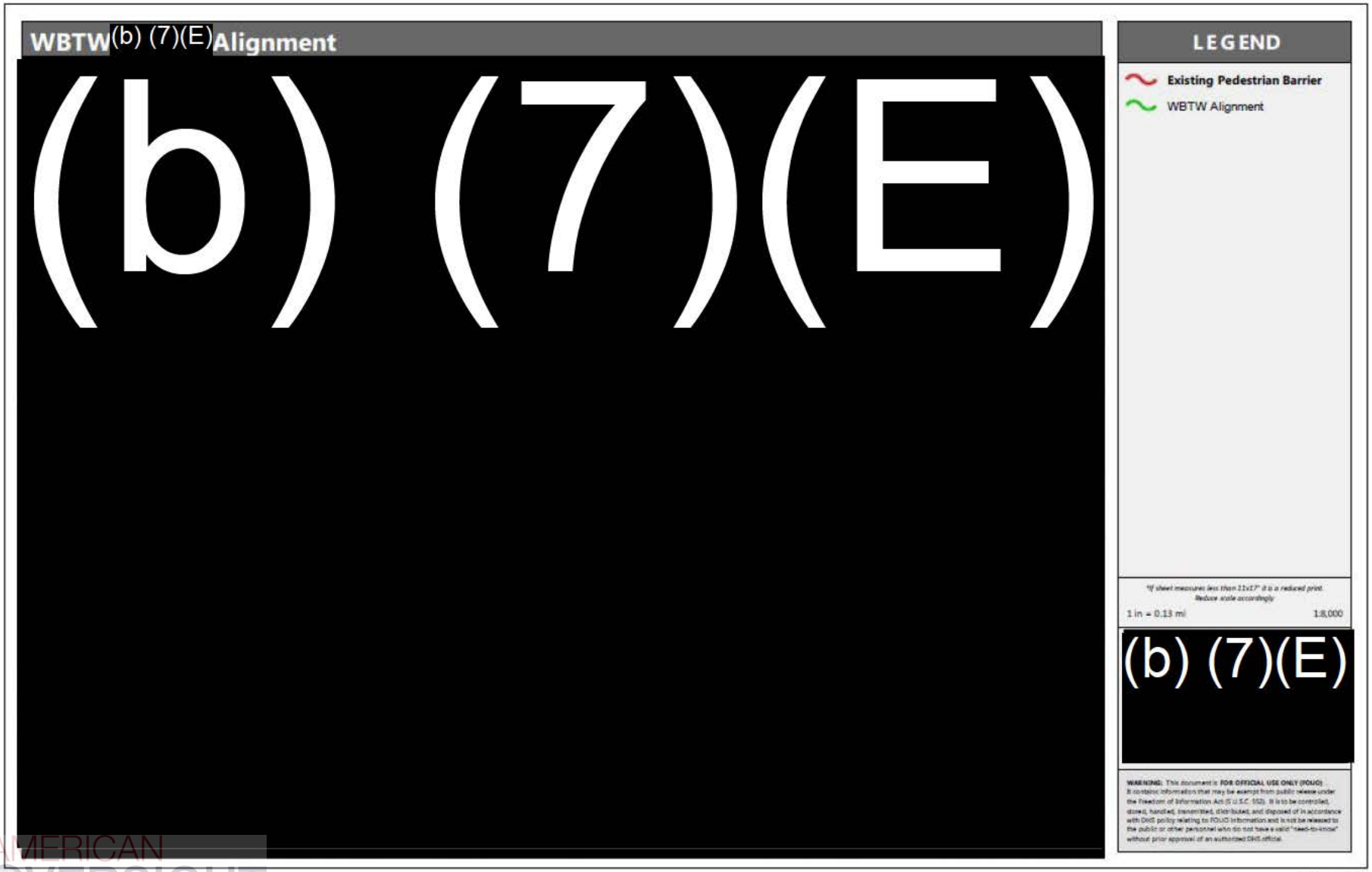
(b) (7)(E), NM Alignment Map



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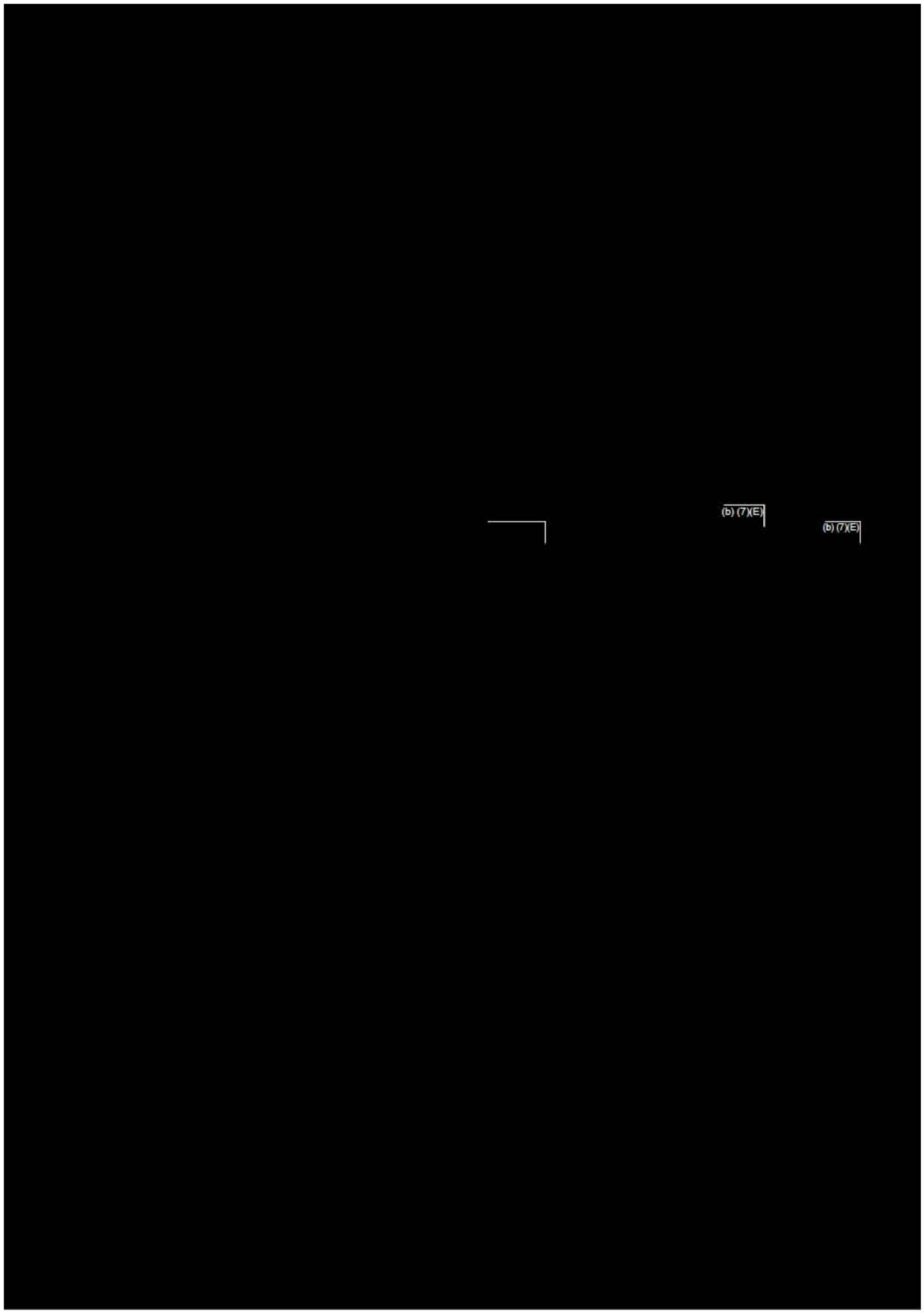
Map Request 603v2.2

January 28, 2020

ATTACHMENT 1



AMERICAN OVERSIGHT

From: MARTIN, JERRY B
To: PEREZ, ROBERT E
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC); (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) "SCOTT, RODNEY"; HASTINGS, BRIAN S
Subject: RE: Meeting Monday?
Date: Tuesday, January 28, 2020 12:21:43 PM
Attachments: Gift Donation Form 112-02.pdf

Once again with attachment…

From: MARTIN, JERRY B
Sent: Tuesday, January 28, 2020 12:16 PM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
((b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) 'SCOTT, RODNEY'; HASTINGS, BRIAN S
< (b)(6);(b)(7)(C)
Subject: FW: Meeting Monday?

Deputy Commissioner Perez,

(b) (5)

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O- (b)(6);(b)(7)(C)
M- (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, January 24, 2020 1:08 PM
To: Kris Kobach <kkobach@gmail.com>
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?

Kris,

I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.

VR,

Brian

Sent from my iPhone

On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:

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.

Brian,

I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.

(b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.

Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.

Thanks.

Kris

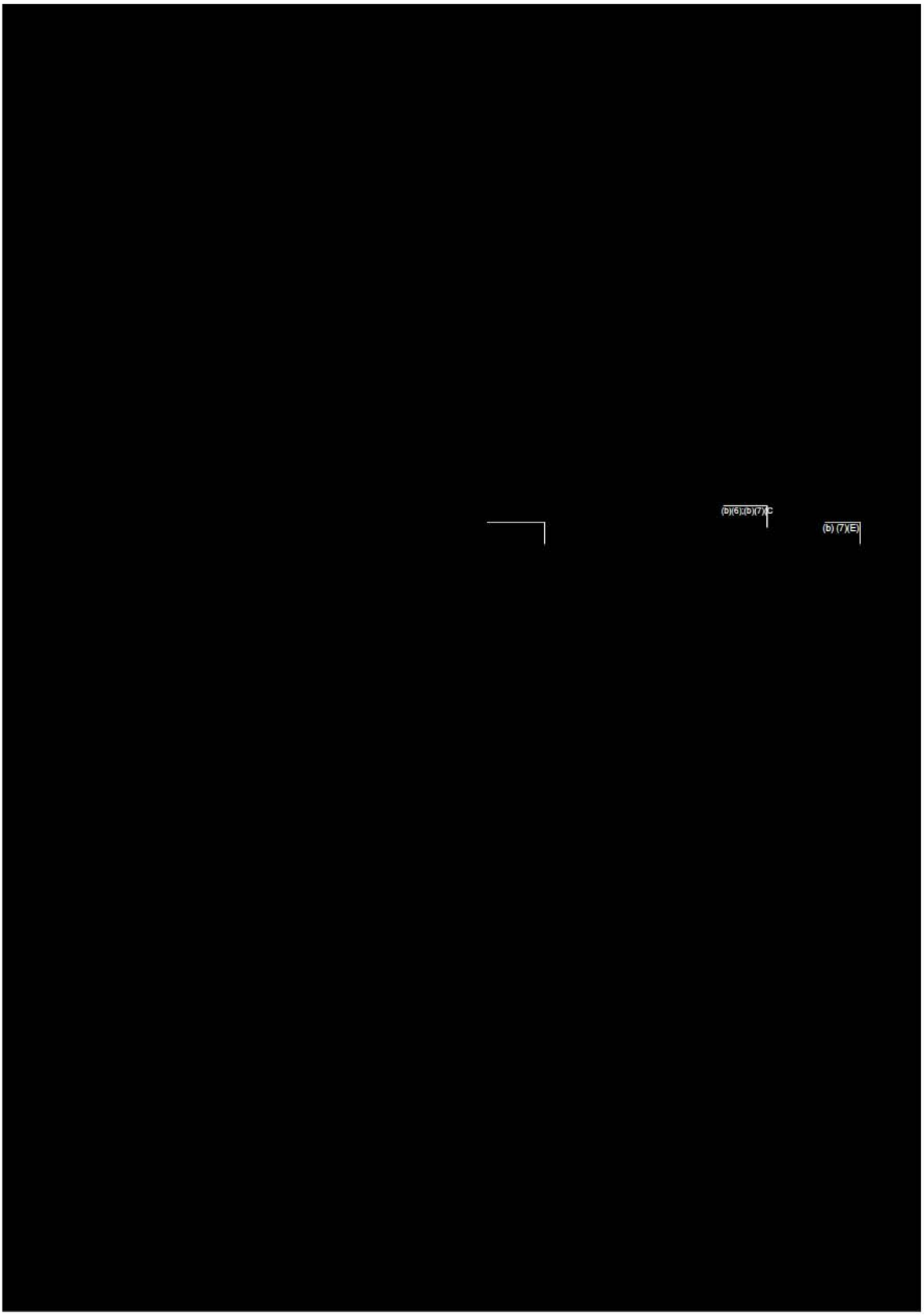
Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC

AMERICAN OVERSIGHT

O-(b)(6);(b)(7)(C)
M-(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

ATTACHMENT 1



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: WBTW updated response to CBP checklist re (b)(7)(E) project
Date: Monday, January 27, 2020 12:45:44 PM
Attachments: (b)(7)(E) - WBTW - Updated answers to CBP Checklist.xlsx
(b)(7)(E) - Preliminary Historical Impact Report.pdf

FYSA

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: Kris Kobach <kkobach@gmail.com>
Sent: Sunday, January 26, 2020 2:41 PM
To: MARTIN, JERRY B <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: WBTW updated response to CBP checklist re (b)(7)(E) project

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.

Dep. Cmmr. Perez, Brian, and (b)(6);(b)(7)(C),

Please find attached our updated checklist. The historical/archaeological study of the (b)(7)(E) site has been completed and is being sent to the NM SHPO. There was no adverse impact found. See attached letter. At this point, we believe we are completely in alignment with CBP objectives, and all relevant information has been provided. Hopefully we can get to "yes" very soon. We are eager to break ground and close this serious gap in the El Paso Sector.

Brian, I look forward to meeting with you tomorrow.

Yours,

Kris

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WBTW ANSWERS TO CBP BARRIER CECKLIST - (b) (7)(E) PROJECT

NUMBER	ANSWER
1	Ownership - N/A (land is already owned by DHS according to county records).
2	Roosevelt Reservation - The western portion of the parcel is wider than the Roosevelt Reservation; the eastern portion is the same width as the Reservation.
3	Access - DHS is the agency that owns the parcel; no other agency controls access to parcel.
4	Private land deed of transfer - N/A.
5	Title Search - N/A.
6	Staging area - The wider western portion of the parcel will be the staging area. It is already owned by DHS. No other agency permission is necessary.
7	Private land deed of transfer - N/A.
8	Private land temporary easement - N/A.
9	Private land permanent easement - N/A.
10	Rio Grande River flood impact - N/A.
11	Permits re waters of the United States - USACE has no interest in site; no waters of the United States exist on site or are affected. No Section 404 permit needed. See also hydro analysis. NEPA - No federal or state permits are required on this site. Historical/archaeological impact site survey and report has been completed. Report is being sent to SHPO. No adverse historical/archaeological impact will occur as a result of barrier construction on the site. See letter attached. There are two minor boundary markers (b) (7)(E) in the affected (b) (7)(E)
12	section of border. WBTW will provide gates to boundary markers if requested by CBP.
13	Environmental site assesment for contaminants - This property is already owned by DHS. Any existing contaminants would already be a matter of DHS responsibility.
17	CBP TI design standards - Agreed; WBTW will construct to CBP TI design standards.
18	ICC IBC risk category - Agreed; engineer will do so.
19	Load combinations - Agreed; engineer will do so.
20	Offset from border - We will meet CBP requirement of 1.5' offset from national border; unless CBP desires 3' offset to accommodate two minor border monuments.
21	Height - We will meet CBP requirement (b) (7)(E)
22	(b) (7)(E) .
23	Color - The wall will not be painted, in order to match existing adjacent wall
24	Ponding - Agreed; ponding will not occur.
25	Deterrent to under-digging - Agreed; (b) (7)(E) .
26	Spacing - Agreed, (b) (7)(E) spacing between bollards will be used.
27	Drainage - Agreed to a, b, and c.
28	No levee walls - N/A.
29	Foundation design - Agreed. We will overex and recompact on grade-and-cut sections. Fill sections will be made with processed fill.
30	Debris removal - Agreed.
31	Coordination with USBP Wall PMO - Agreed.
32	Design report - Agreed.
33	Contractor meeting with Wall Program Team - Agreed.
34	Closeout package - a. We will use licensed third party. B. Agreed. C. Agreed. D. We will provide final redlined as builts.
35	Congressionally imposed restrictions - Agreed. A. N/A.
36	Gifts - Agreed.
37	DHS gifts - Agreed.
38	Procurement process - N/A.
39	(b) (7)(E) .
40	Time to cross - Agreed.
41	Deterrent to under-digging (b) (7)(E)
42	(b) (7)(E)
43	(b) (7)(E) (b) (7)(E)
44	
45	Agent access - We will meet requirements a., b., and c.
46	Surveillance interoperability - We will meet requirements a. and b.
47	Reliability - The wall system will significantly exceed the objective of 20 years.

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Aspen CRM Solutions

Preliminary Report for the Archaeological Survey of a Section of Proposed Border Wall near (b) (7)(E) New Mexico

The archaeological survey of the proposed border wall location was conducted January 17th, 2020. The area inventoried extends (b) (7)(E) (b) (7)(E) though the portion of wall next slated for construction will be built (b) (7)(E) (b) (7)(E)

No archaeological sites were found, but there are three historic border monuments in the surveyed area:

Monument (b) (7)(E) is an obelisk of stone and concrete with a smooth plastered concrete surface on a square concrete pedestal, all recently repainted white (Figure 1). The obelisk portion tapers from a wide base to a pyramidal top. Cast metal plaques in English and Spanish are/were embedded into the north and south faces (the north one is absent). The number (b) (7)(E) inscribed into the east and west faces. Fragments of cement plaster and expanded metal litter the surrounding area.



Figure 1: Monument (b) (7)(E)

Monument (b) (7)(E) is an obelisk on square pedestal of cast concrete, all recently painted silver. The obelisk has parallel vertical sides and a pyramidal top. Cast metal official plaques in English and Spanish are riveted and embedded in the north and south faces (Figure 2). Separate plaques below are embossed with language admonishing against destruction are of cast metal similarly attached, and the number is embossed on its east face.



Figure 2: Monument (b) (7)(E)

Monumen (b) (7)(E) s a cast-iron obelisk bolted to a square concrete pedestal. The obelisk has slightly tapering sides and pyramidal top and plaques identical to those of Monument (b) (7)(E) The number is embossed on the east face only (Figure 3). The obelisk and top of the pedestal are painted silver while the pedestal remains raw concrete. The number is painted black.

Monument (b) (7)(E) was erected in the 1850s as part of a survey to mark and map the U.S.'s southern border following the signing of the 1848 Treaty of Guadalupe Hidalgo and the conclusion

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505-466-3162
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of the Mexican-American War. The effort resulted in 54 boundary survey maps finalized during the 1856-1857 Joint Boundary Commission meetings in Washington, D.C. A total of 52 such monuments were built between El Paso and San Diego.



Figure 3: Monument (b) (7)(E)

When disputes over the exact location of the border became more frequent, a boundary resurvey was conducted between 1891-1894. An initial reconnaissance found that some of the previously established monuments were missing or in disrepair. The international resurvey team installed 206 additional monuments and employed a lettering sequence to avoid confusion with the existing monument numbers. Monument (b) (7)(E) re two of these monuments.

The New Mexico State Historic Preservation Office has determined that the monuments are eligible for listing in the National Register because of their representation of the events surrounding the establishment of the boundary following the Gadsden Purchase and the Treaty of Guadalupe Hidalgo as well as subsequent events that took place along the border, for their distinctive obelisk form, and for the information that can be gleaned about past historical events in locations where there are camps or other archaeological sites associated with those events. Because the monuments are considered eligible, they need to be protected during any proposed undertaking or their damage or destruction mitigated in some way.

Monuments (b) (7)(E) lie along the route of the currently planned (b) (7)(E) border wall, while Monumen (b) (7)(E) s to the (b) (7)(E) eyond the end of the (b) (7)(E) section (Figure 4). As has been implemented elsewhere, the plan for this segment is to build the wall 3 feet north of the actual border line (and, hence, 3 feet north of the monuments), with gates installed to provide access to the monuments. In this instance, because the monuments will remain undamaged and because there are no associated archaeological materials of any kind (e.g., the remains of a campsite associated with their construction) in the immediate vicinity, the monuments will experience no adverse physical impacts as a result of the construction of the wall.

The wall will adversely impact the monuments' integrity to some degree because it will change their setting, feeling, and association (though not their location, design, materials, or workmanship), but because they represent only a small proportion of the overall number of border monuments (even just of those in New Mexico), the impact is not sufficient to render the international border and the monuments not eligible for listing in the National Register, nor is it irreversible, so the overall impact is unlikely to be something that would require additional mitigation steps. With that said, it should be noted that upon review of the final survey report, the New Mexico State Historic Preservation Office may have additional requirements regarding protection of the monuments during construction of the wall.

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Figure 4: Map of project findings. IOs 1 and 2 mark discoveries of an isolated can and tin cup that are historic but not sufficient to be considered archaeological sites requiring protection.

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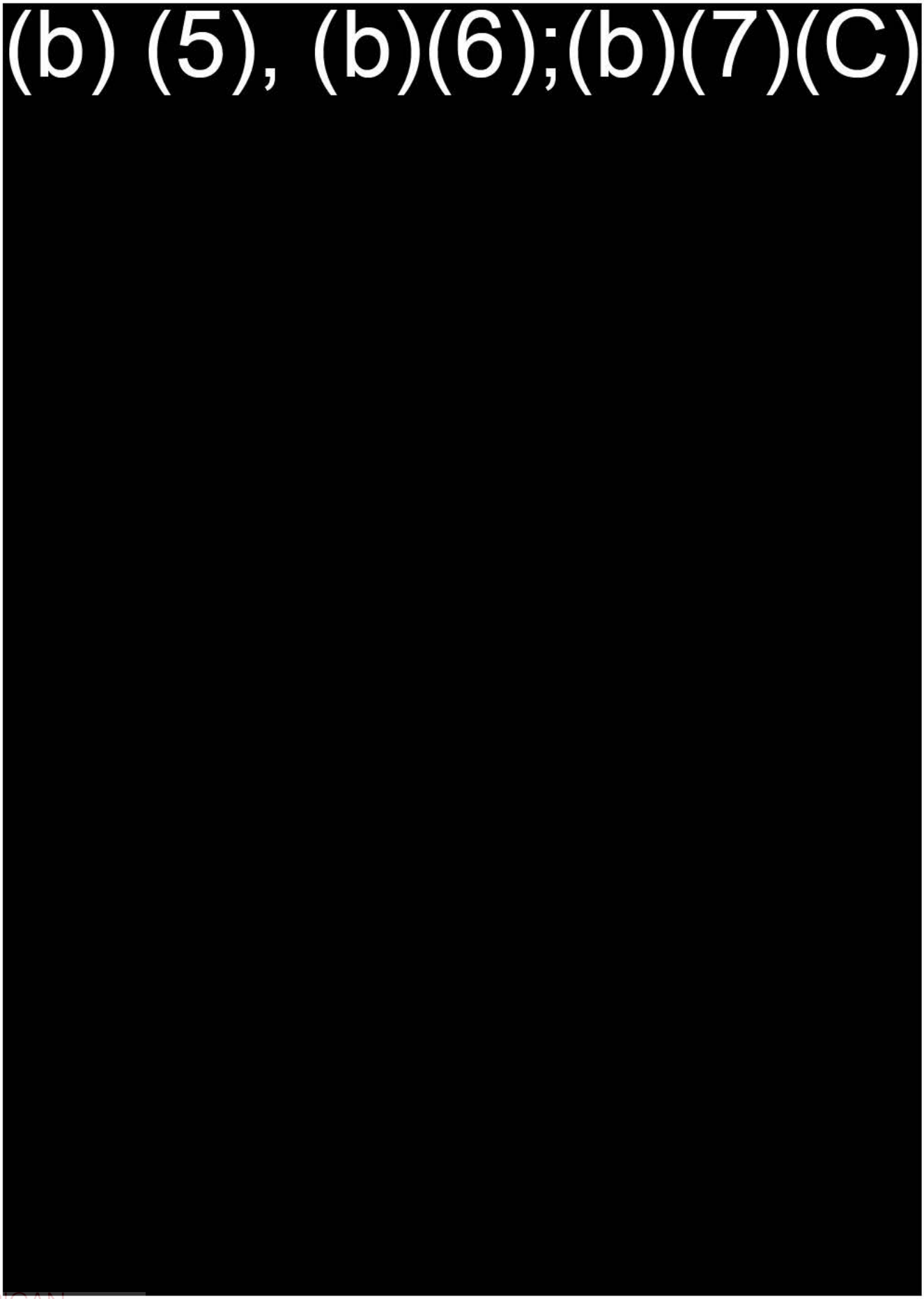
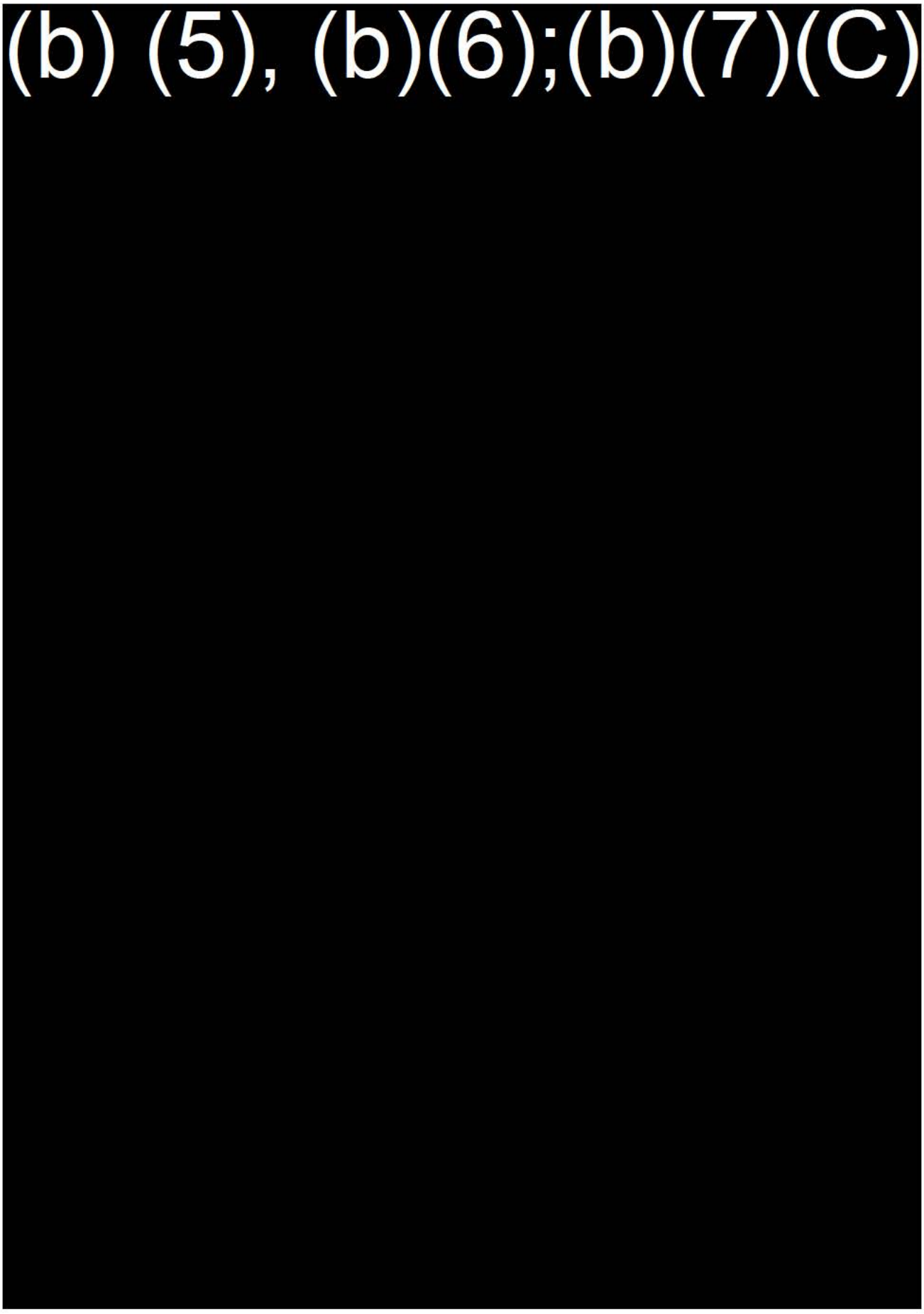
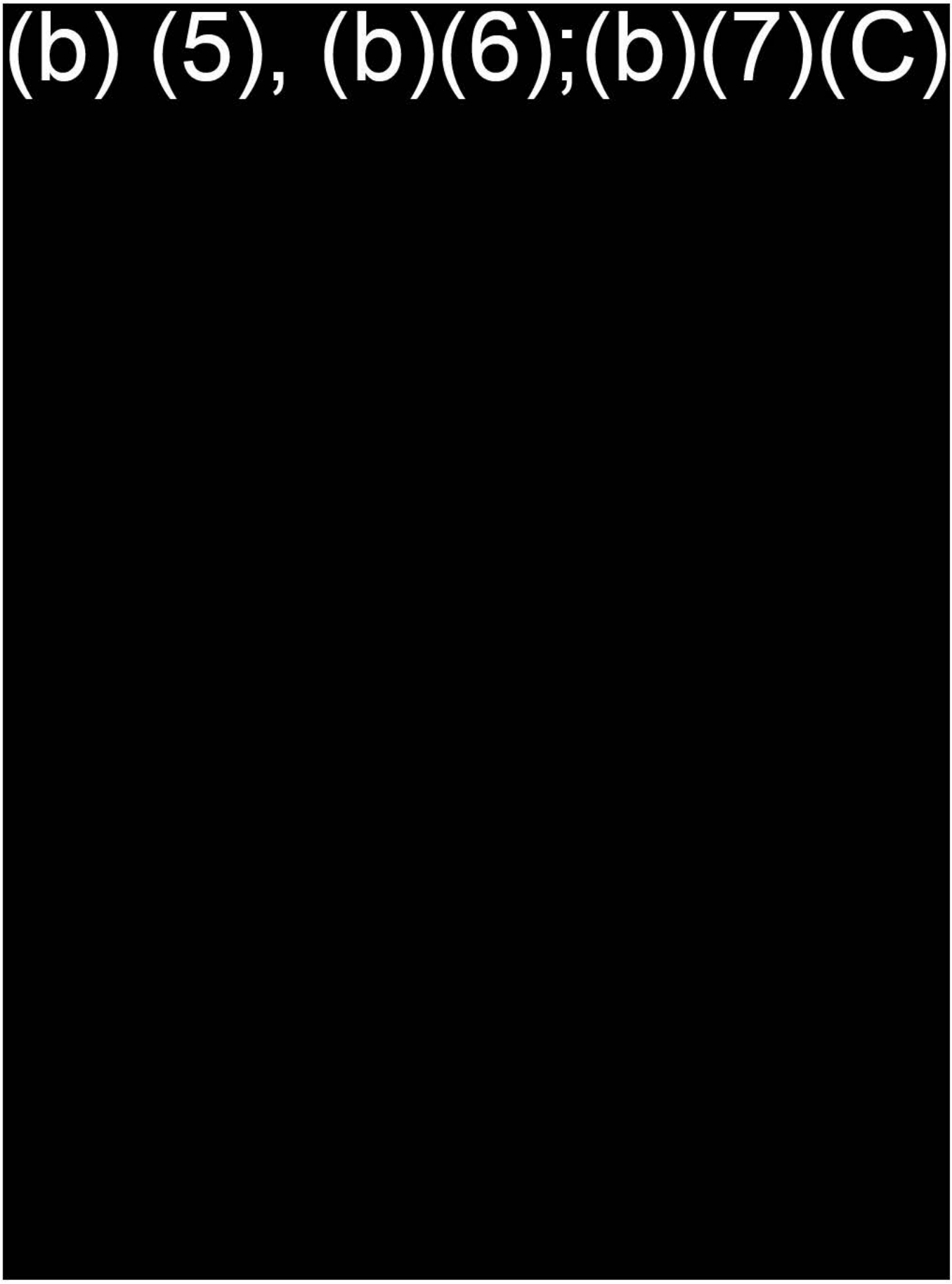


AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



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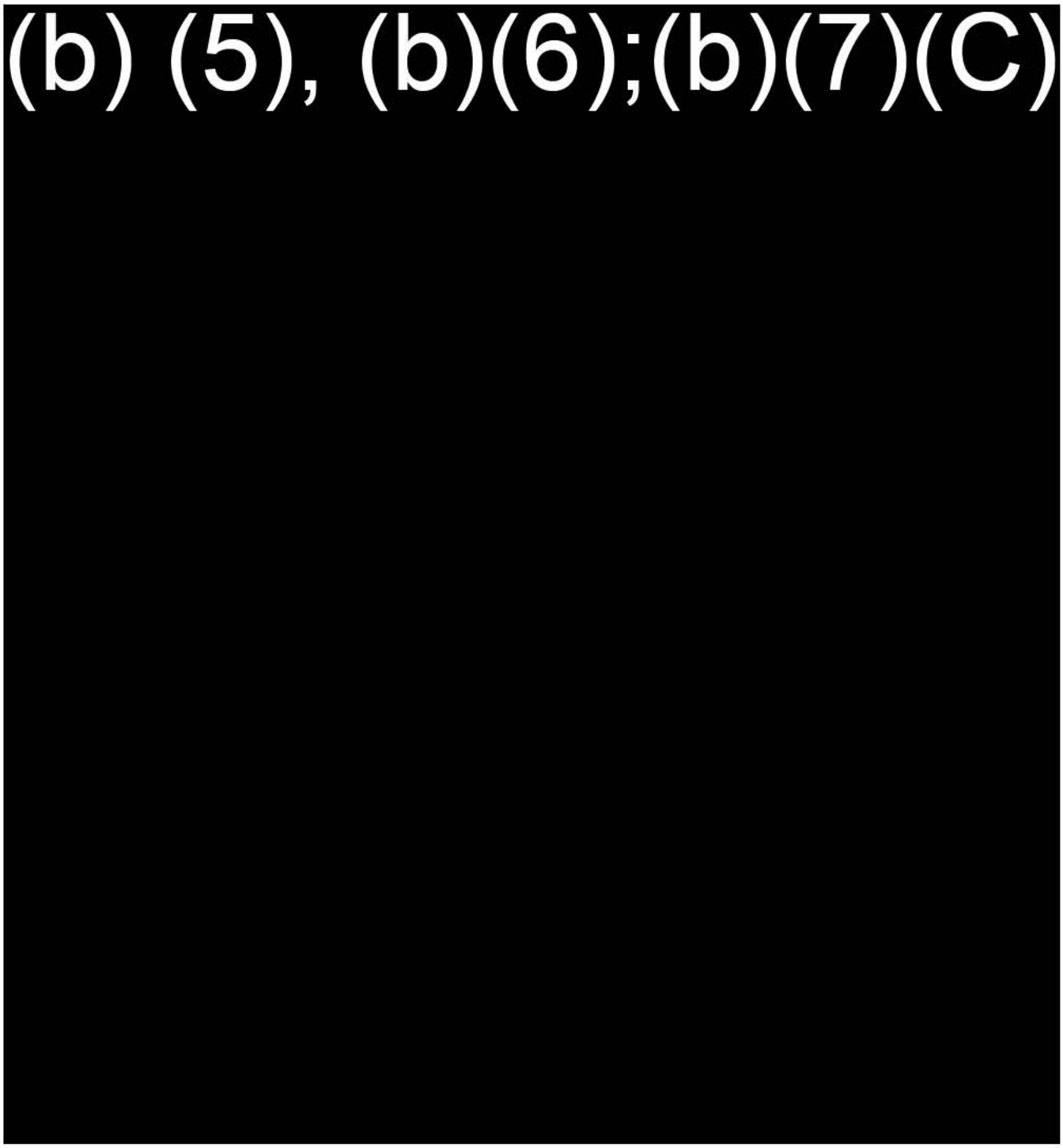

From: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Sent: Friday, January 24, 2020 1:08 PM
To: Kris Kobach <kkobach@gmail.com>
Cc: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
<(b)(6);(b)(7)(C)
Subject: Re: Meeting Monday?

Kris,

AMERICAN OVERSIGHT

I will be in the office Monday and can meet with you at that time. I presume you're ok to meet at the Reagan Building. Let me know when you arrive and I'll escort upstairs.

VR,

Brian

Sent from my iPhone

On Jan 24, 2020, at 11:50 AM, Kris Kobach <kkobach@gmail.com> wrote:

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.

Brian,

I apologize for the late notice, but I will be at the White House for some meetings Monday morning (the 27th). I was hoping that we could meet on Monday afternoon in the 1:00 pm hour if that works for you. Just wanted to bring you up to date on everything concerning the proposed (b) (7)(E) wall project.

(b)(6);(b)(7)(C) may try to reach you as well to schedule this meeting.

Feel free to invite (b)(6);(b)(7)(C) and any others on your team as well.

Thanks.

Kris

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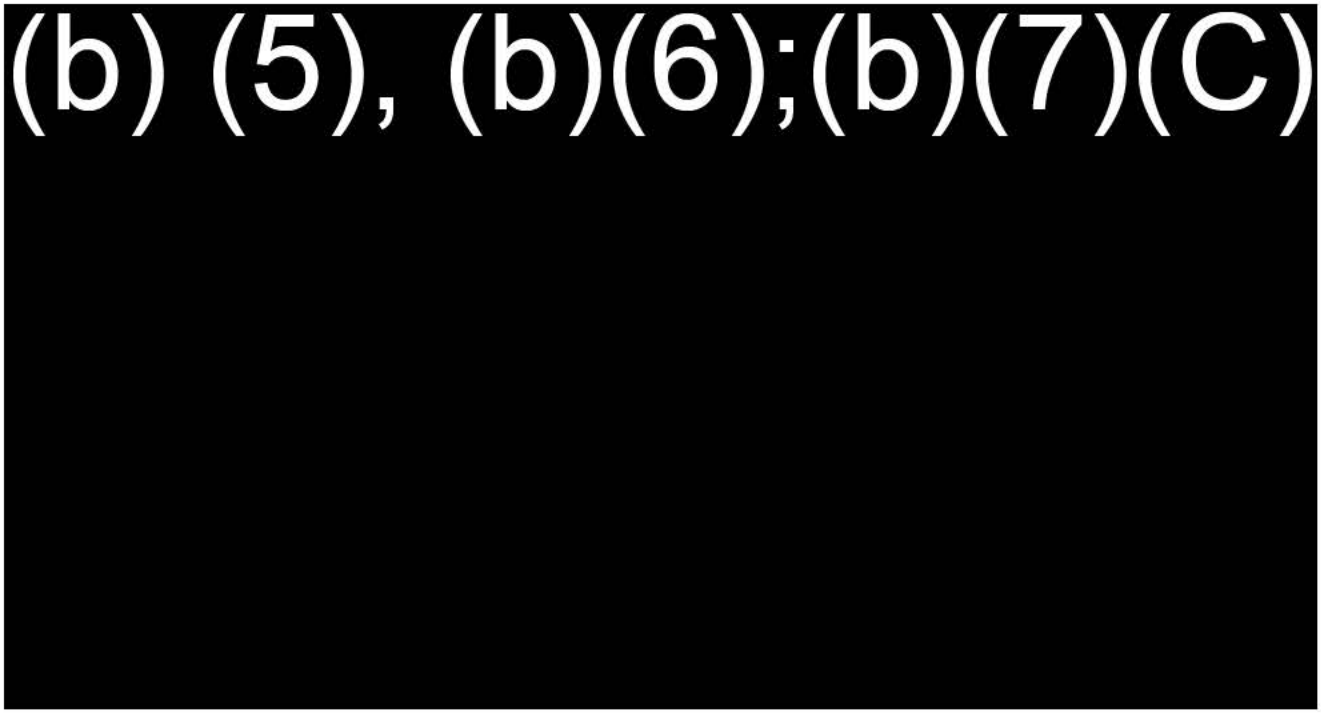

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 8:01 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Good Morning Kris,

Now that the holidays are behind us, I am checking in on the message below to make sure you don't have questions with the position and next steps addressed in the email. Let me know if I can answer anything for you.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris,

AMERICAN OVERSIGHT

In response to your inquiry last week about (b) (7)(E) the attorneys and I touched base again today. It [redacted]

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
[redacted]

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

[redacted]

Thanks for the update. Let's circle back next week.

Kris

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) . They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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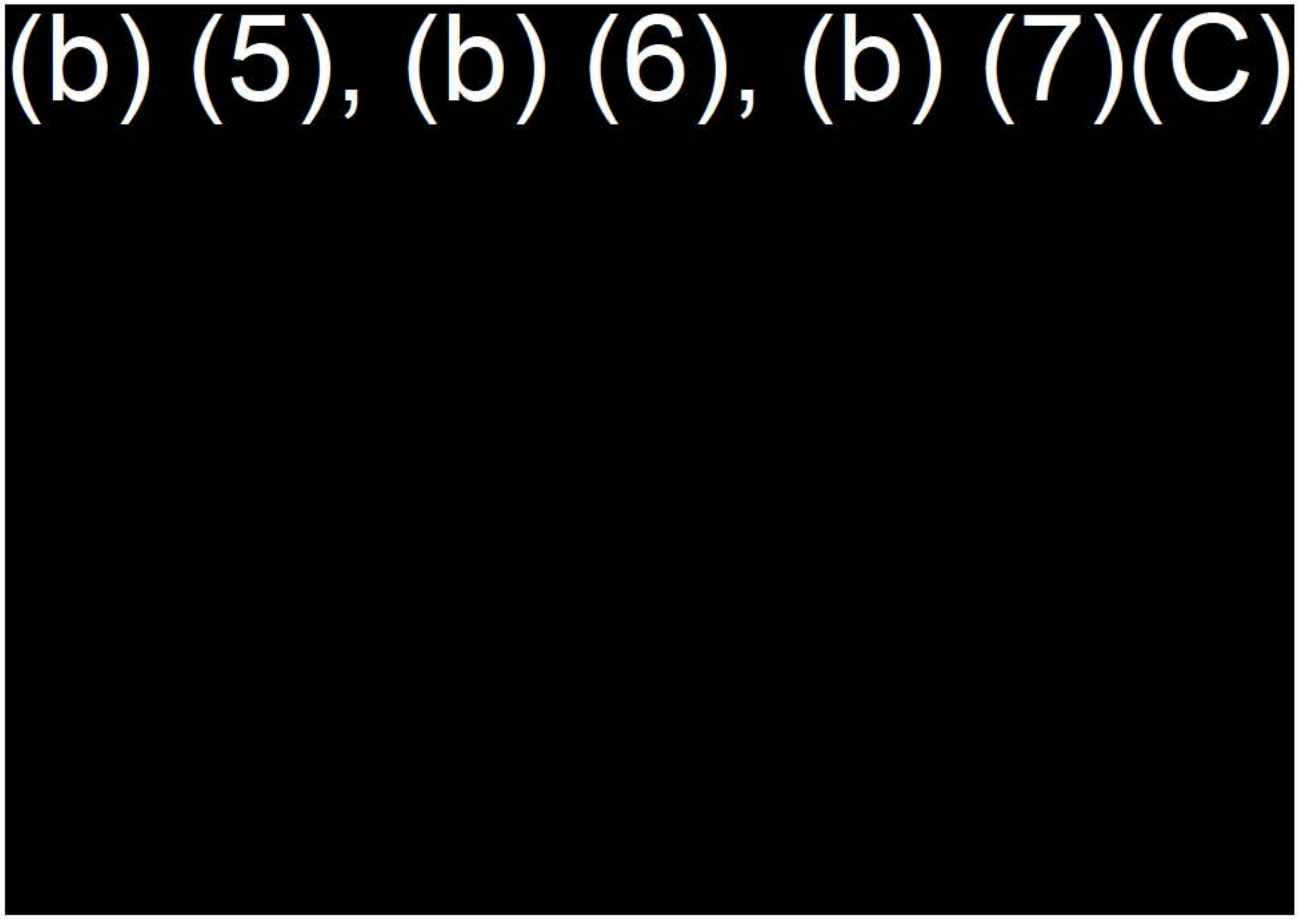

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Wednesday, January 8, 2020 9:09 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C) FALK, SCOTT K (OCC) < (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) < (b)(6);(b)(7)(C) MONTES, JOSEPH A. <joseph.a.montes@cbp.dhs.gov>
Subject: RE: Follow Up

Sir – Per our discussion last week, (b) (5), (b) (6)

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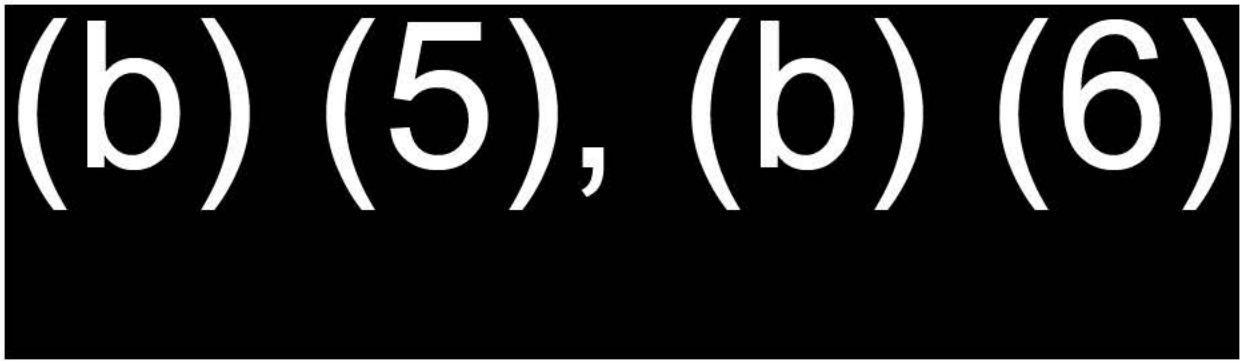

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 6:36 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C) FALK, SCOTT K (OCC) < (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Got it (b)(6);(b)(7)(C) – once we have a better idea of likely path forward, we'll need to more specifically quantify the miles potentially impacted. Thanks.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, January 3, 2020 4:50 PM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C) FALK, SCOTT K (OCC) < (b)(6);(b)(7)(C) SMITH, FREDERICK B (OCC) < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – A couple follow ups on the content below.

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First, I sent a follow up email to Kris Kobach this morning with you in the blind as discussed. I will let you know if we hear anything. My guess is with the holidays they've been focused on other things, but we'll keep a close eye on this and follow up with text/call next week if we still don't hear anything back.

(b) (5)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 11:01 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – As promised, OCC has provided the latest.

(b) (5)

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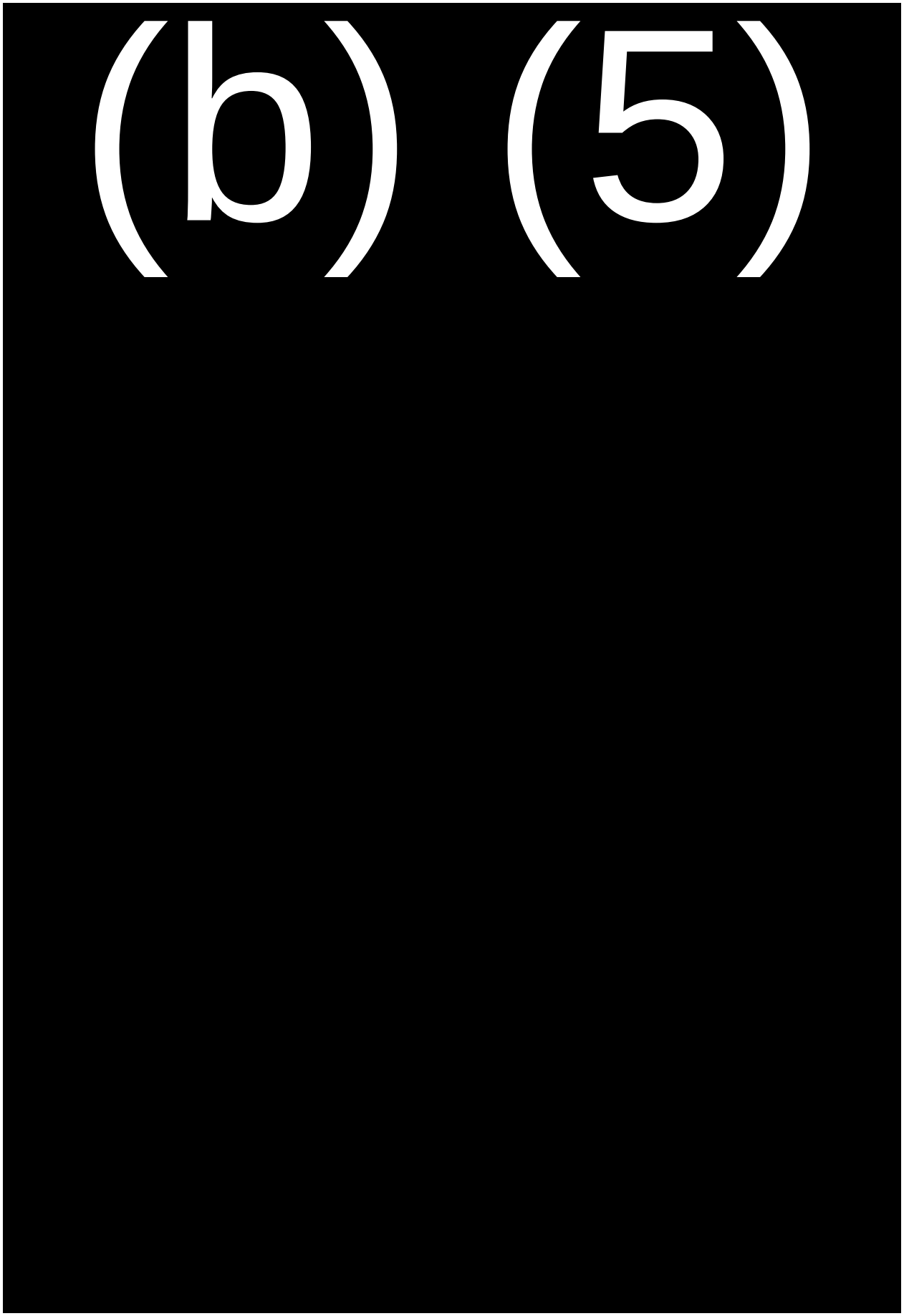

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(b) (5)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 9:32 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Sir - We have not heard reply from WBTW. Given the holidays our plan is to check back at week's end if nothing has been received.

(b) (5)

More to come shortly.

Thanks,
(b)(6);(b)(7)(C)

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From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 8:23:57 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) MARTIN, JERRY B < (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY S < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) HASTINGS, BRIAN S < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Chief/(b)(6);(b)(7)(C) – checking if you've heard back from WBTW on this. Also, any update on the RGV activity? Thanks.

REP

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Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris,

In response to your inquiry last week about (b) (7)(E) the attorneys and I touched base again today. It (b) (5), (b) (7)(E)

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)

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Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

Thanks for the update. Let's circle back next week.

Kris

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

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Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
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To: kkobach@gmail.com
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Subject: Follow Up

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Best,
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(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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

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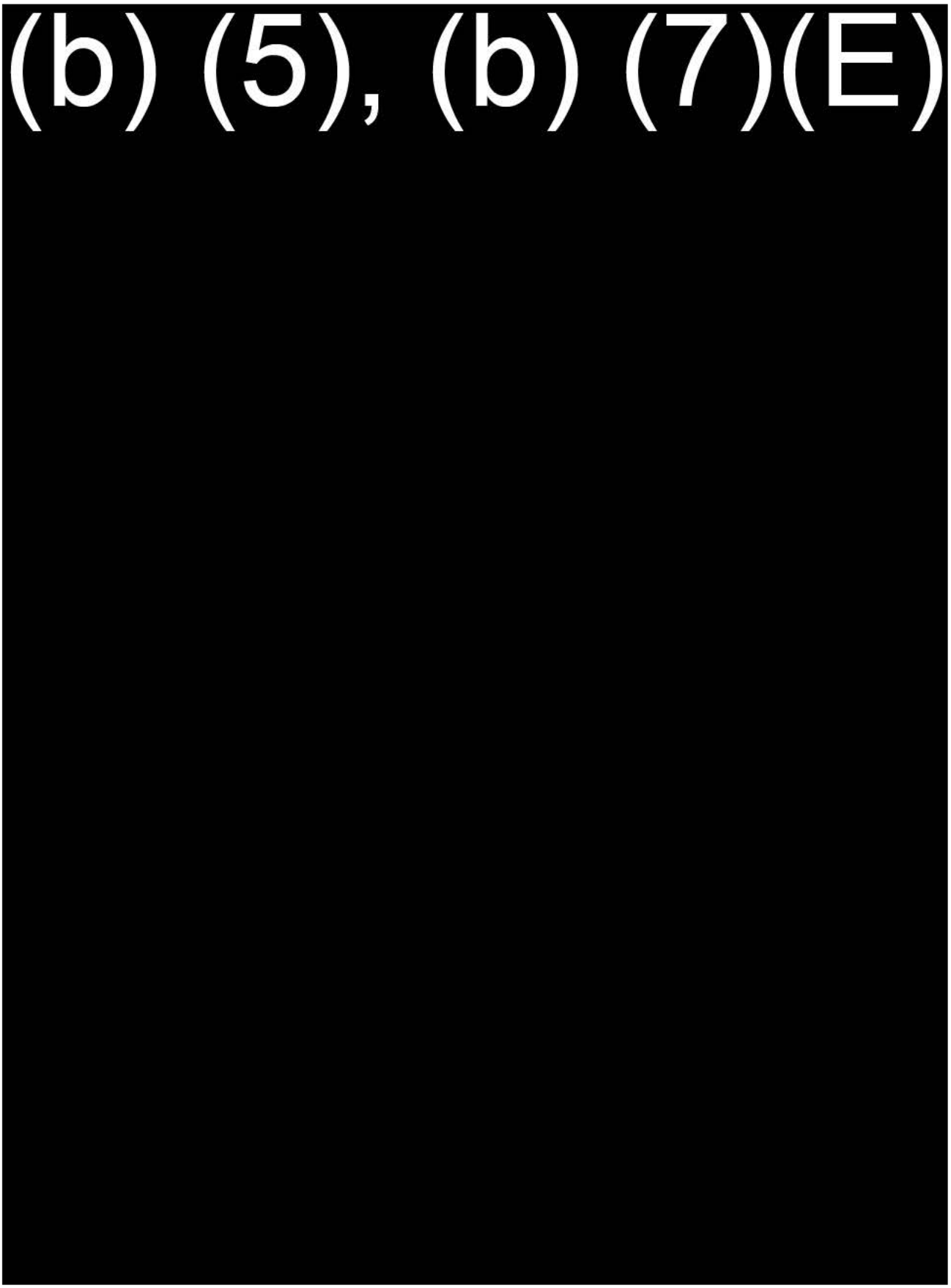

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(b) (5)

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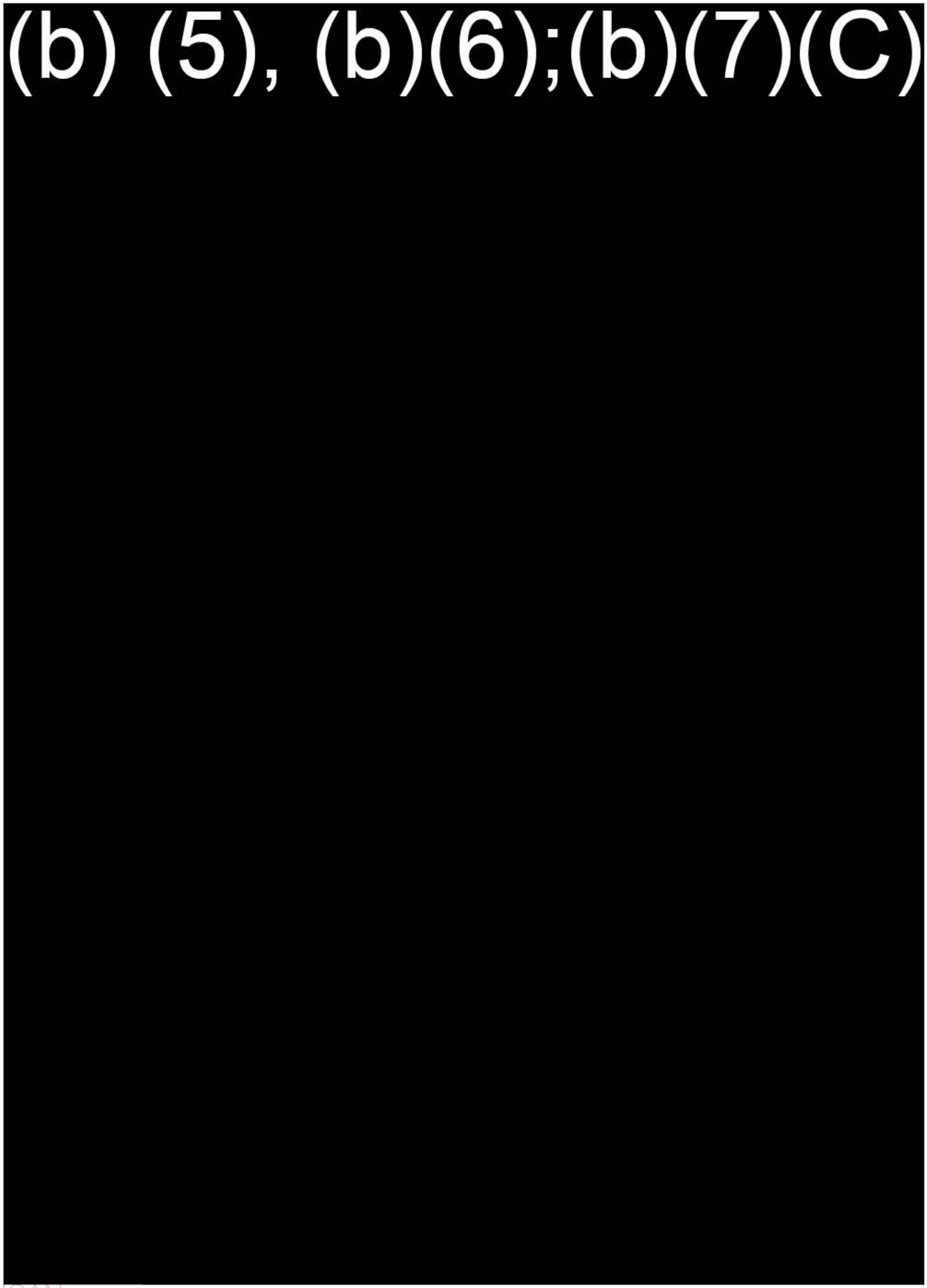

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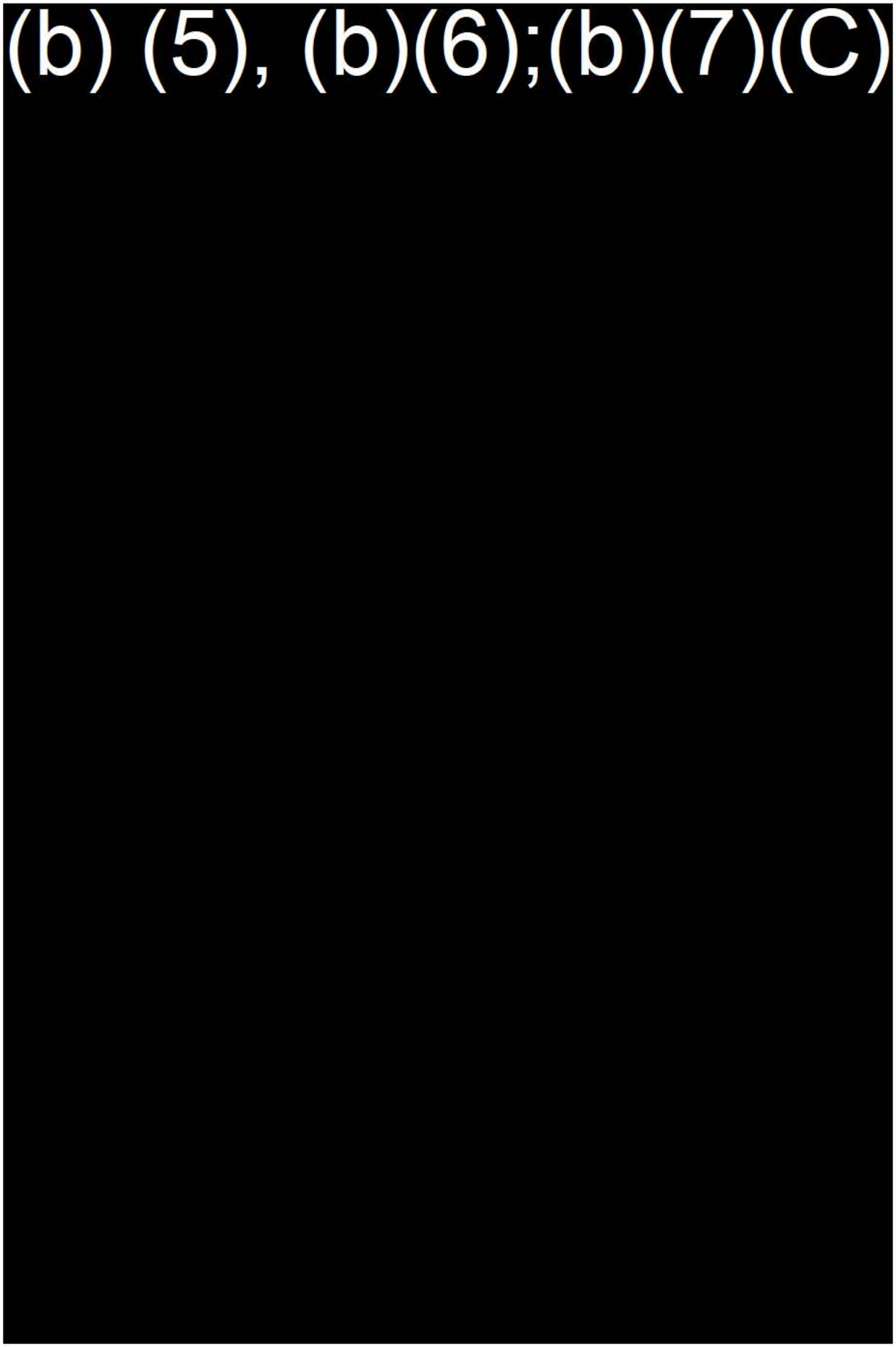

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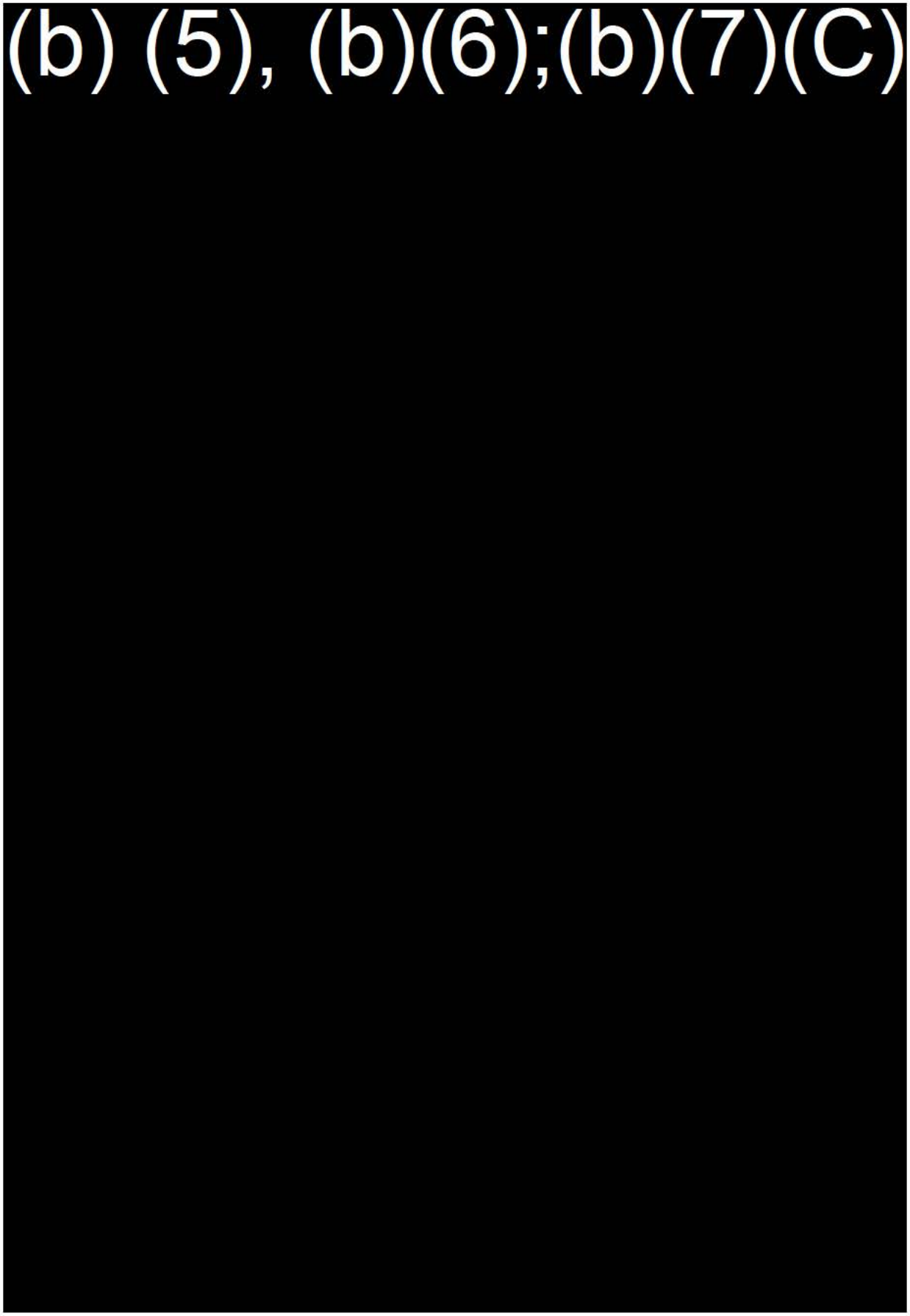

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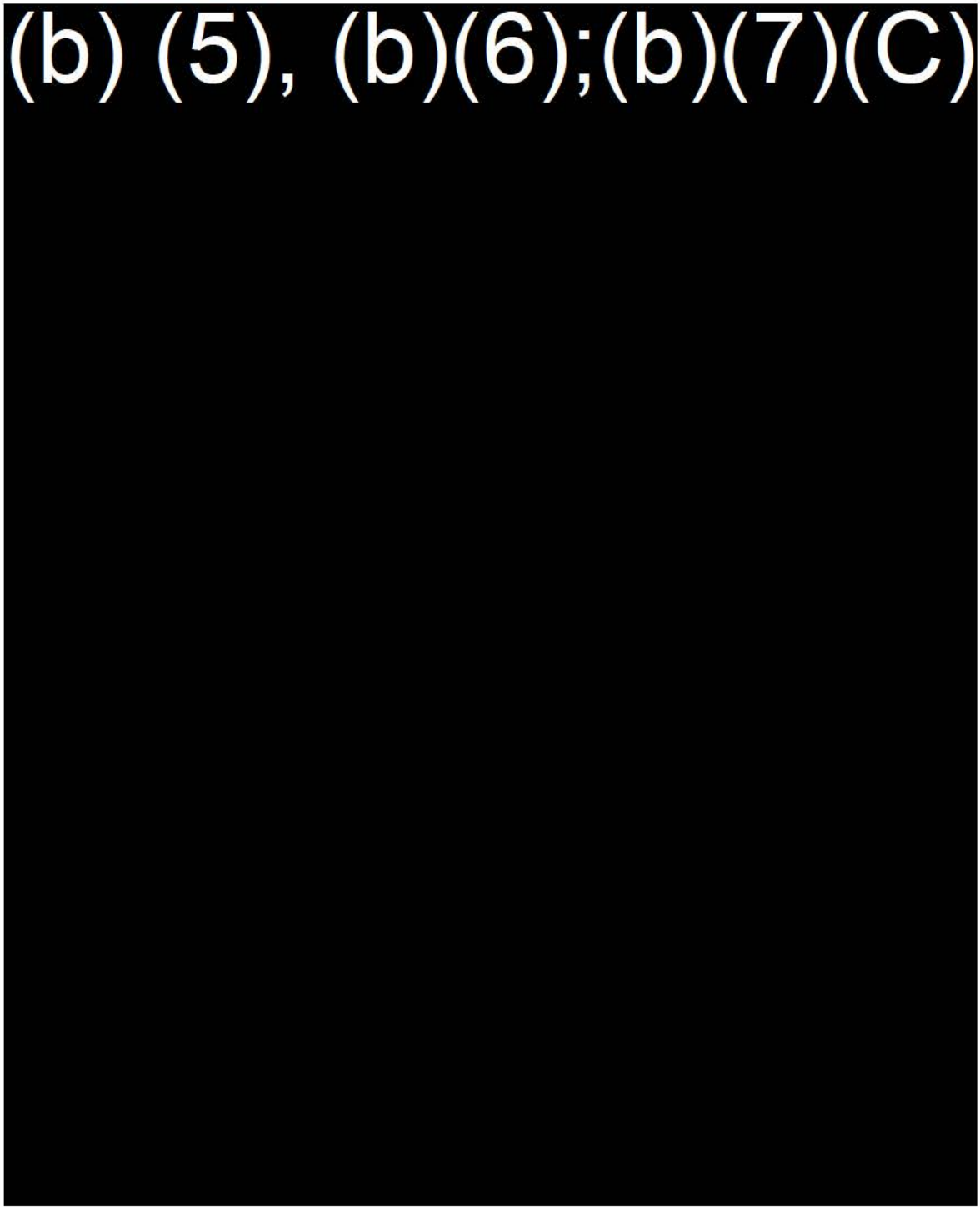

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AMERICAN OVERSIGHT

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Deputy Commissioner
U.S. Customs & Border Protection

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Best,

AMERICAN OVERSIGHT

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

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

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Kris

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Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
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(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C)
Subject: Follow Up

Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes

AMERICAN OVERSIGHT

today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: PEREZ, ROBERT E
To: (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B; PROVOST, CARLA (USBP); SCOTT, RODNEY S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Follow Up
Date: Friday, December 13, 2019 3:20:47 PM

Thanks (b)(6);(b)(7)(C) and concur with your suggested path forward.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 9:44 AM
To: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) SCOTT, RODNEY S < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir – OCC & OGC have done their work. (b) (5)

(b) (5)

mind, I intend to send Kris the email below today. Please let me know if you have any questions or concerns.

Best, (b)(6);(b)(7)(C

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

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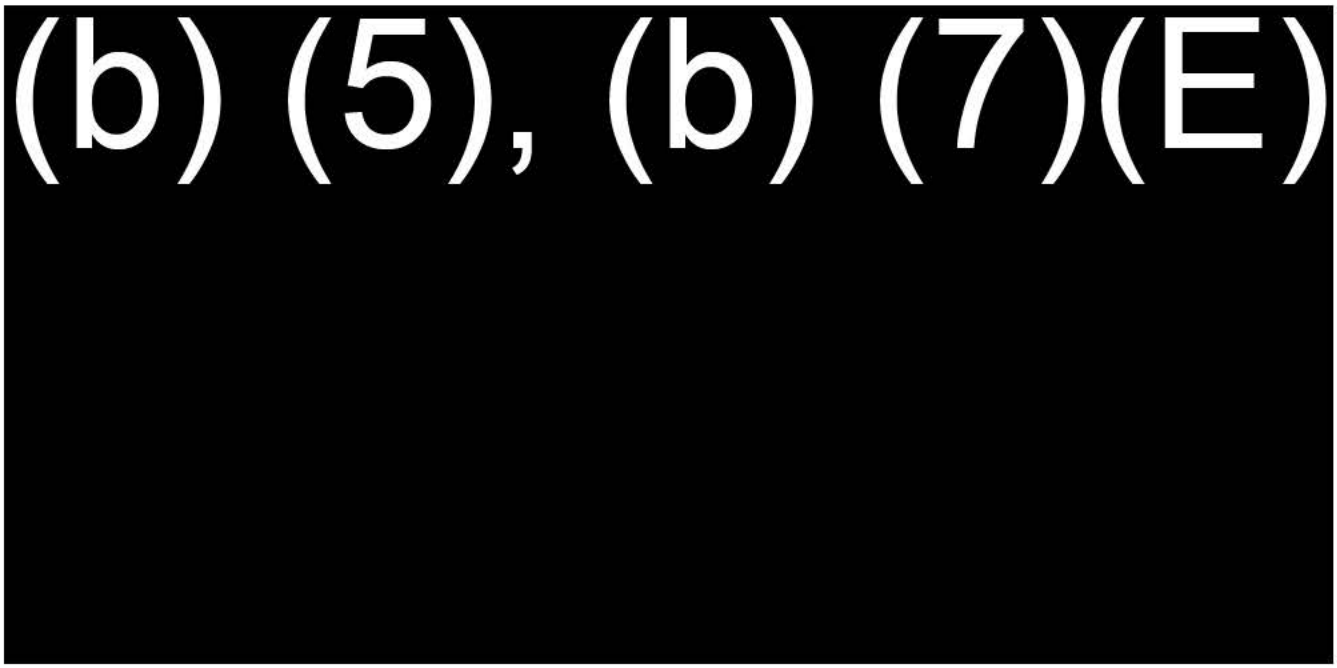

****PREDECISIONAL/FOR OFFICIAL USE ONLY****

From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 10:13 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) SCOTT, RODNEY S <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

Thanks (b)(6);(b)(7)(C) – please keep me updated as we make progress on this.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Sent: Tuesday, December 10, 2019 9:58 AM
To: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) SCOTT, RODNEY S <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

Subject: RE: Follow Up

Sir,

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

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP)
< (b)(6);(b)(7)(C) SCOTT, RODNEY S < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

> On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:
>
> Sir – In speaking with OCC this morning, (b) (5)
>
> Best,
> (b)(6);(b)(7)(C)
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C)
> **Sent:** Friday, December 6, 2019 11:03 AM
> **To:** 'kkobach@gmail.com' <kkobach@gmail.com>
> **Cc:** MARTIN, JERRY B < (b)(6);(b)(7)(C)
> **Subject:** RE: Follow Up
>
> Kris – Thanks for the chat yesterday. As discussed, I did reach out to our attorneys (b) (5) They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.
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AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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Best,
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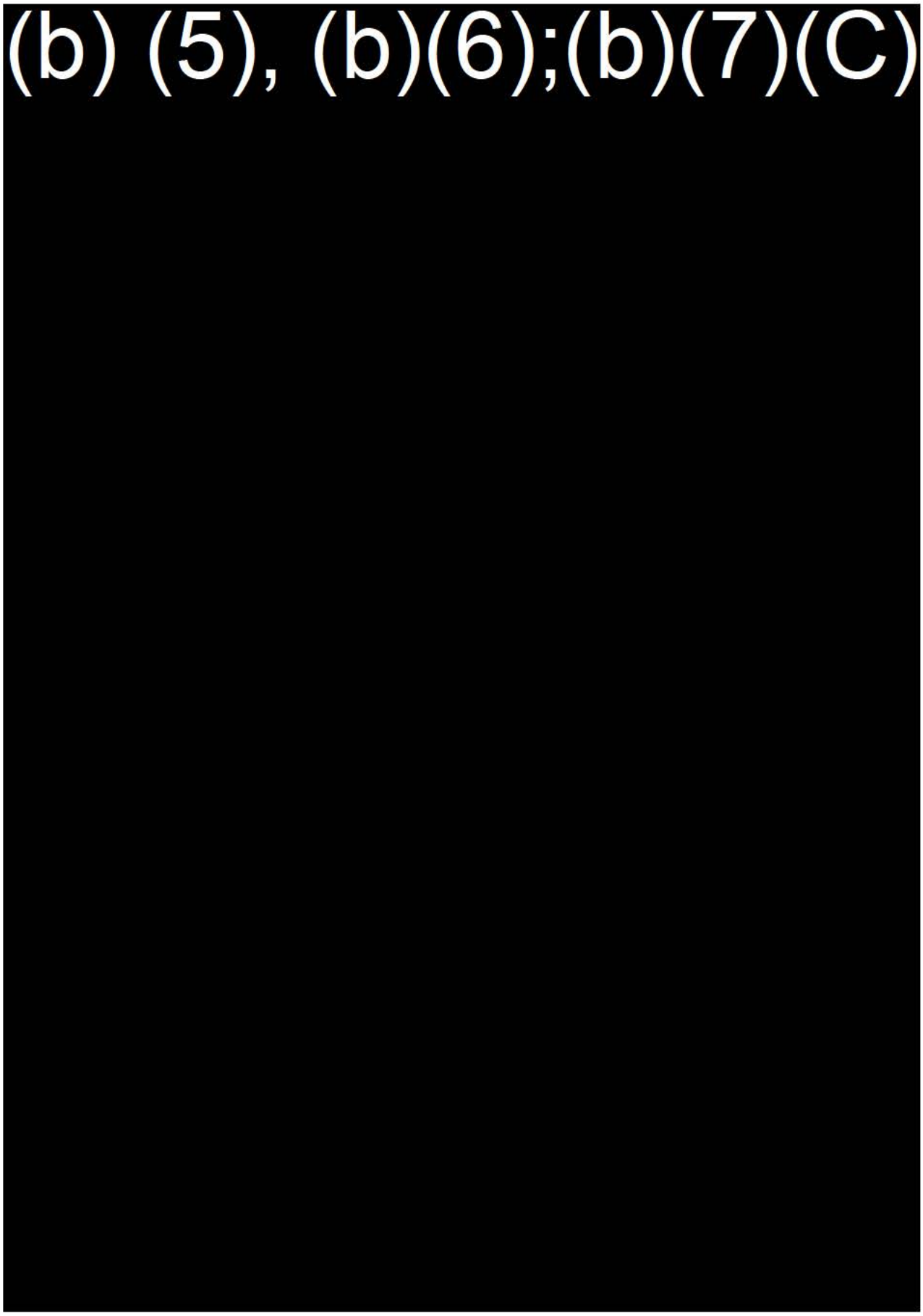
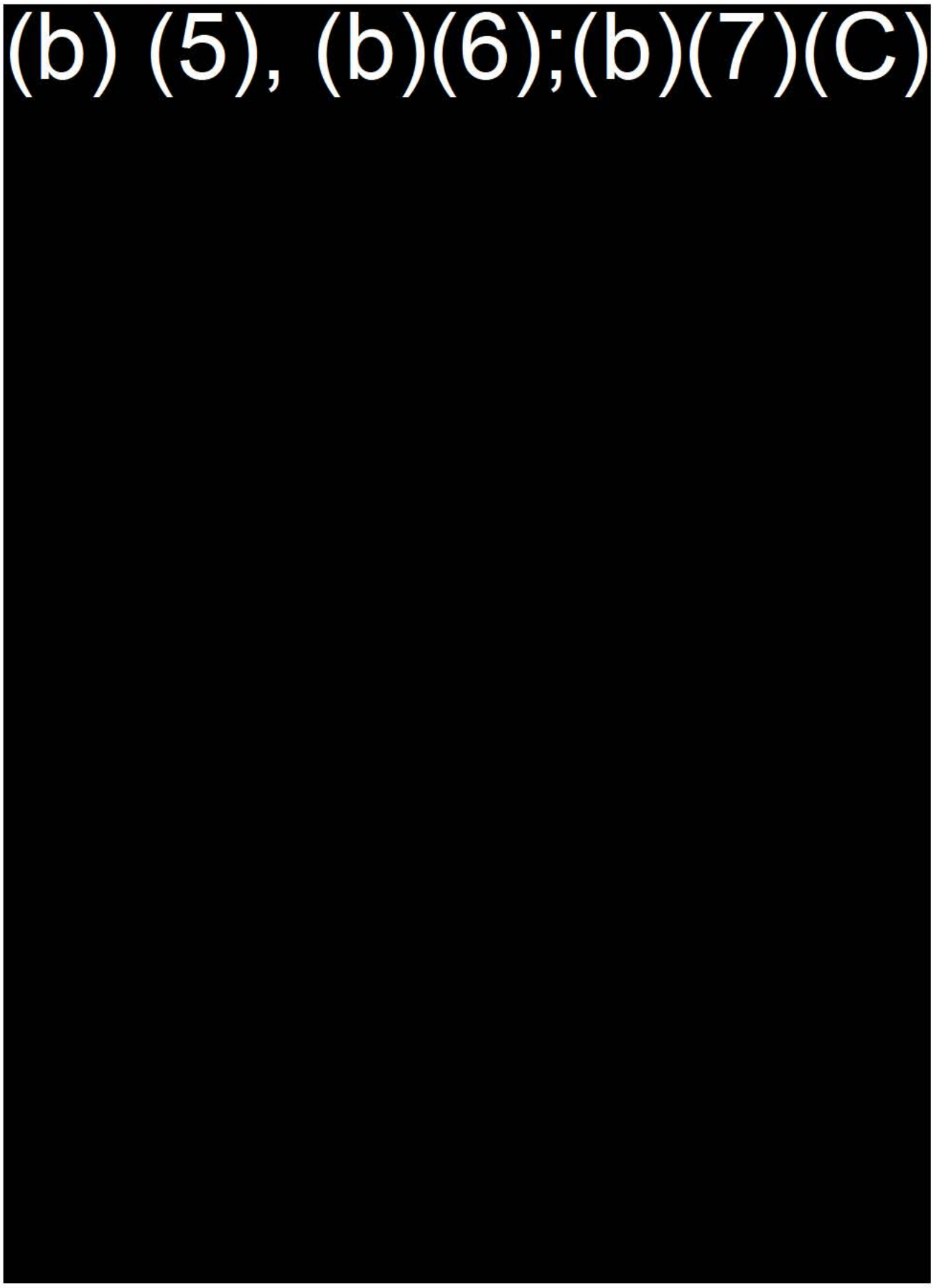
(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



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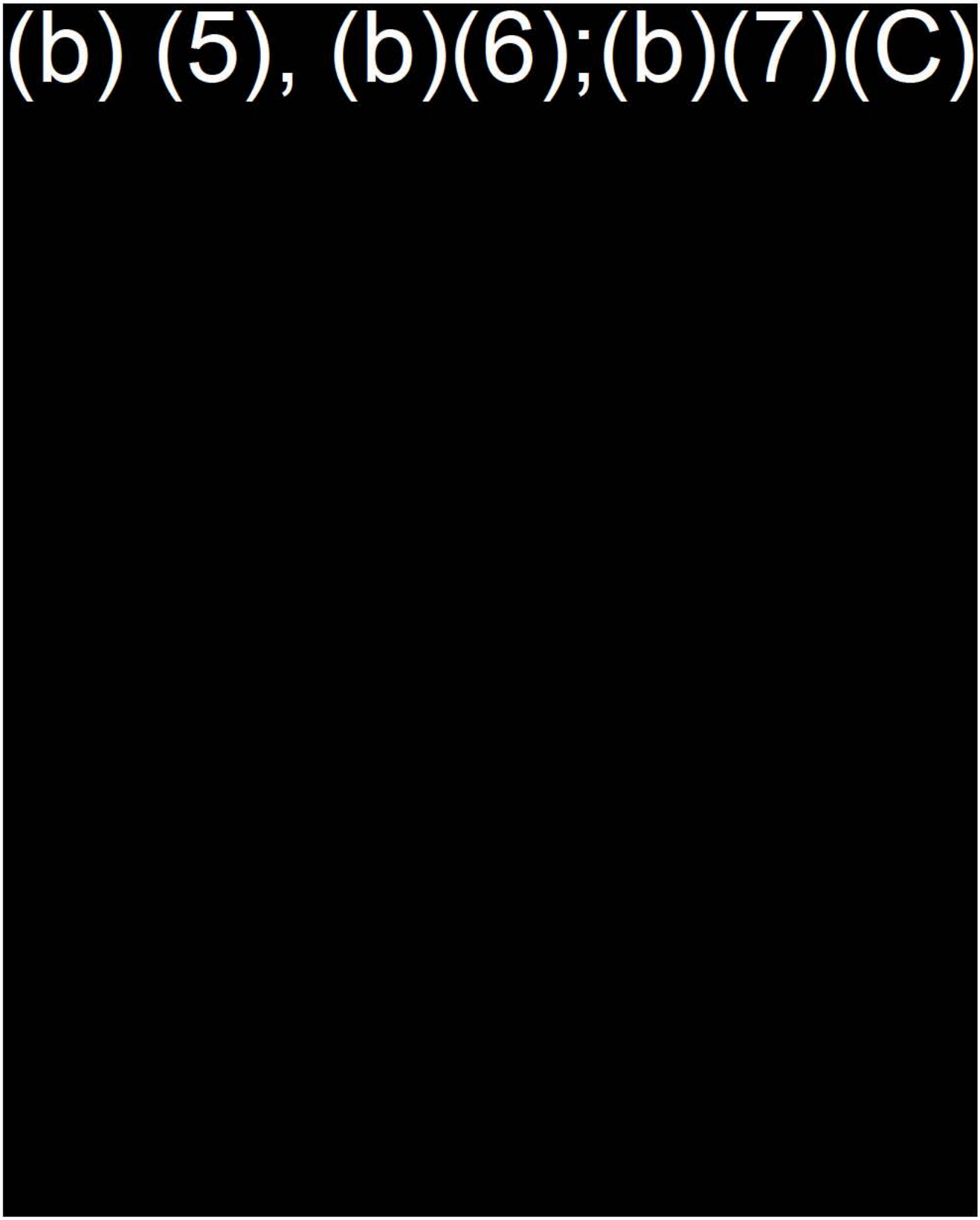

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:03 AM
To: kkobach@gmail.com

AMERICAN OVERSIGHT

Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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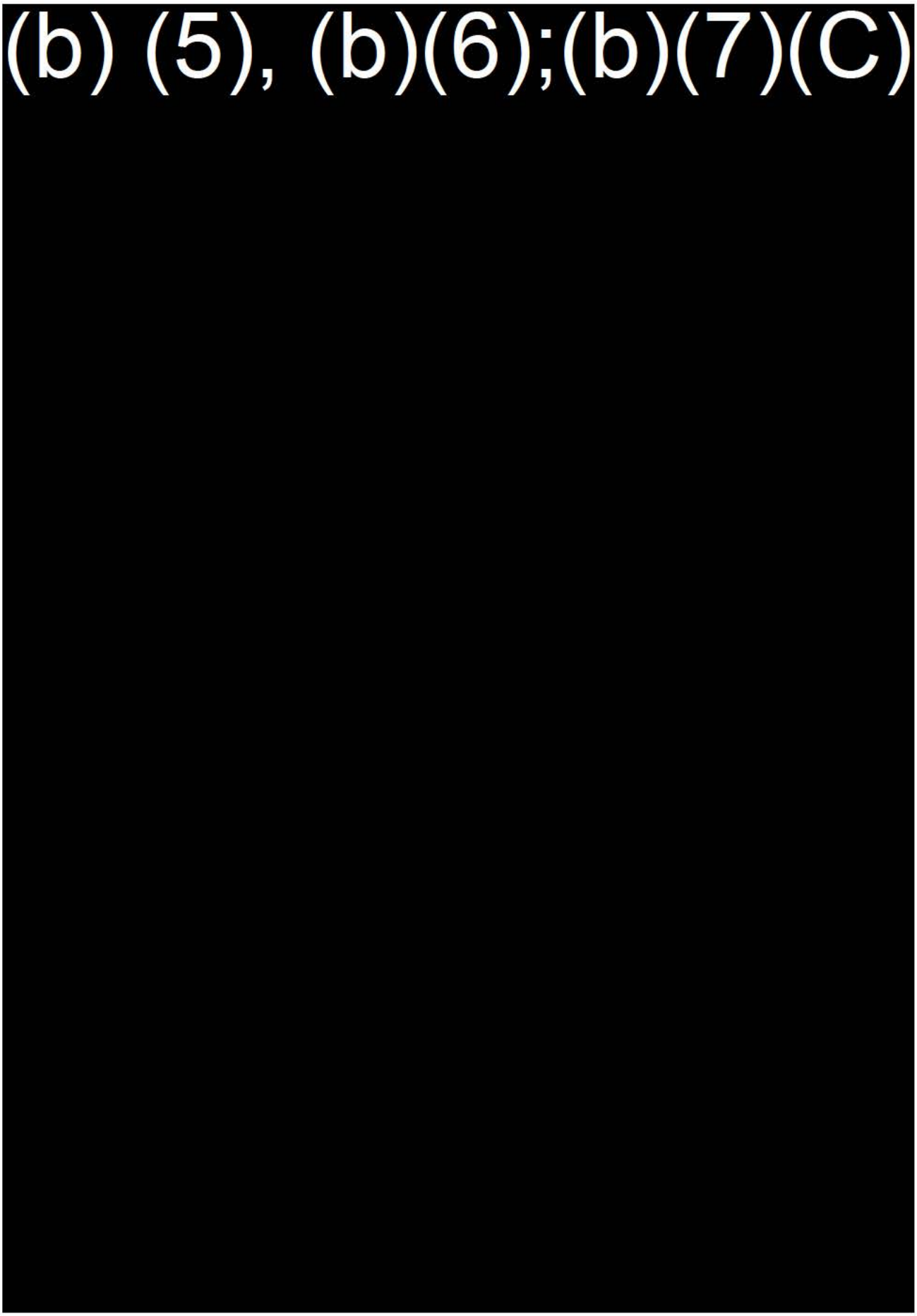
(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



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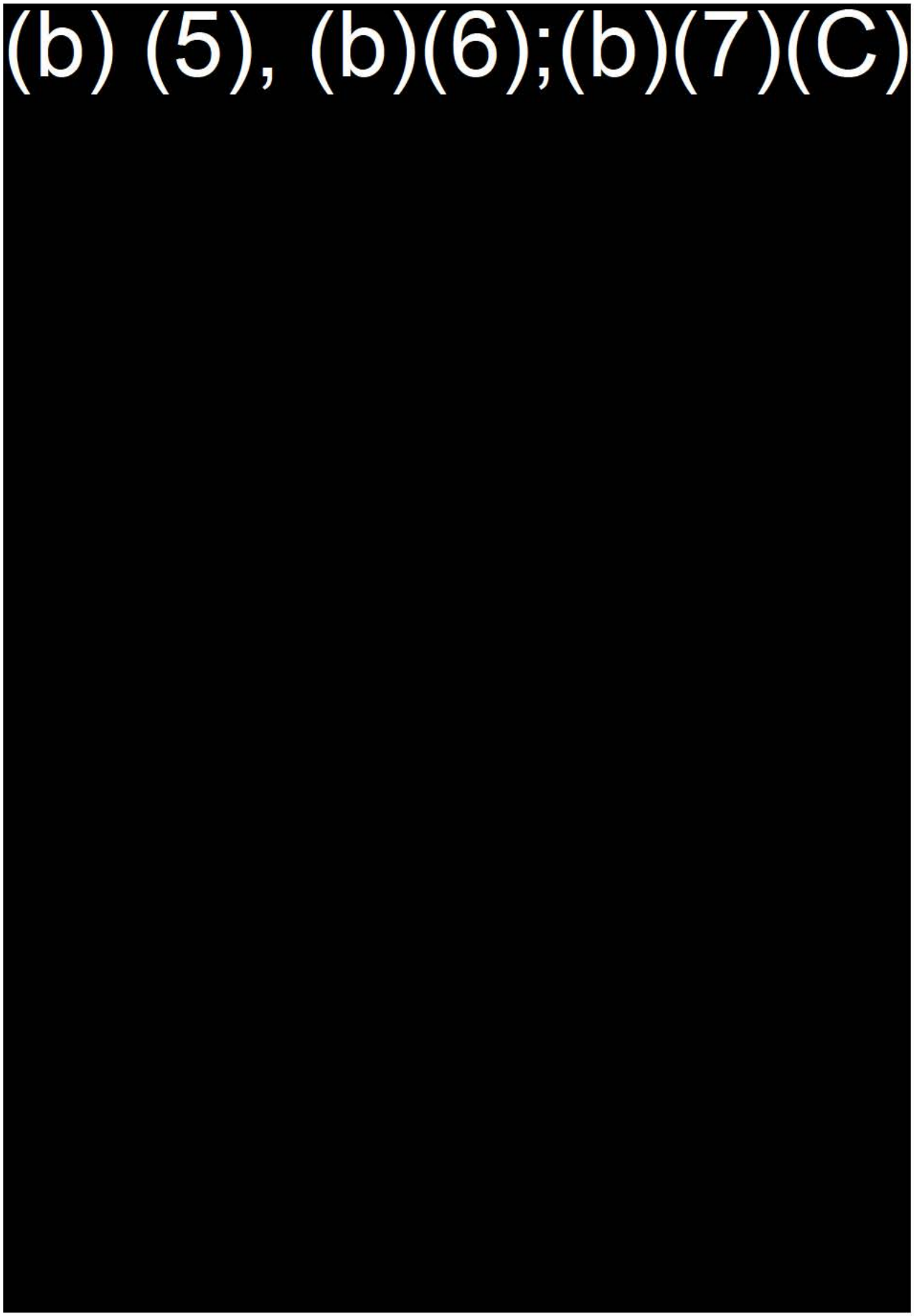
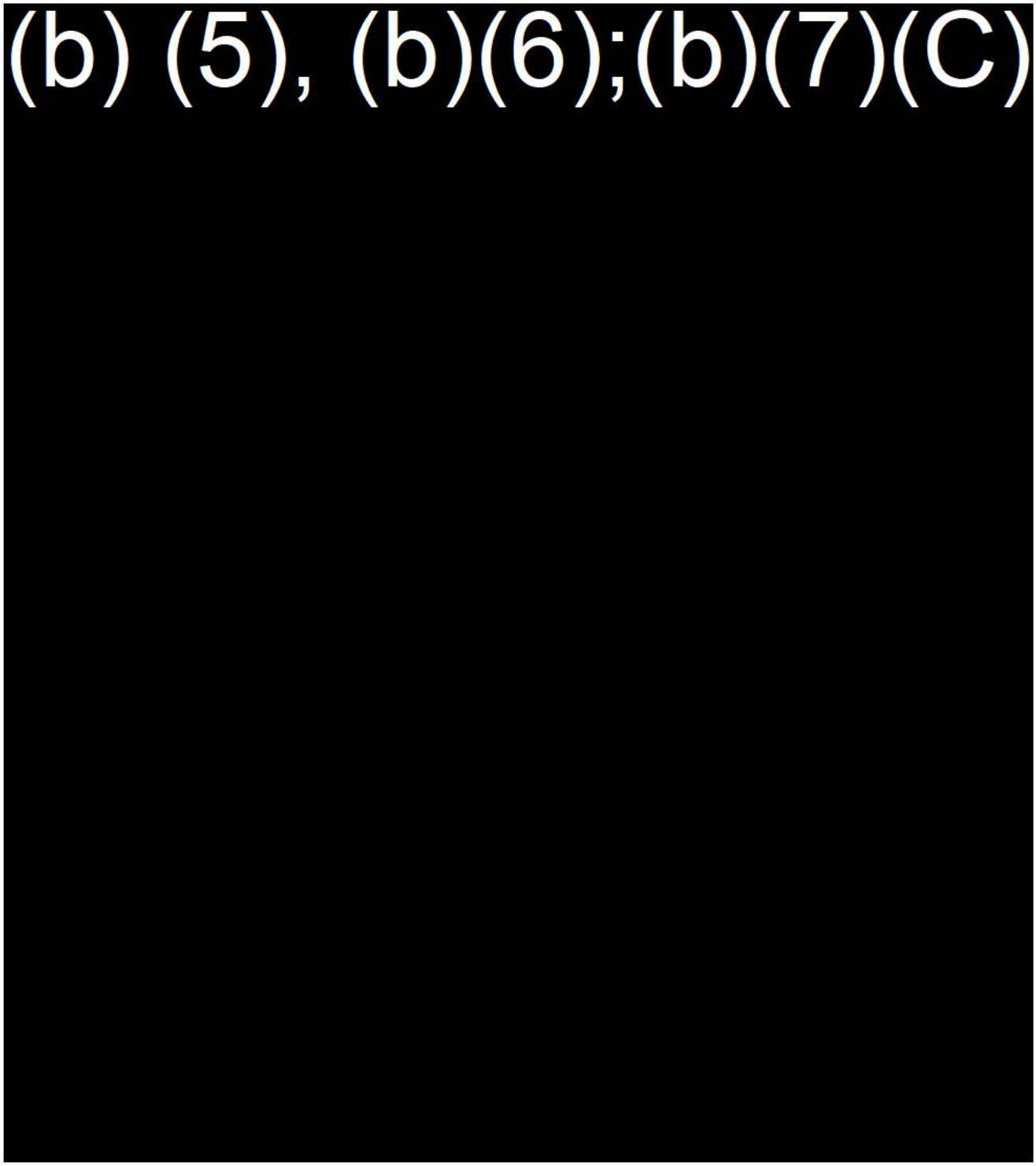


AMERICAN OVERSIGHT



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AMERICAN OVERSIGHT

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

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
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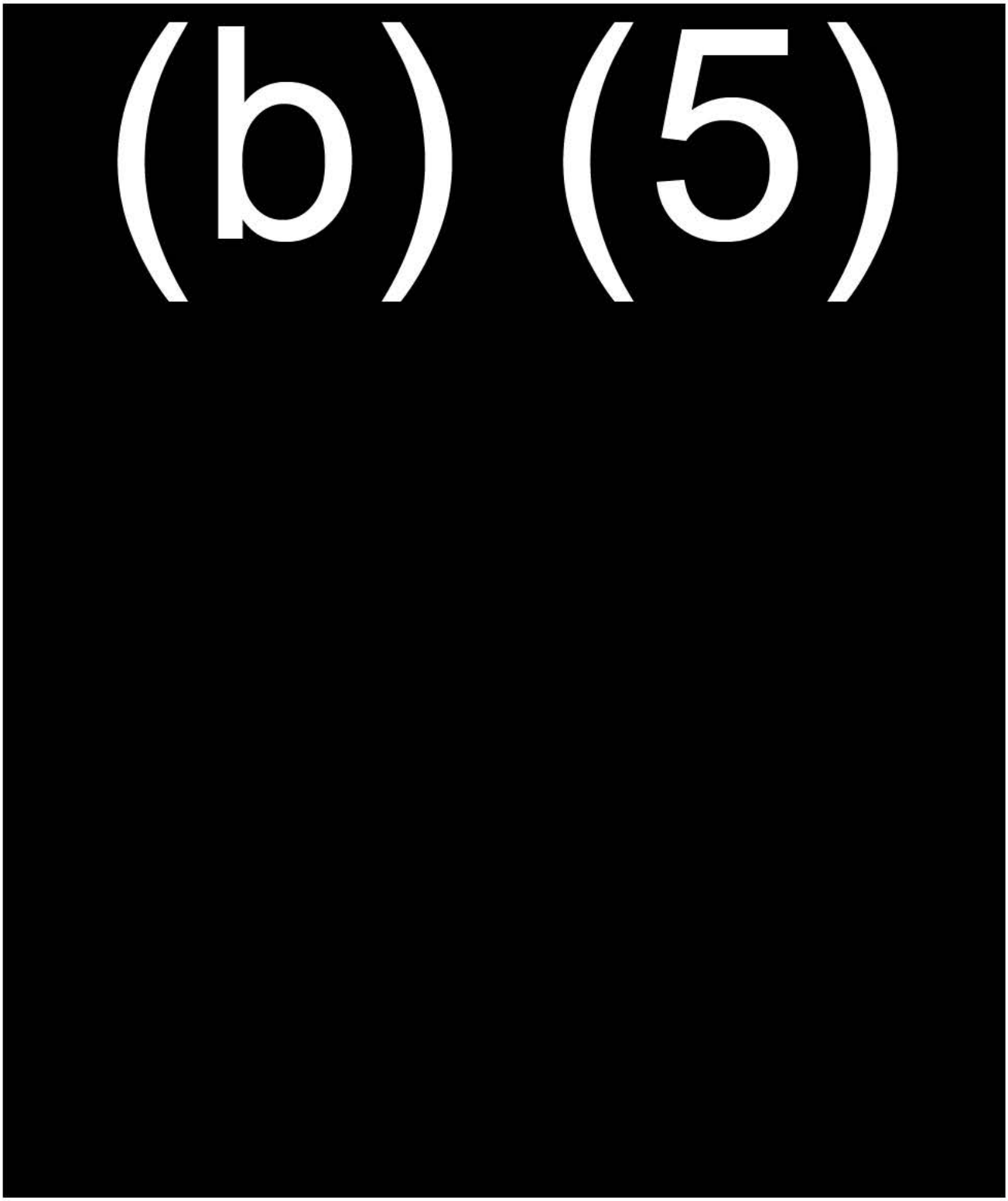
(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



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AMERICAN OVERSIGHT

< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
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REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

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< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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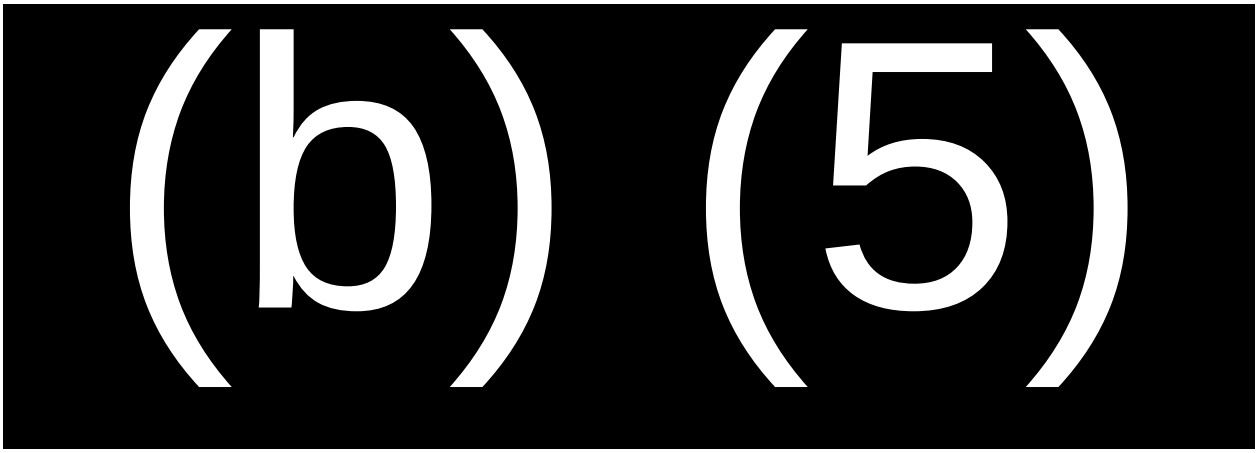
(b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir,

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

AMERICAN OVERSIGHT



Best,
(b)(6);(b)(7)(C)

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Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) SCOTT, RODNEY S < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
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Deputy Commissioner
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> On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:
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AMERICAN OVERSIGHT

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Desk: (b)(6) (b)(7)(C)
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Desk: (b)(6);(b)(7)(C)
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Best,
(b)(6);(b)(7)(C)

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Deputy Executive Director, Strategic Planning & Analysis
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Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
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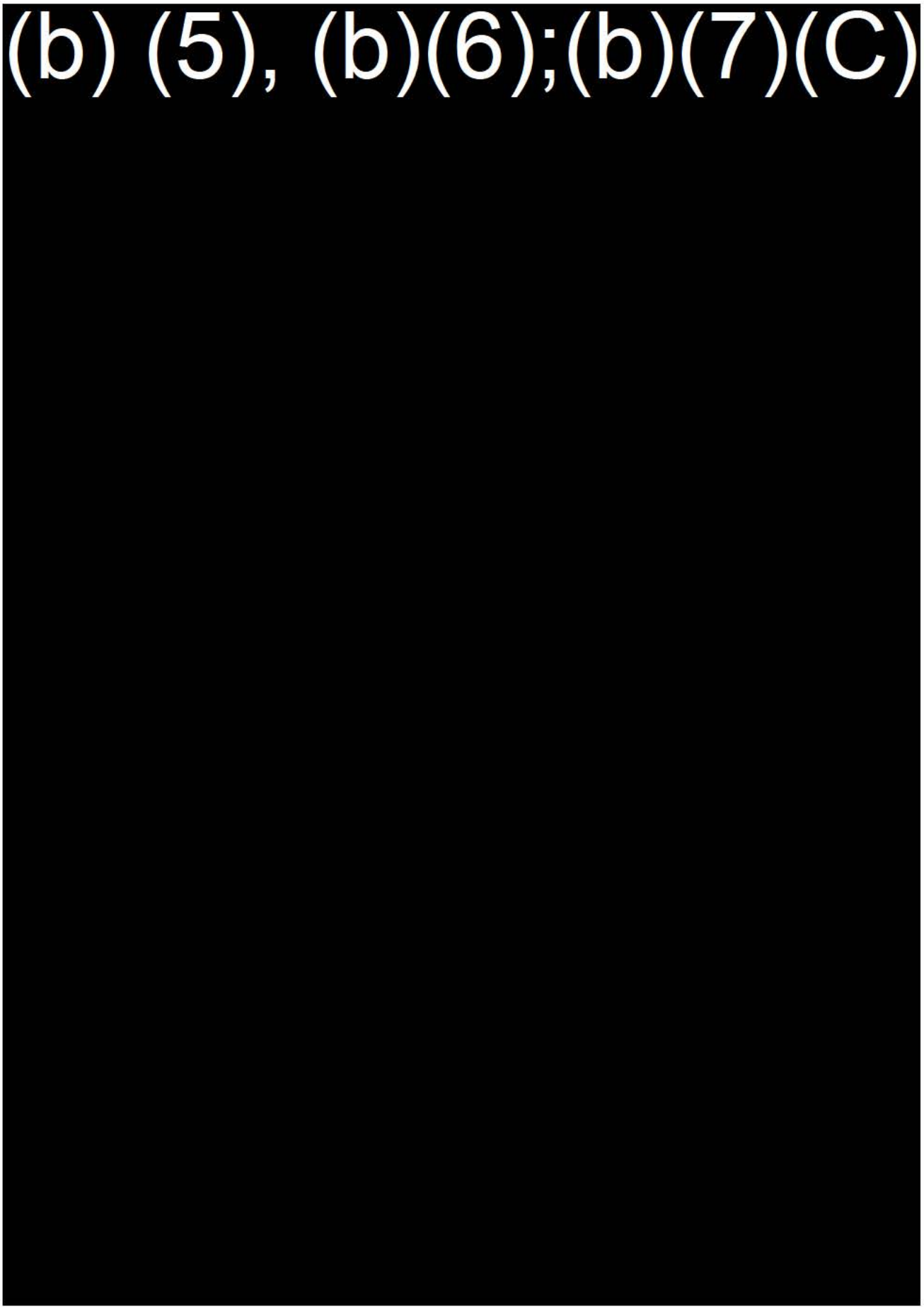
AMERICAN OVERSIGHT



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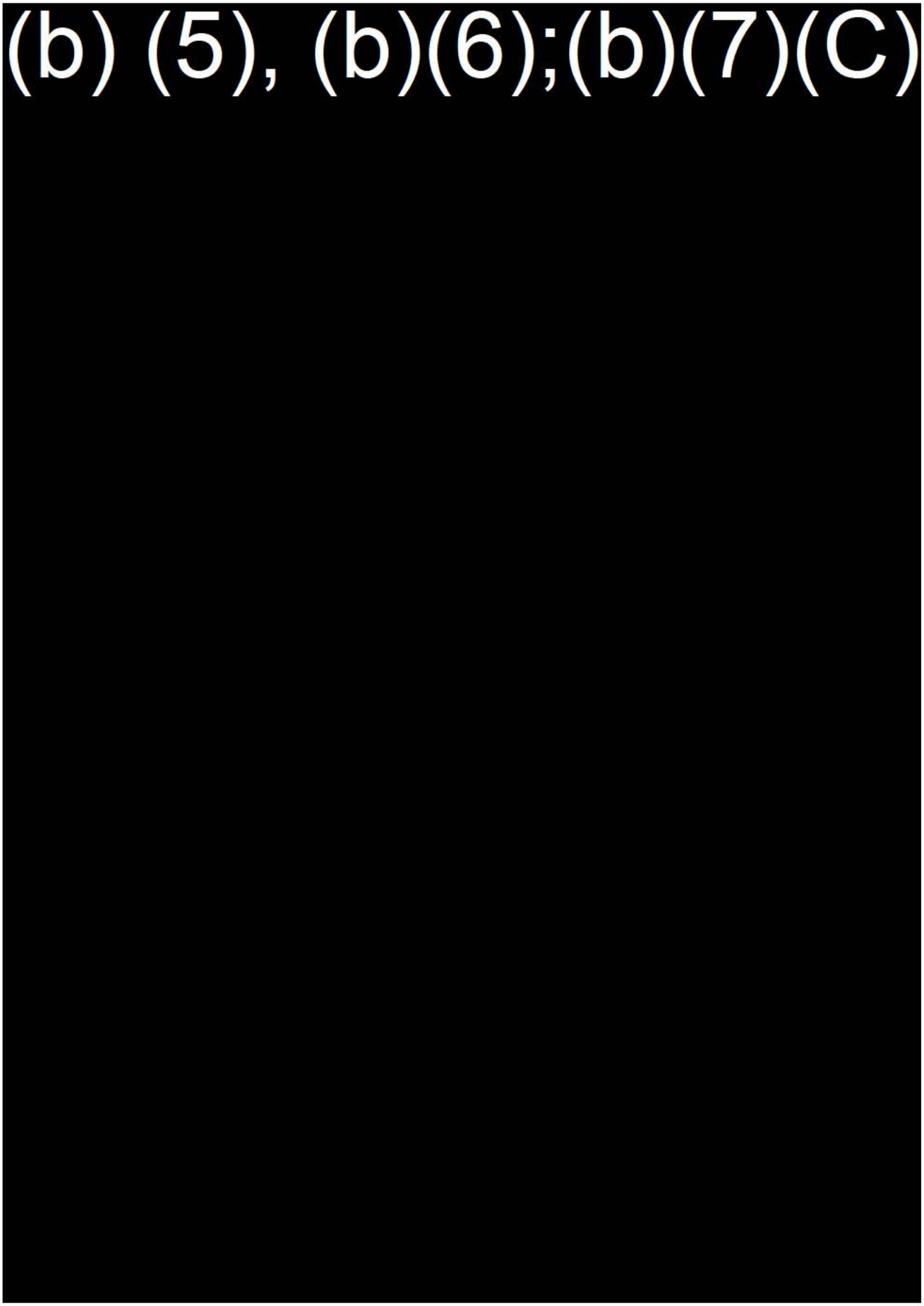

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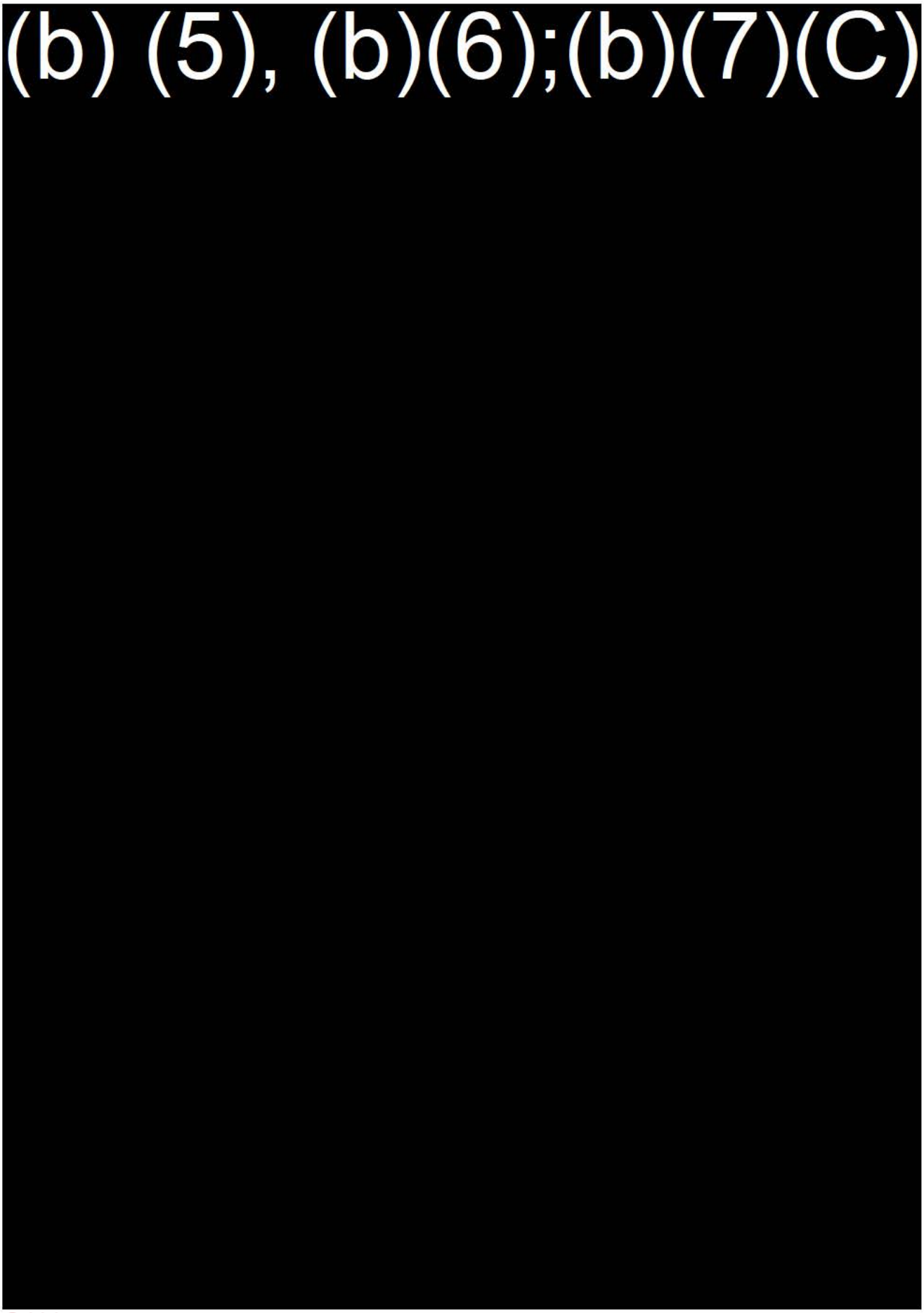
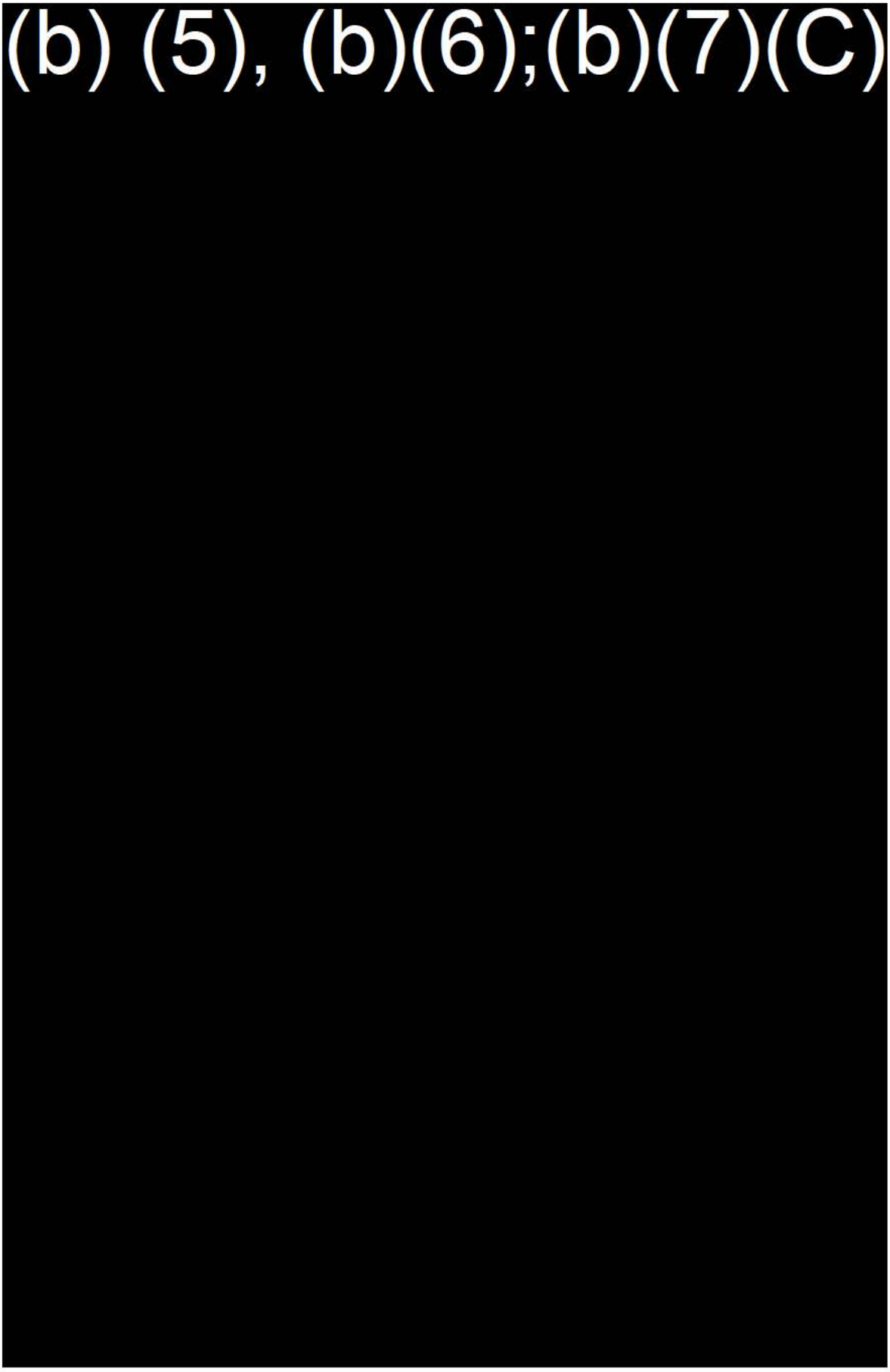


AMERICAN OVERSIGHT



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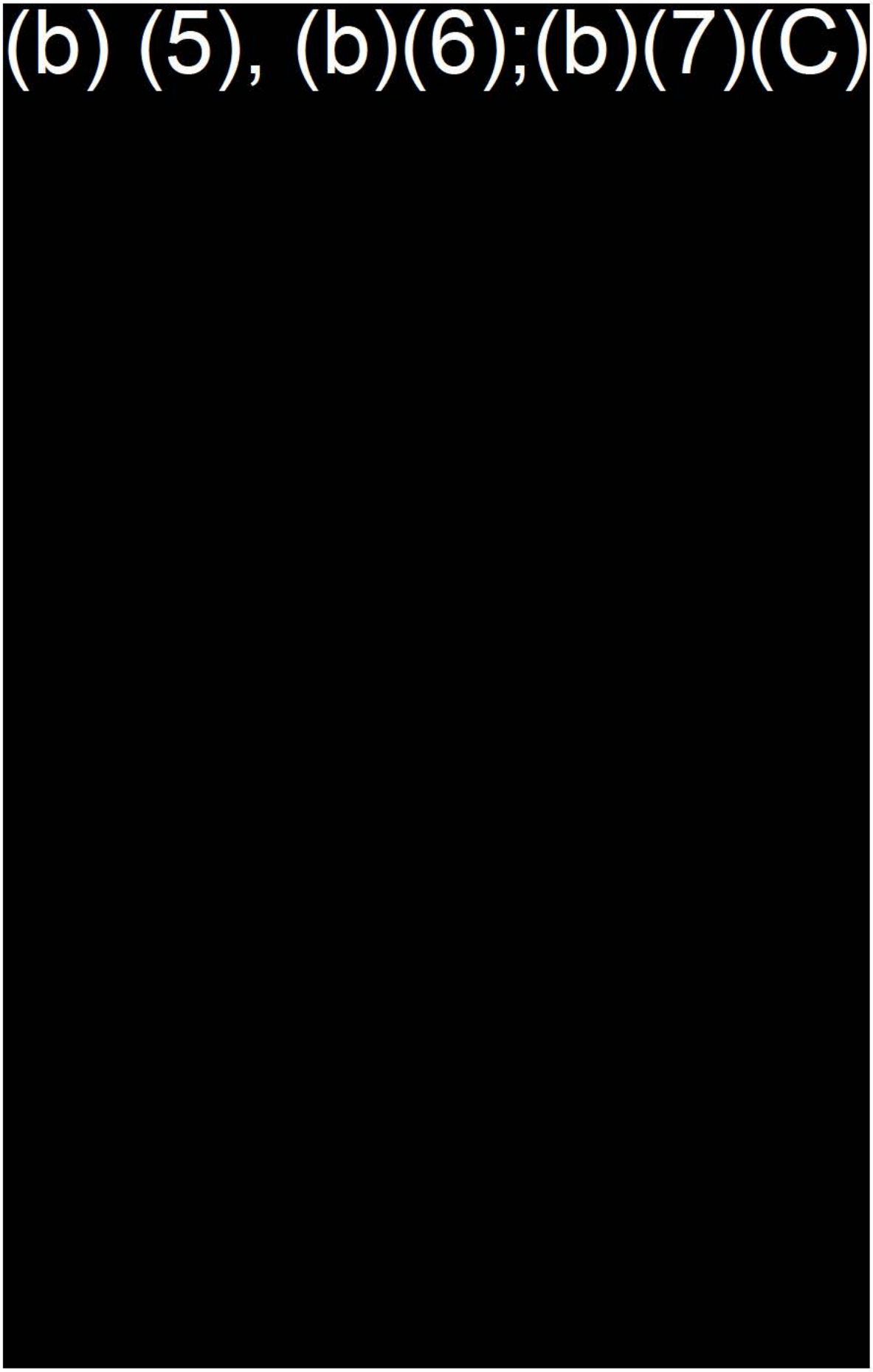
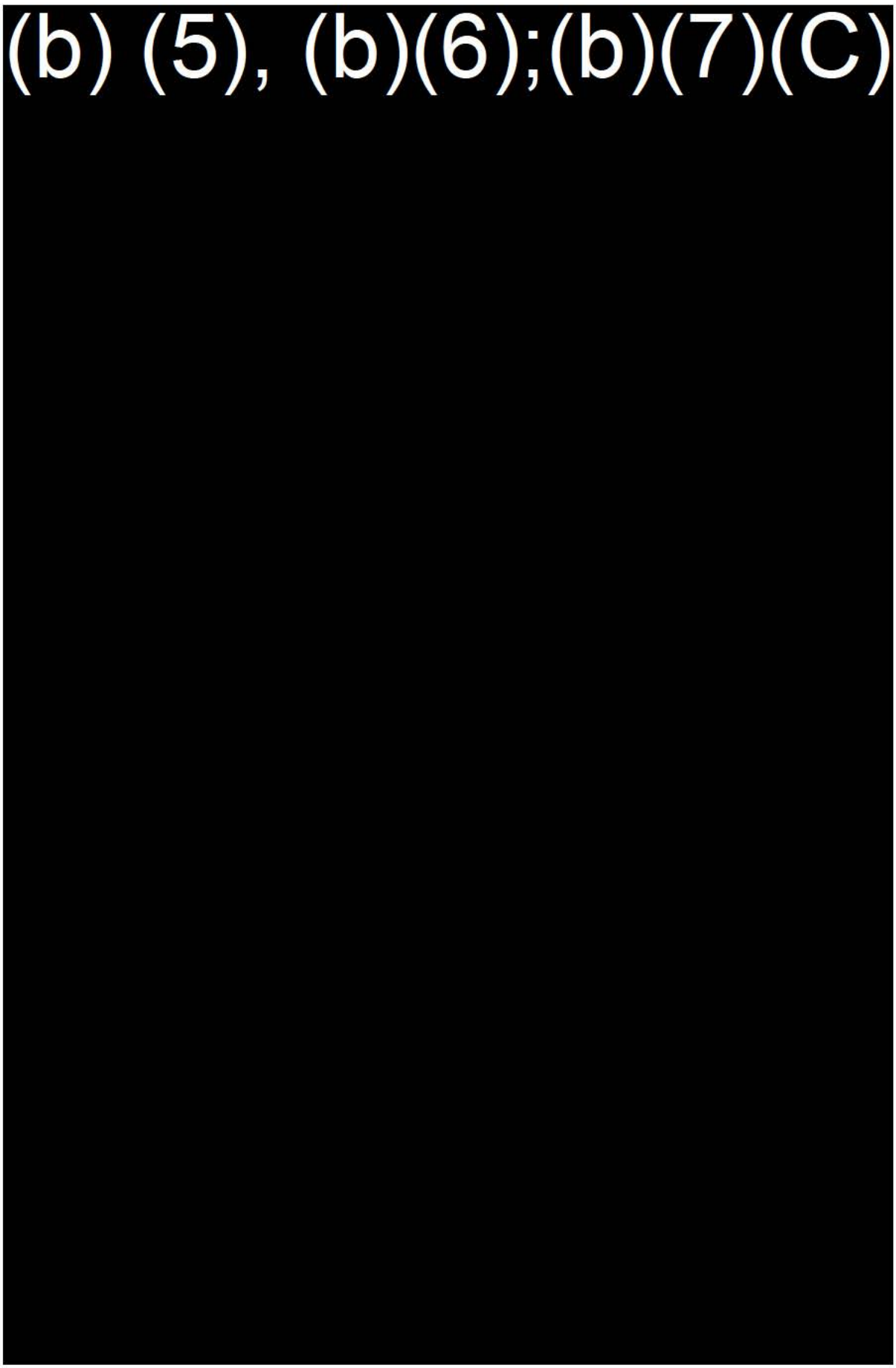


AMERICAN OVERSIGHT



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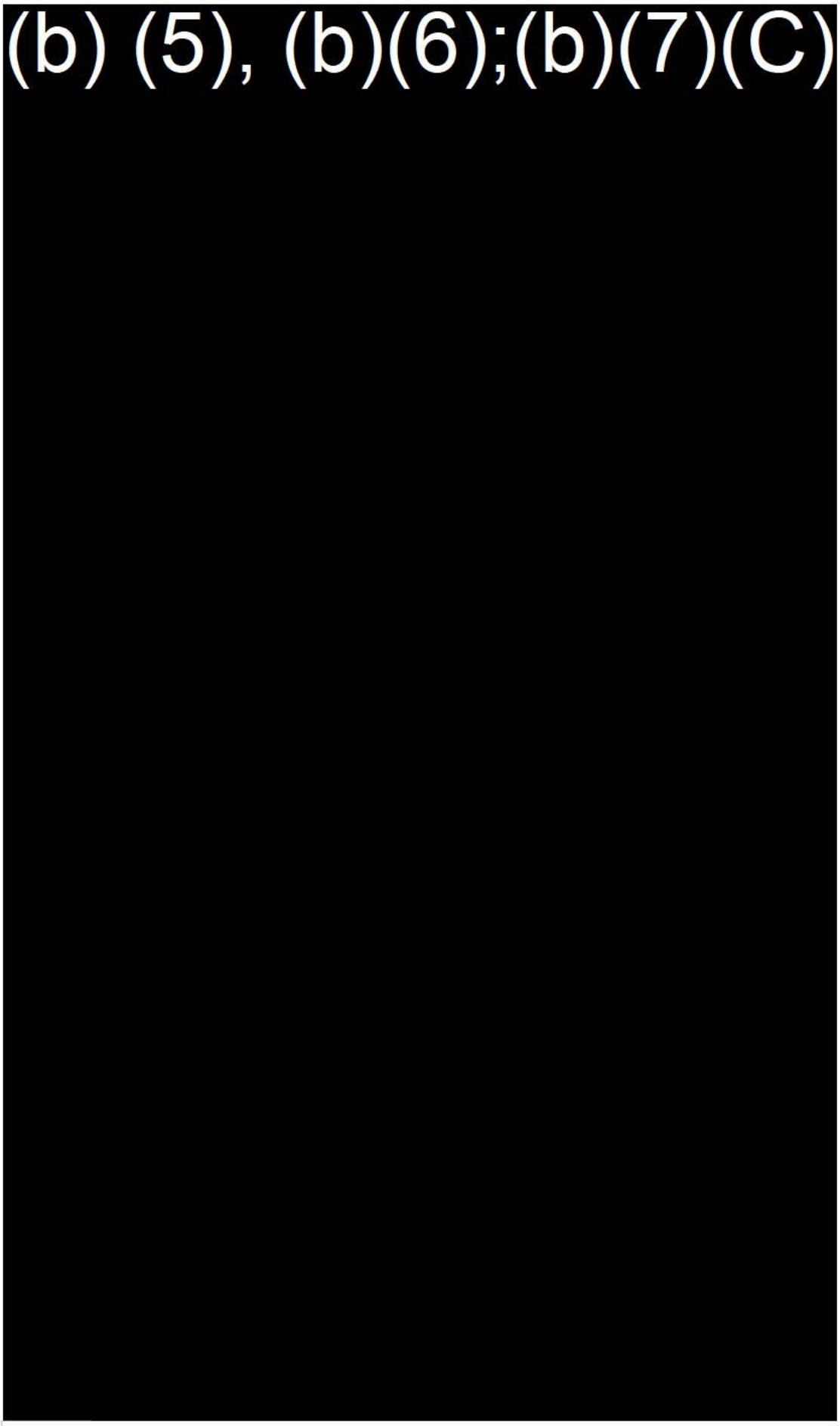

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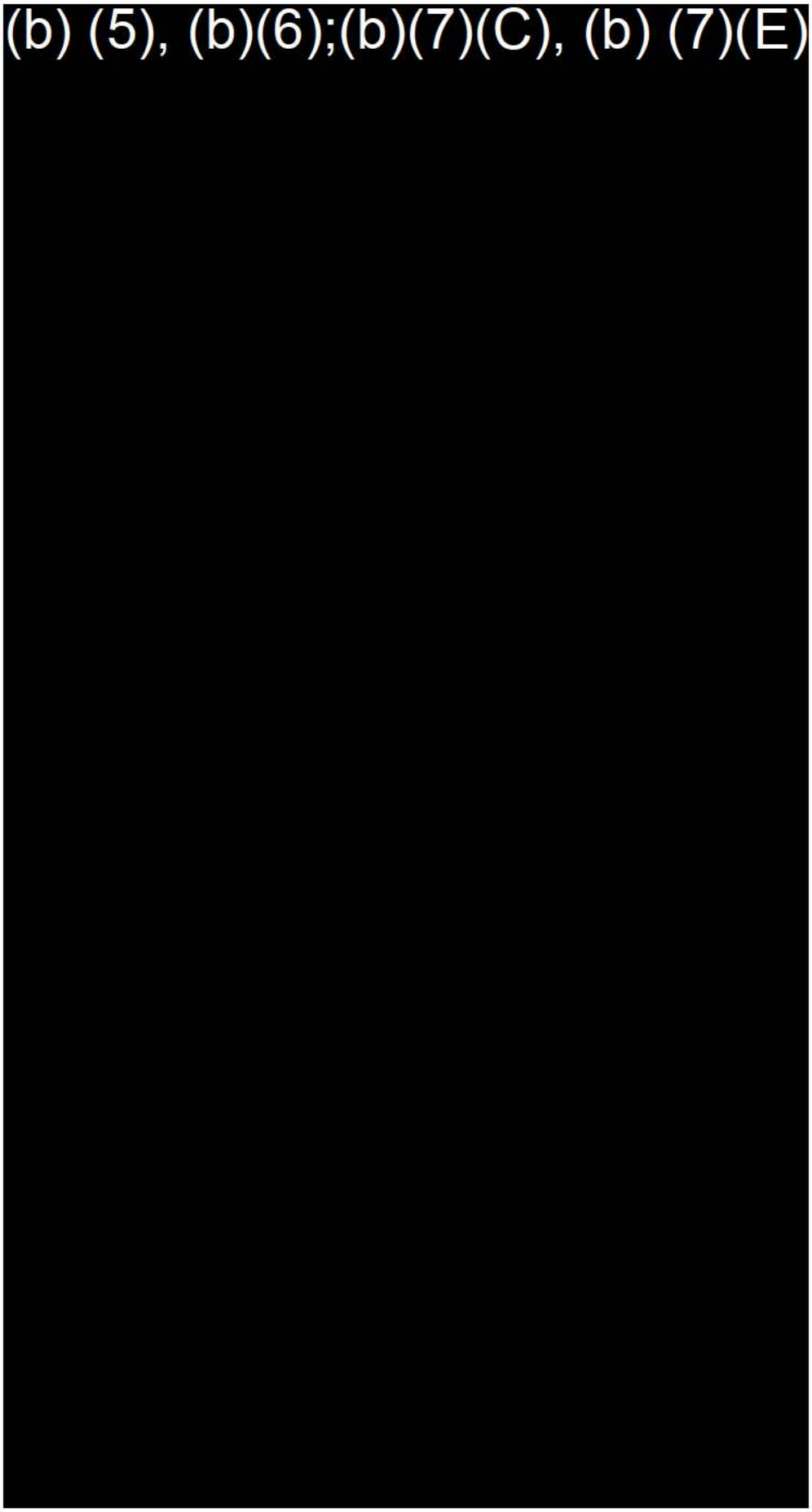

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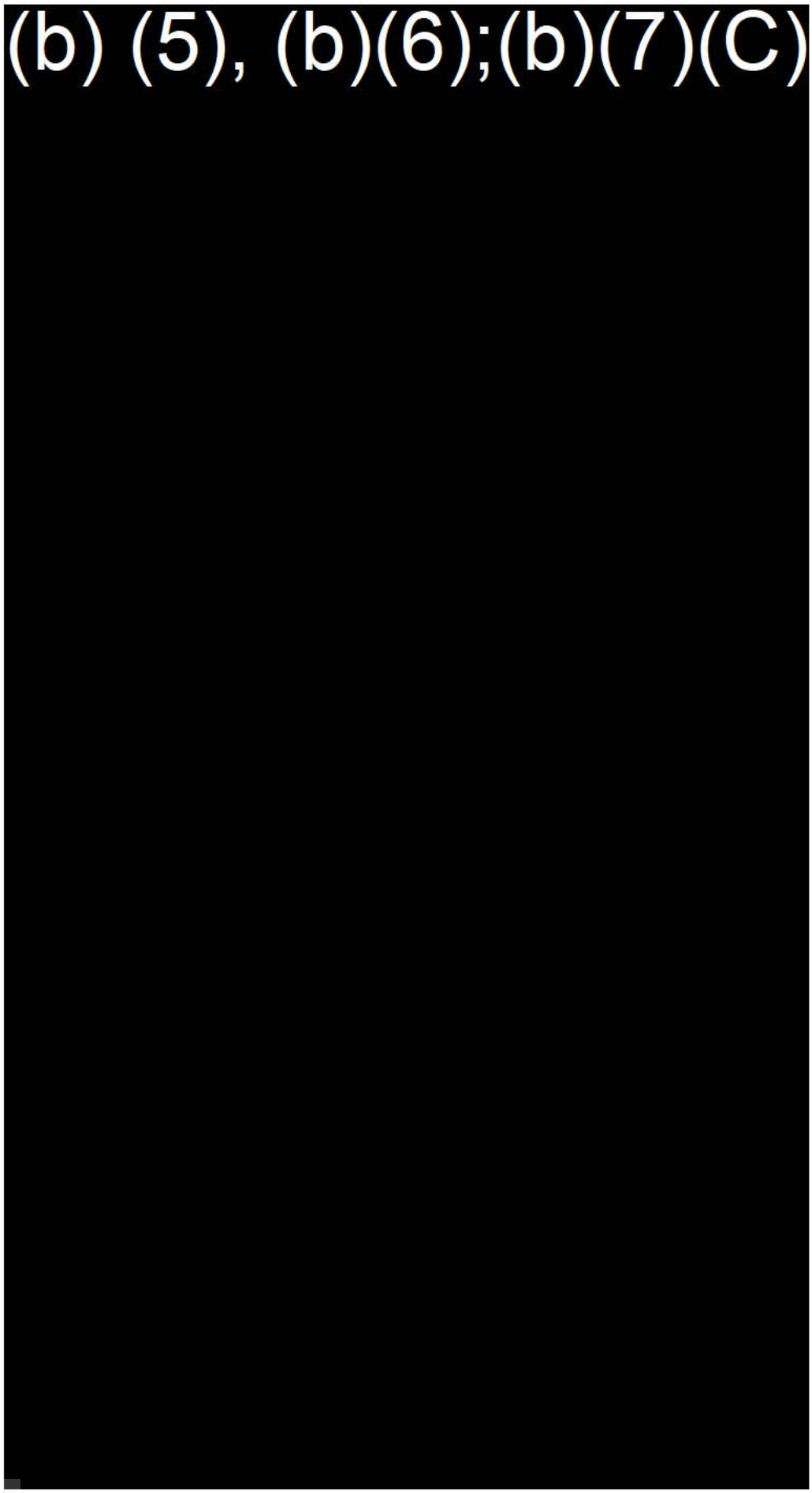

AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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From: (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: Follow Up

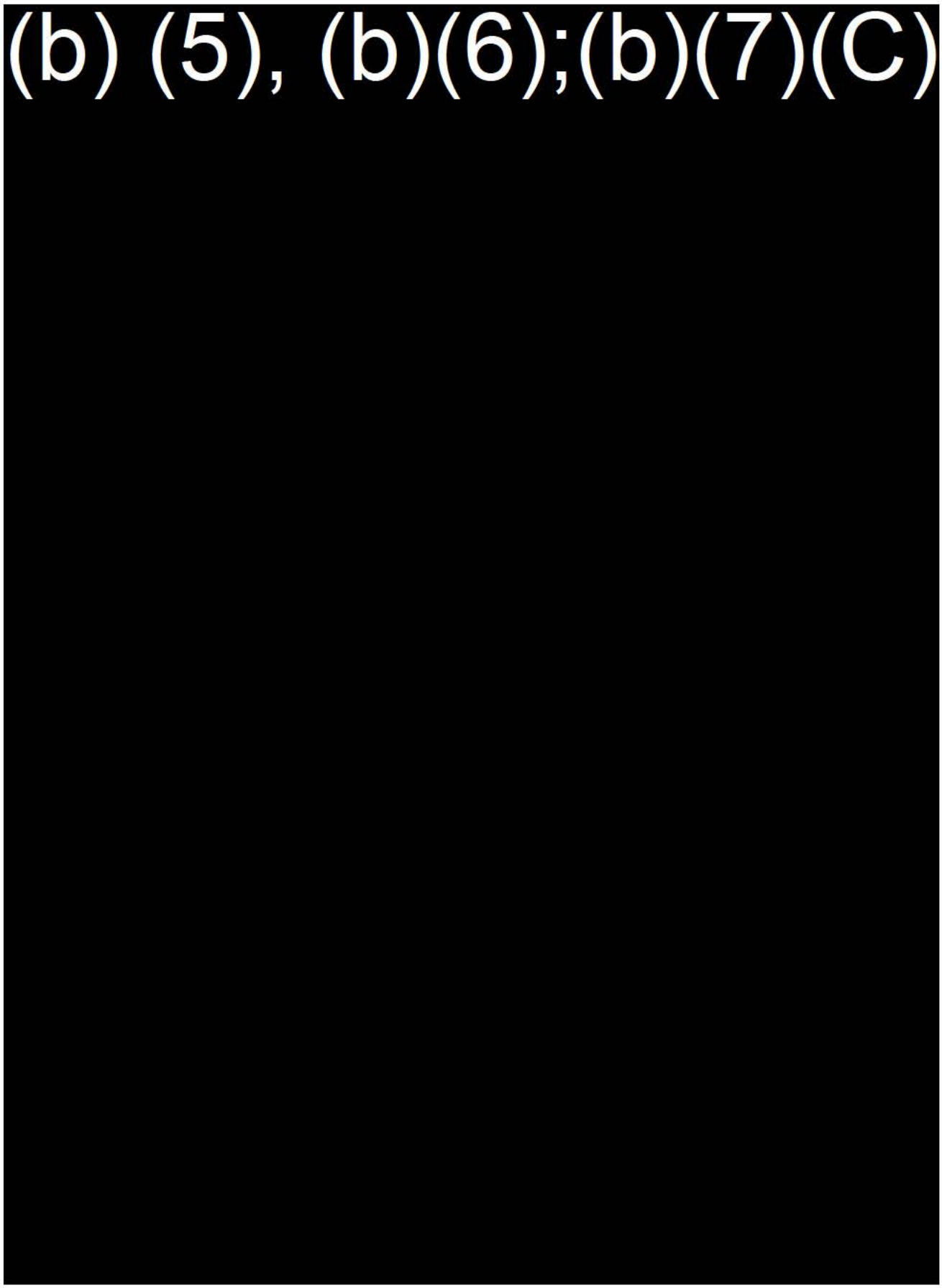
Good Morning Kris –

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat about (b) (7)(E)

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



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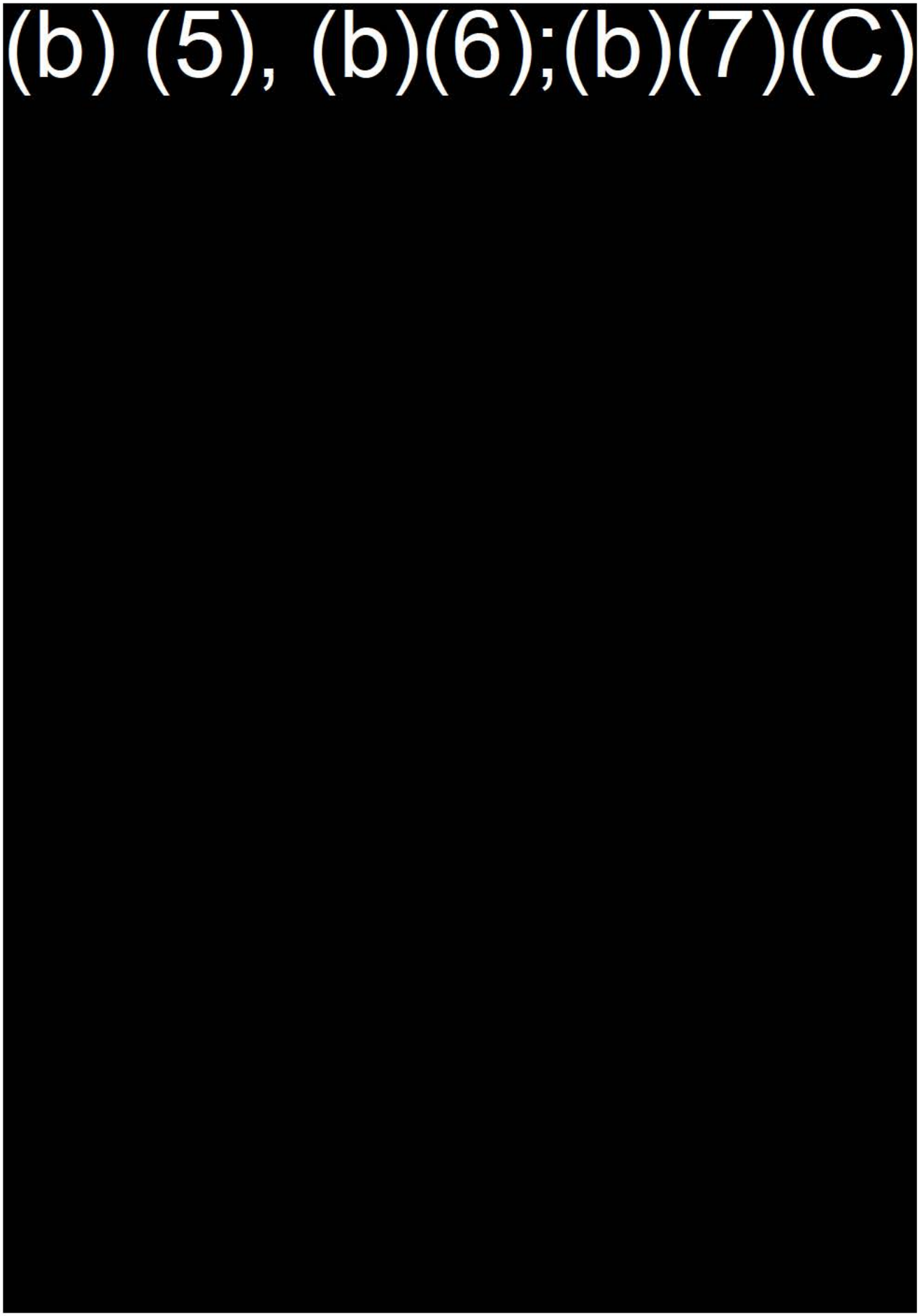

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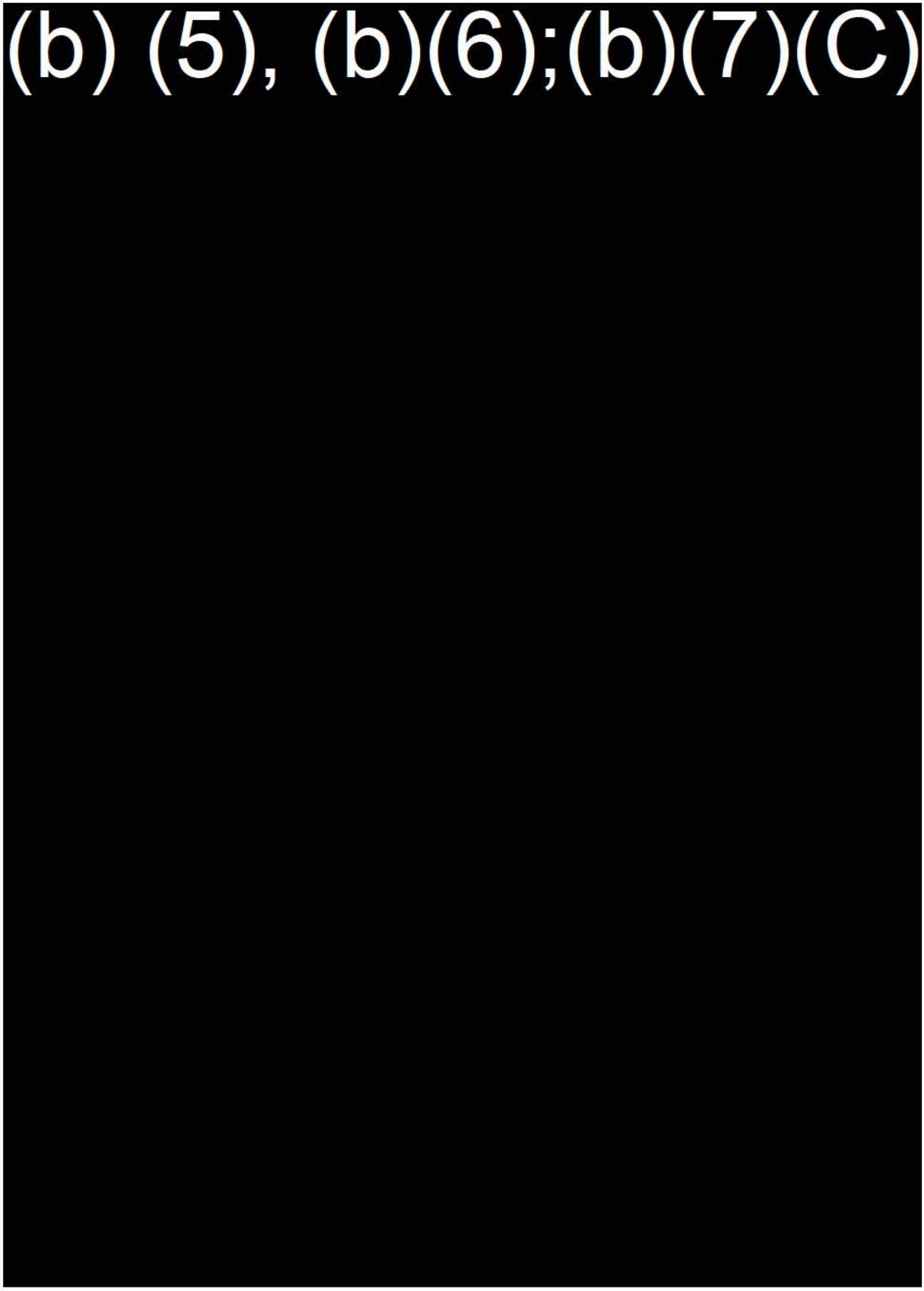

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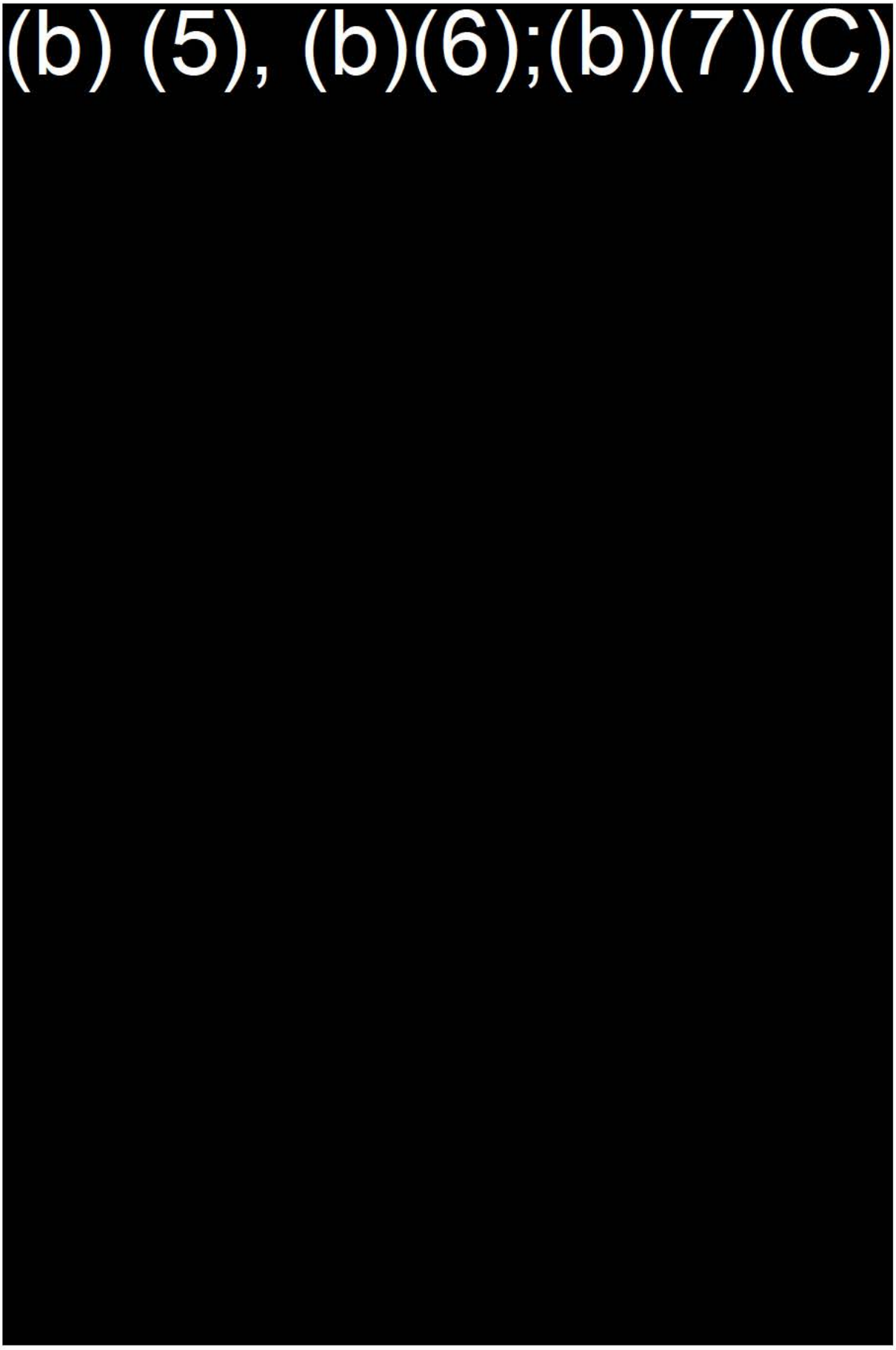

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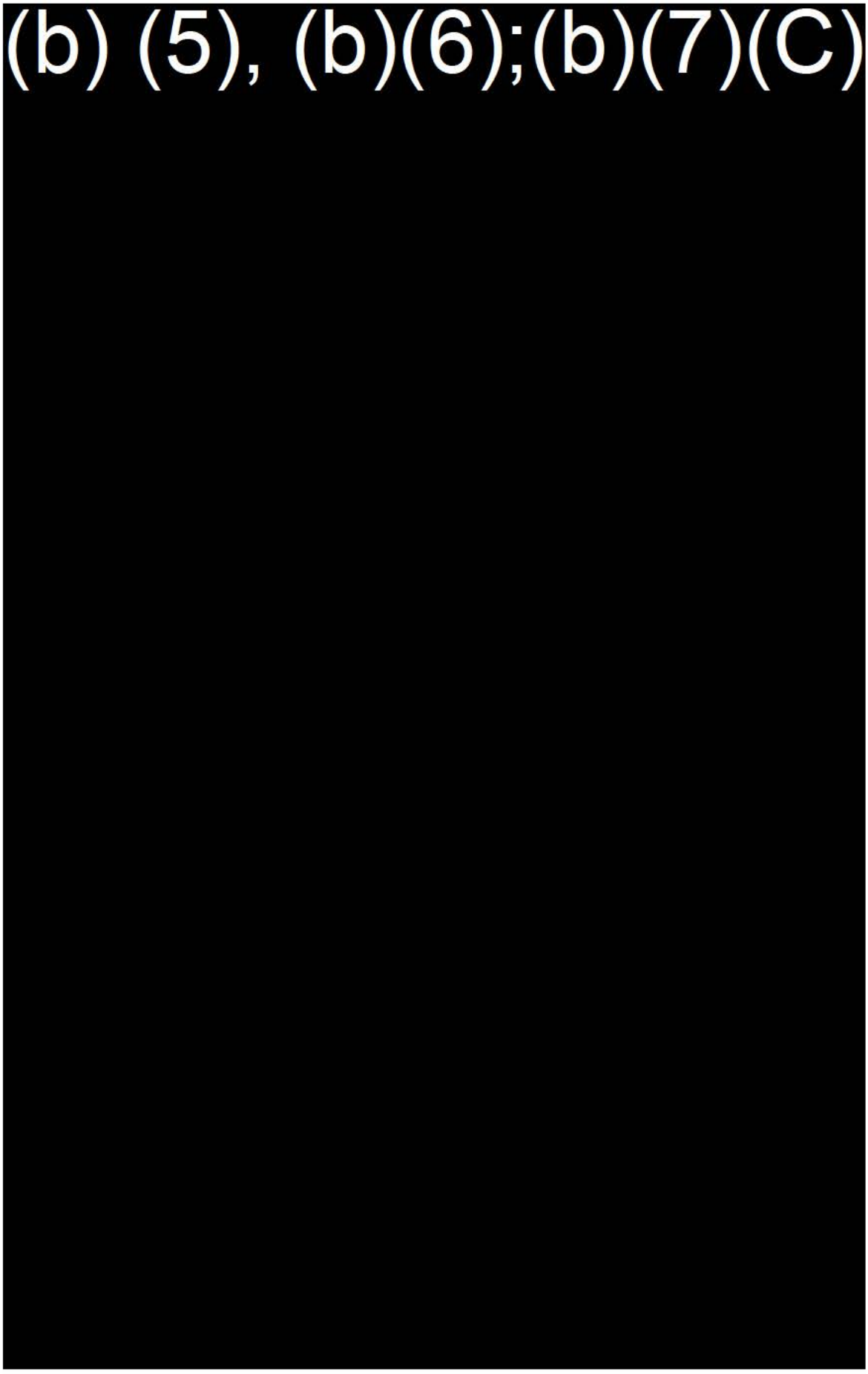
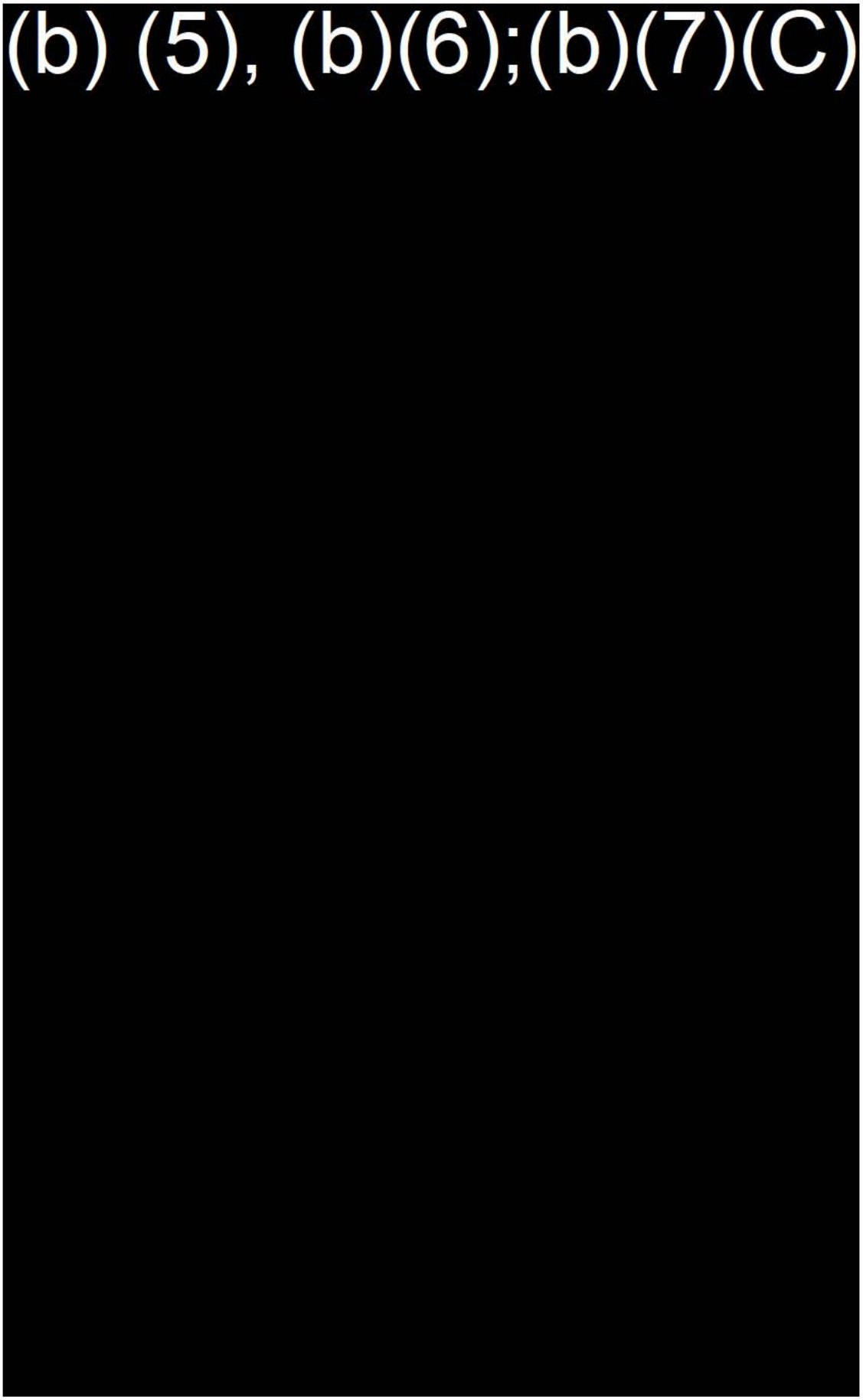


AMERICAN OVERSIGHT



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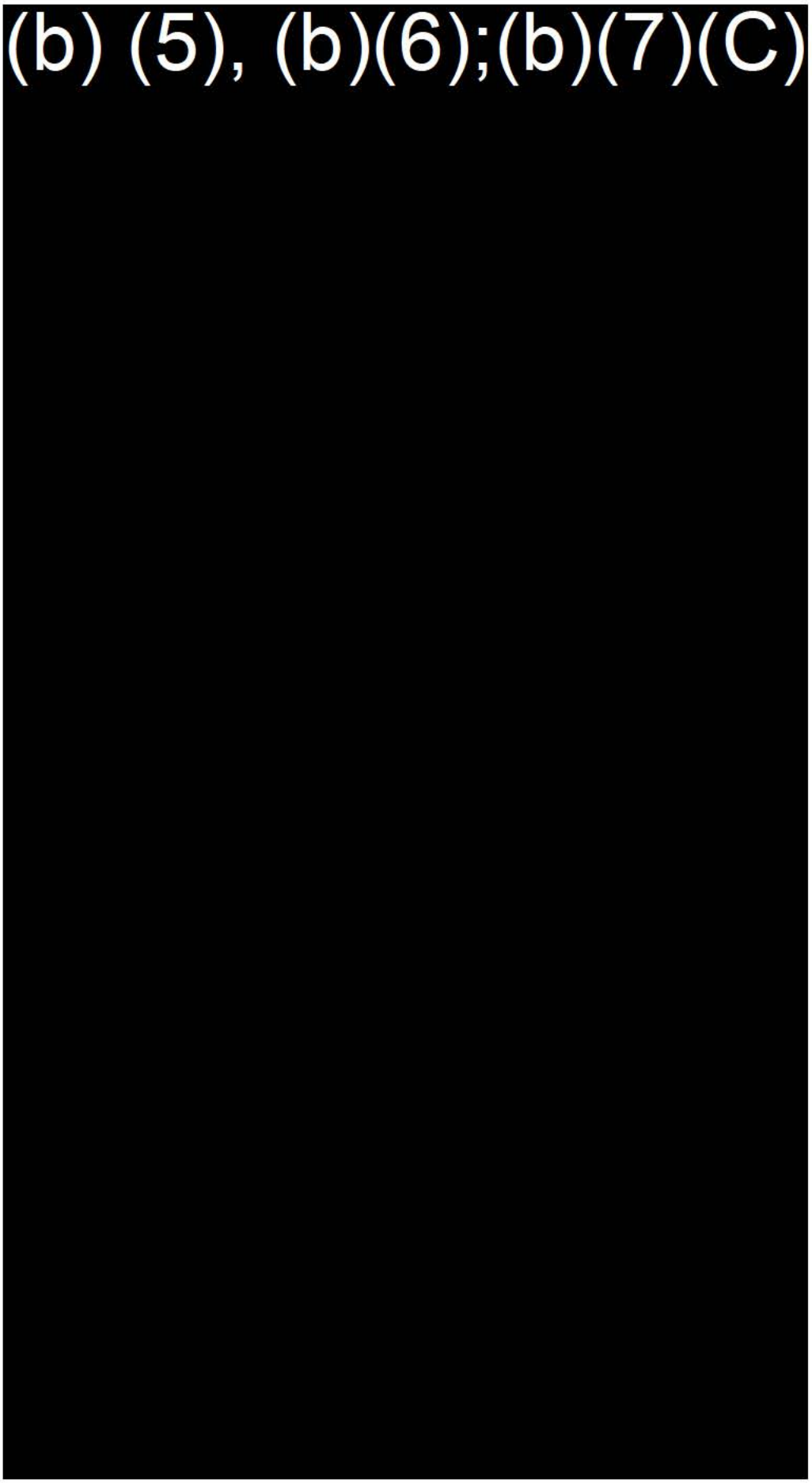
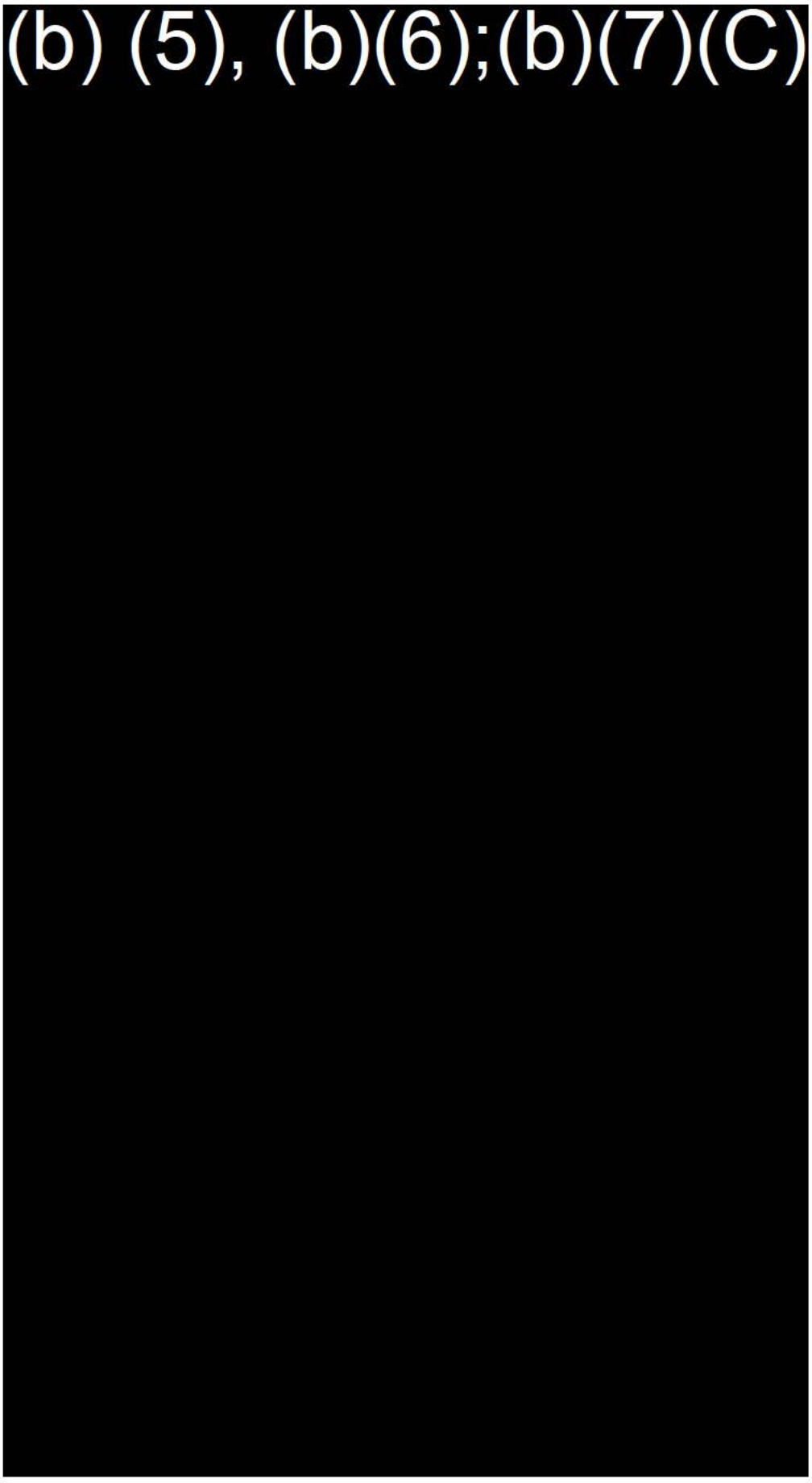


AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

(b) (5)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: PEREZ, ROBERT E < (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) SCOTT, RODNEY S < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Thanks (b)(6);(b)(7)(C) - early next week would be best. Much appreciated.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

> On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:
>
> Sir – In speaking with OCC this morning, (b) (5) .
>
> Best,
> (b)(6);(b)(7)(C)
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C)
> **Sent:** Friday, December 6, 2019 11:03 AM

AMERICAN OVERSIGHT

To: 'kkobach@gmail.com' <kkobach@gmail.com>
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

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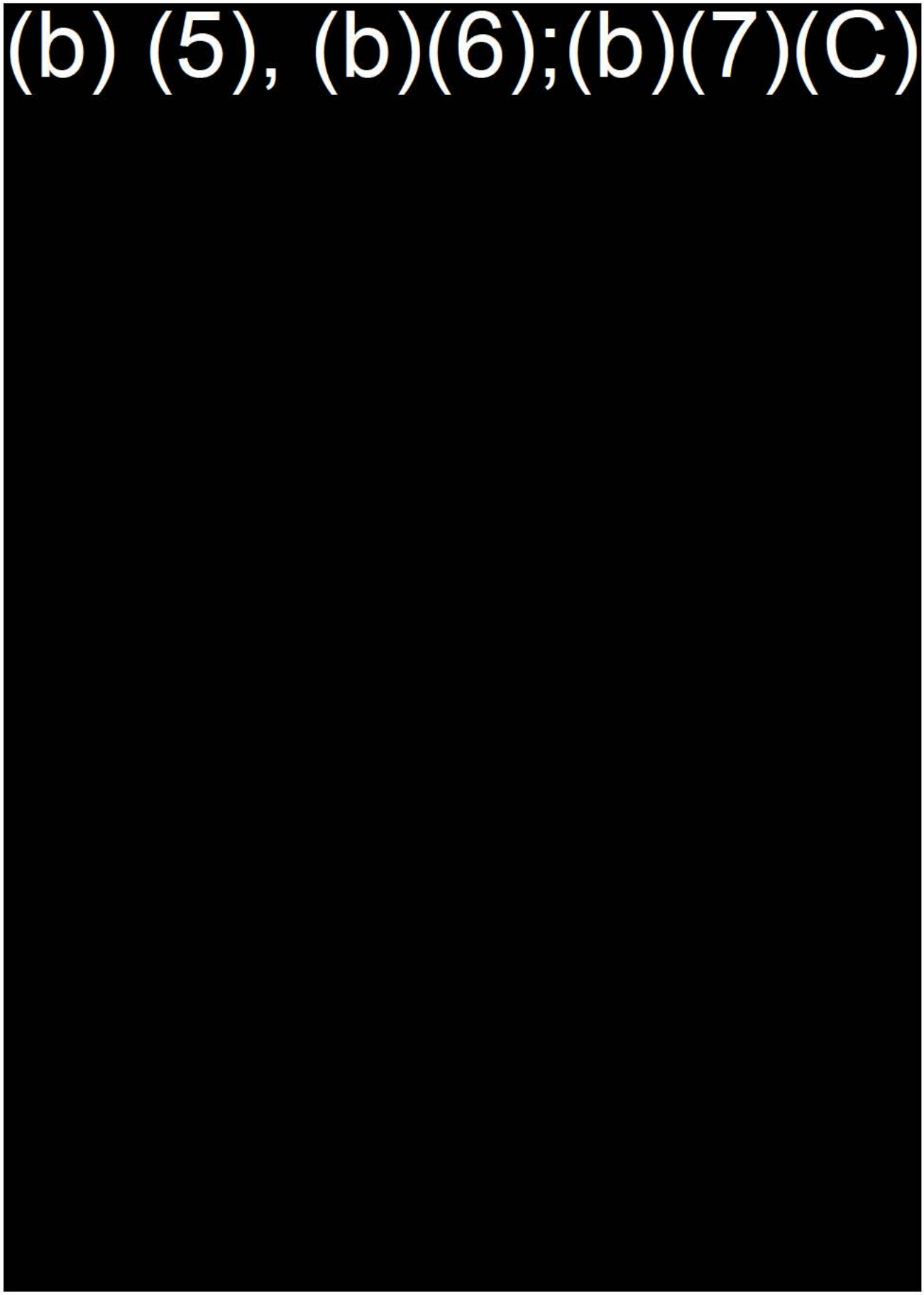
(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



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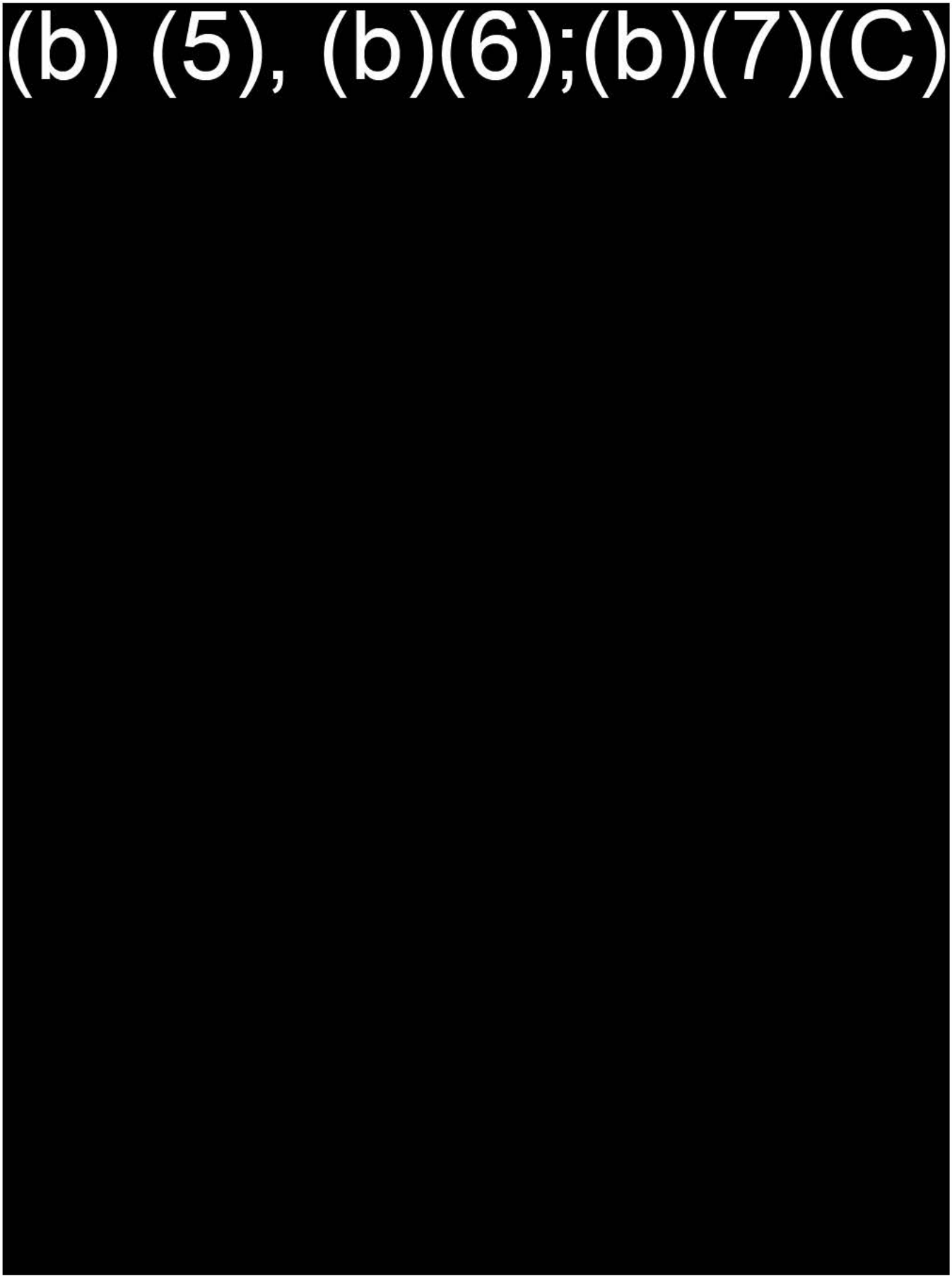

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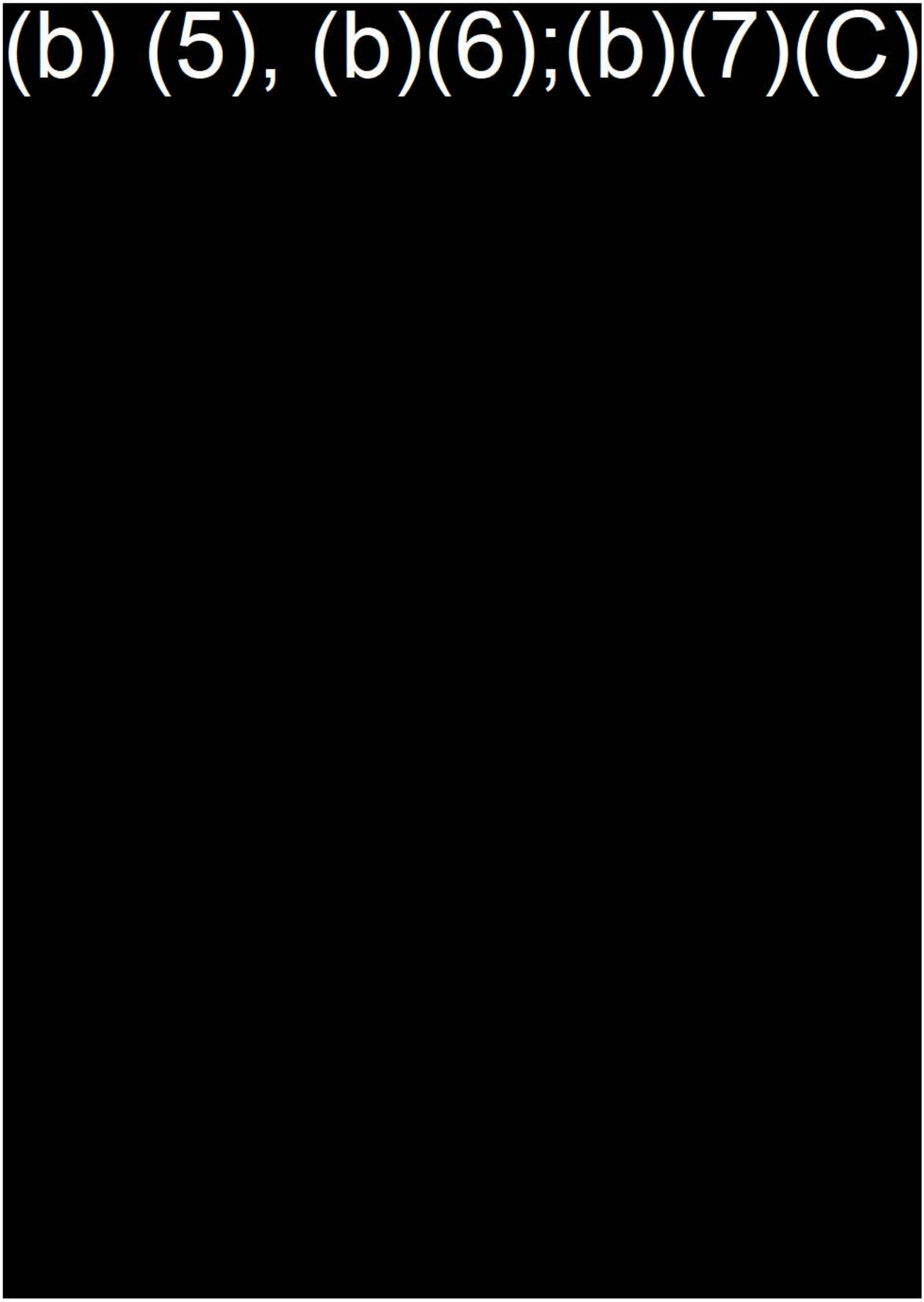

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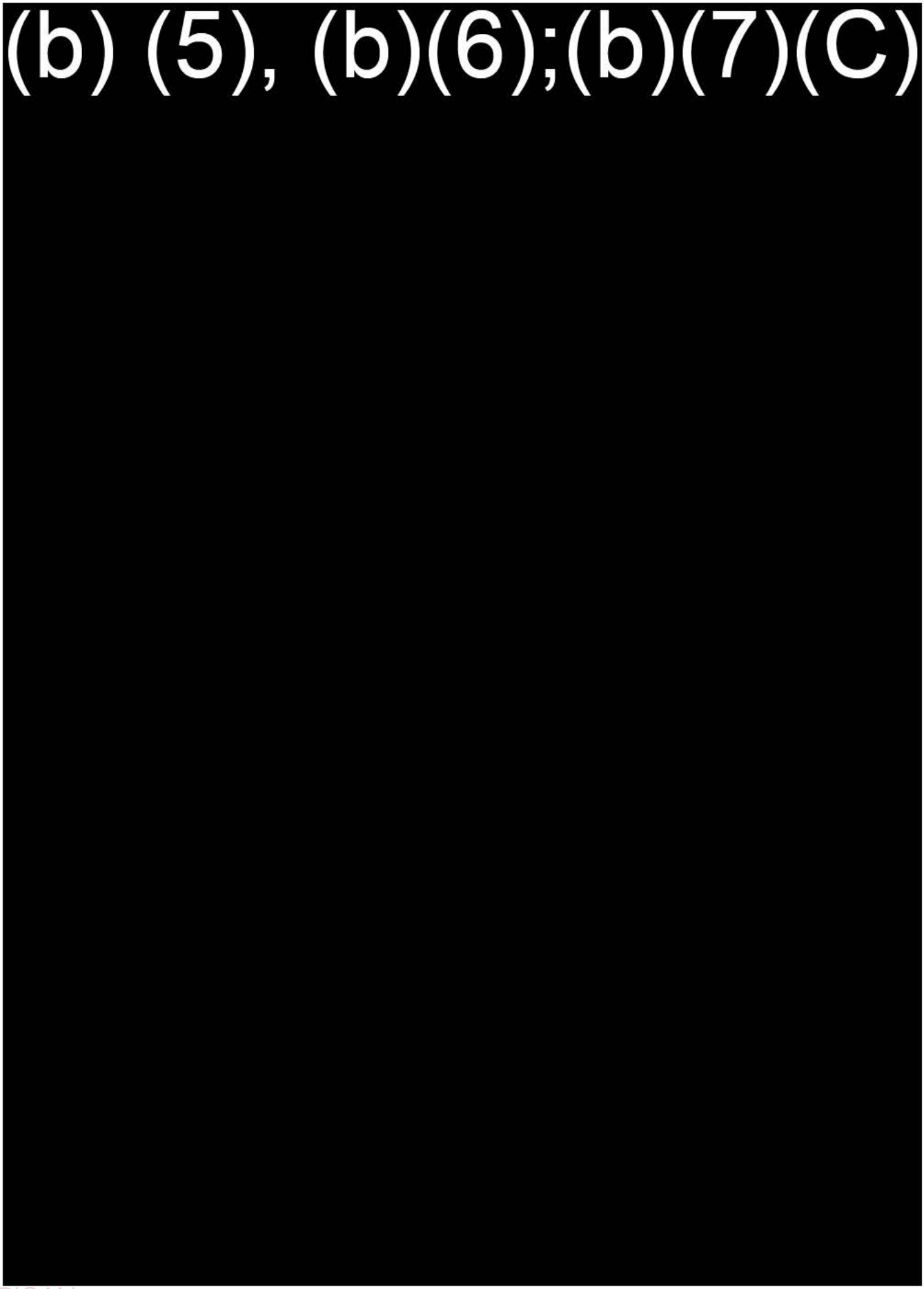

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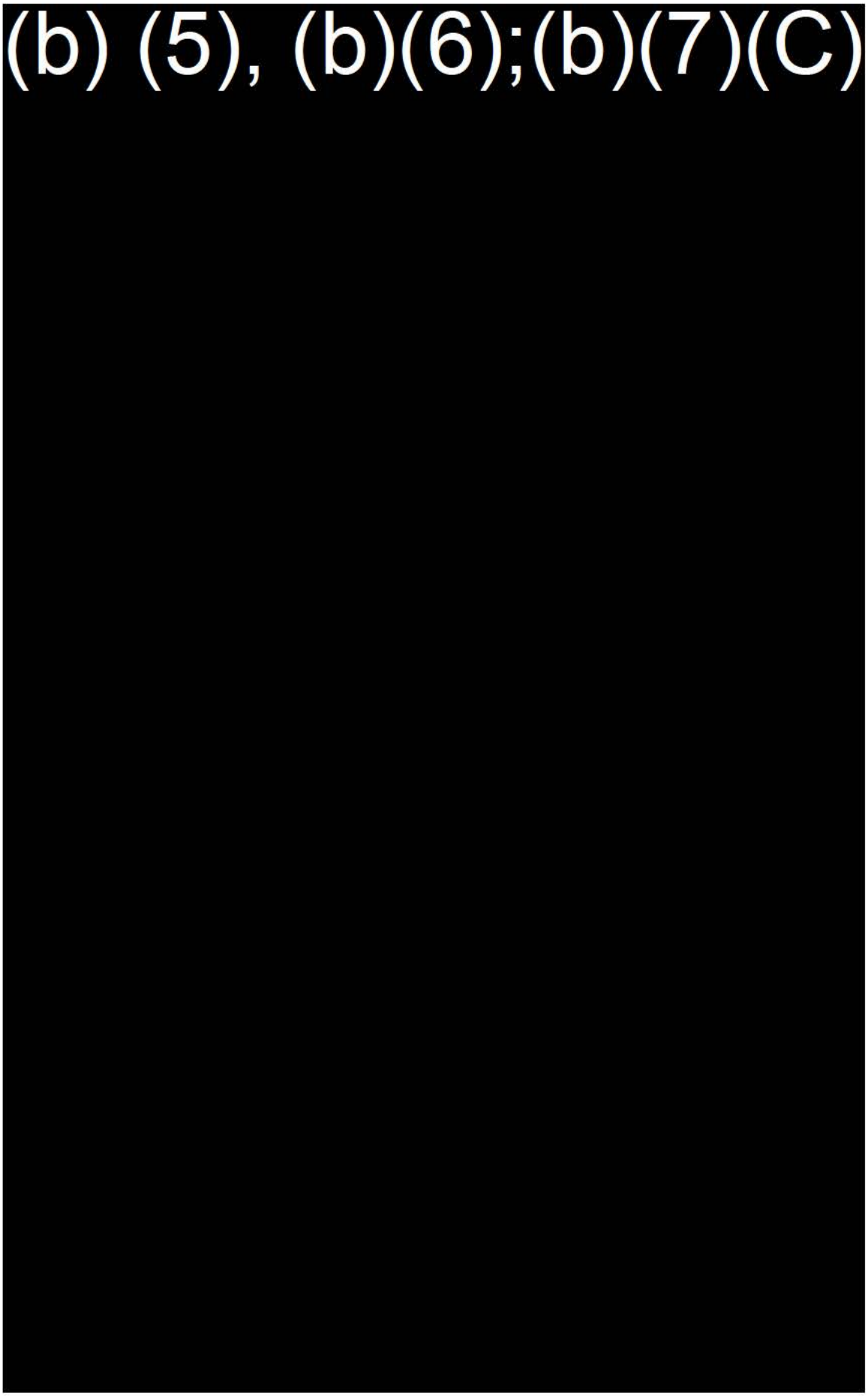

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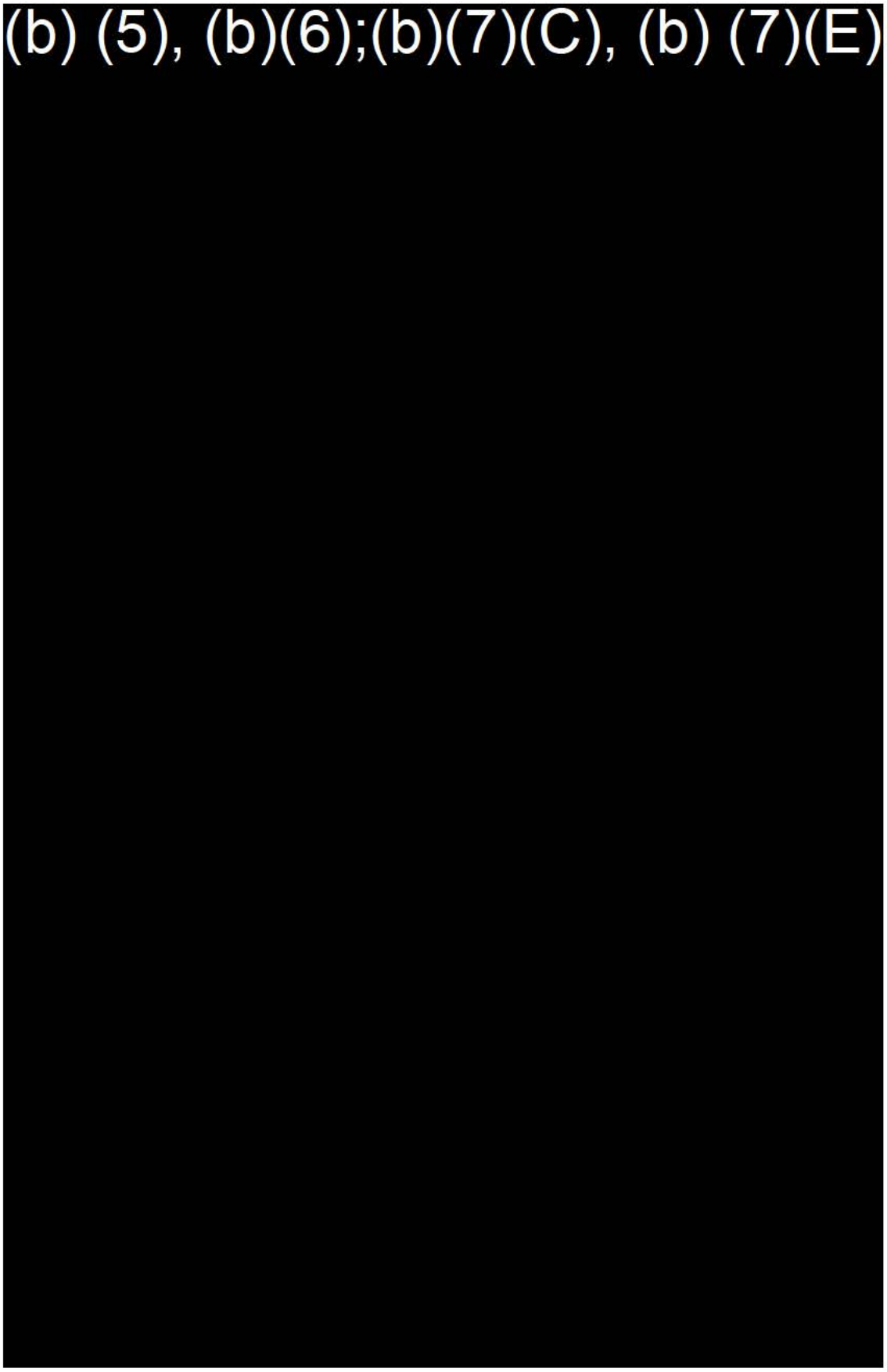

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

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Sent: Friday, December 6, 2019 11:21 AM
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Cc: MARTIN, JERRY B < (b)(6);(b)(7)(C) PROVOST, CARLA (USBP) < (b)(6);(b)(7)(C) SCOTT, RODNEY S < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
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Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

On Dec 6, 2019, at 11:05 AM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

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[redacted]

Best,
[redacted]

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Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

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AMERICAN OVERSIGHT

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U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
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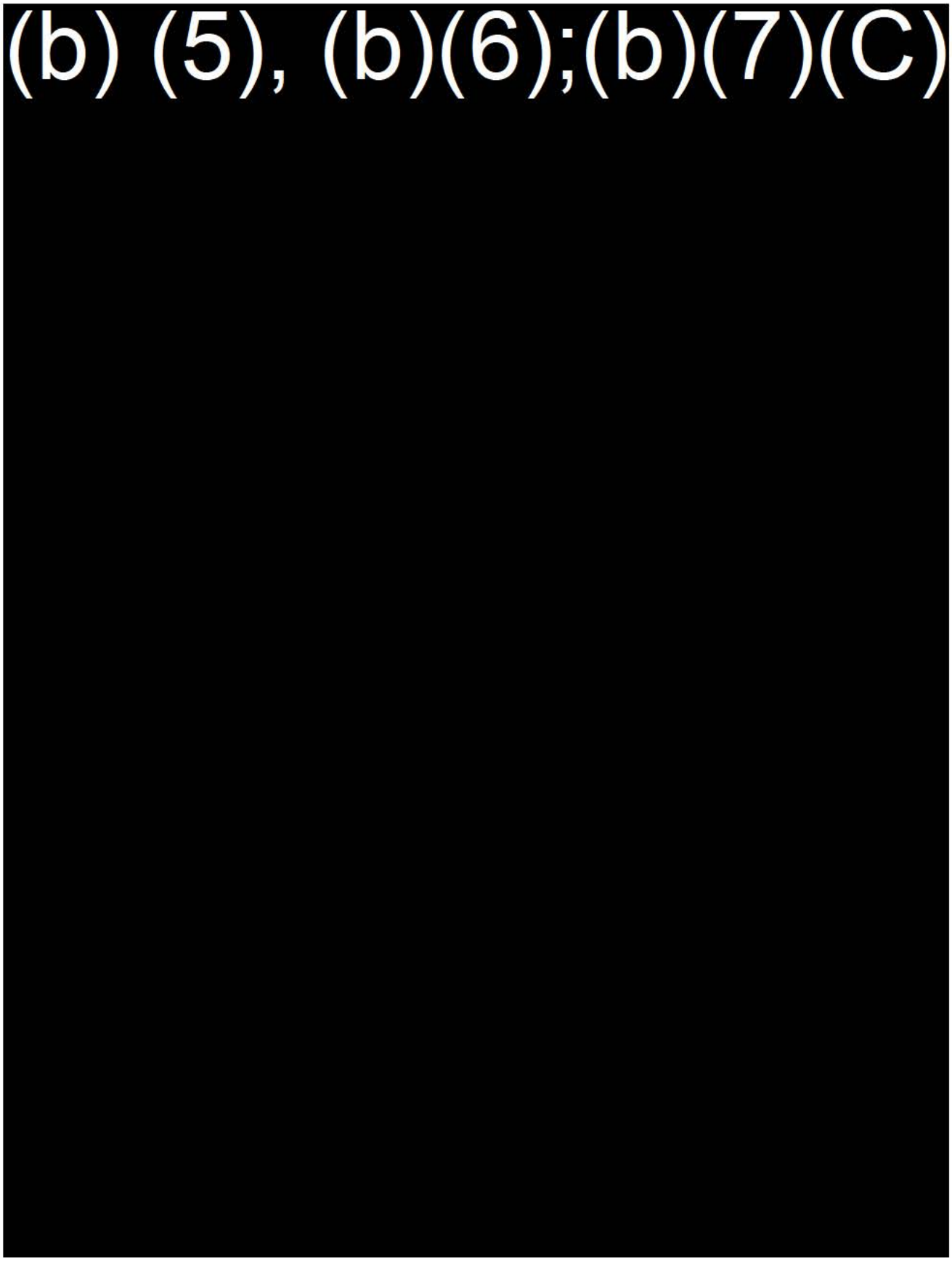
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

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

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To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C) PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C) SCOTT, RODNEY S <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Subject: Re: Follow Up

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Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

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AMERICAN OVERSIGHT

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Deputy Executive Director, Strategic Planning & Analysis
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Desk: (b)(6);(b)(7)(C)
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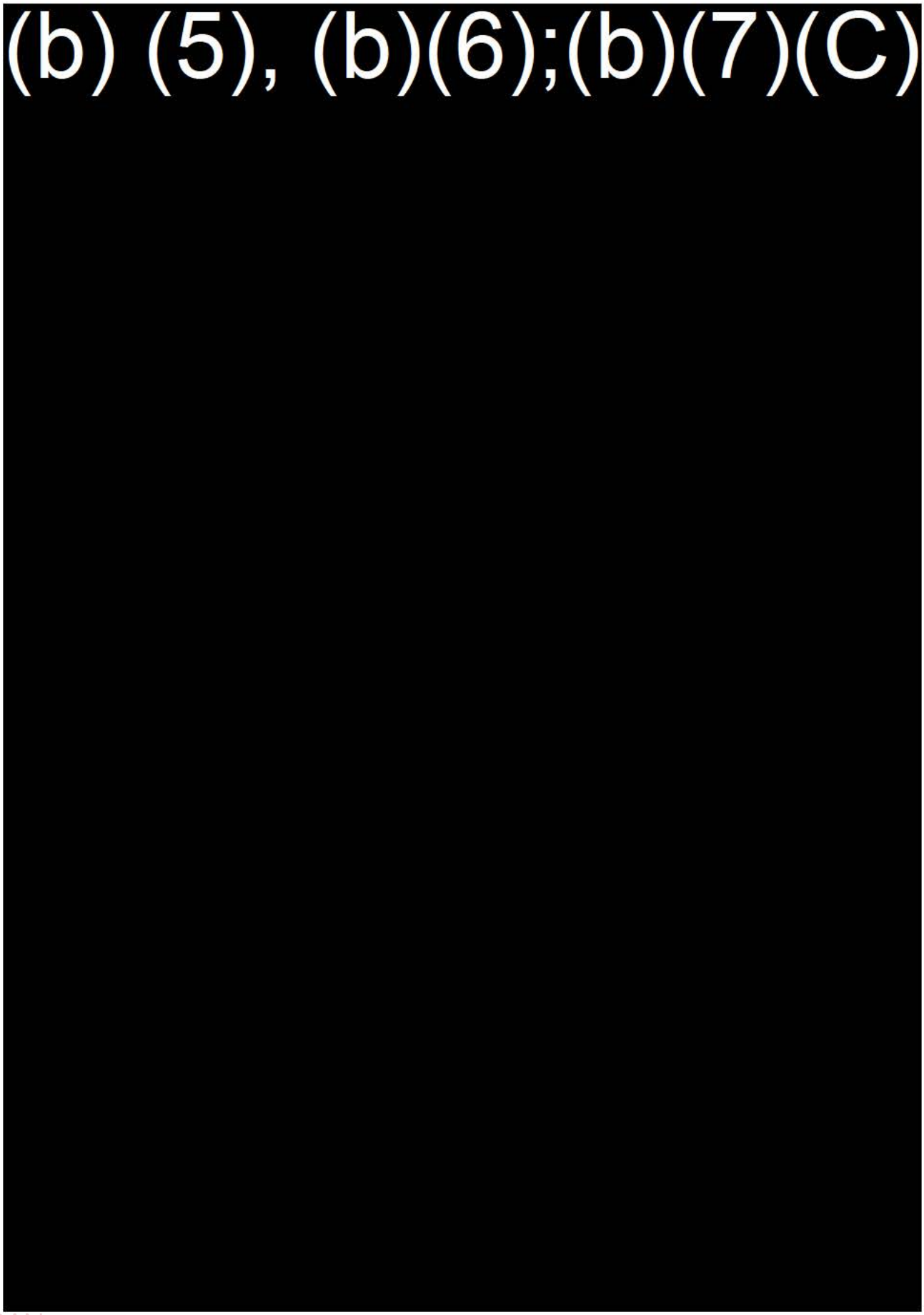
AMERICAN OVERSIGHT



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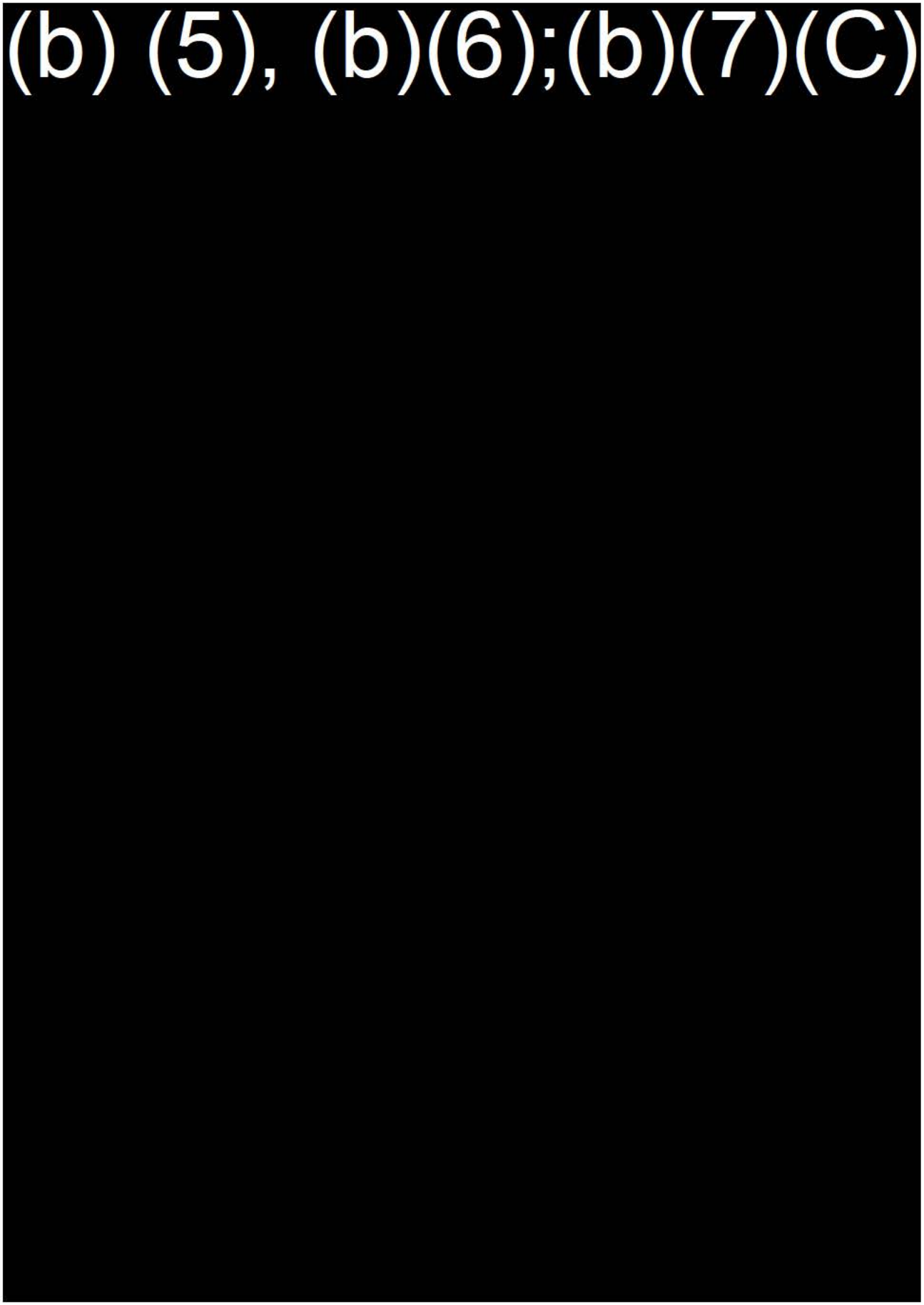

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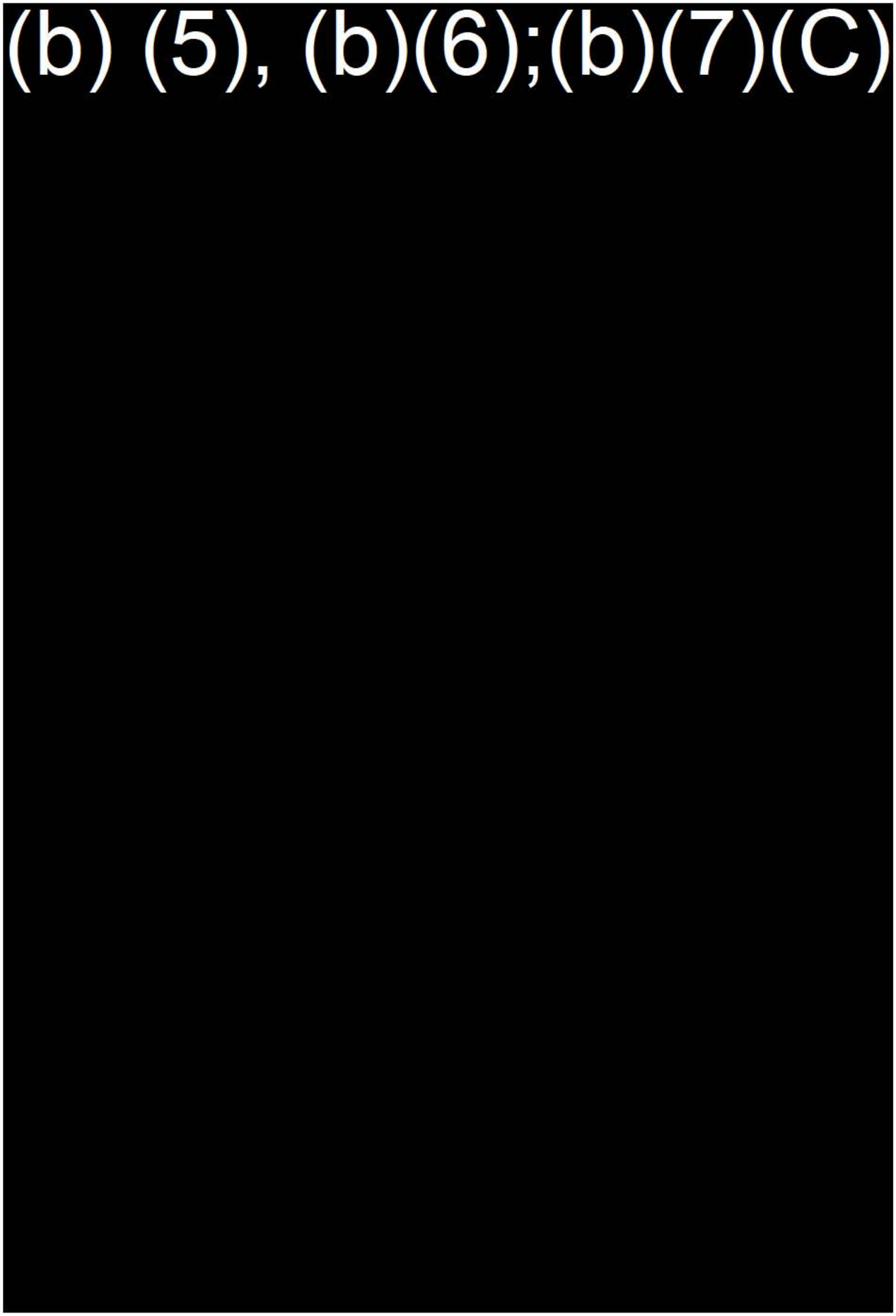

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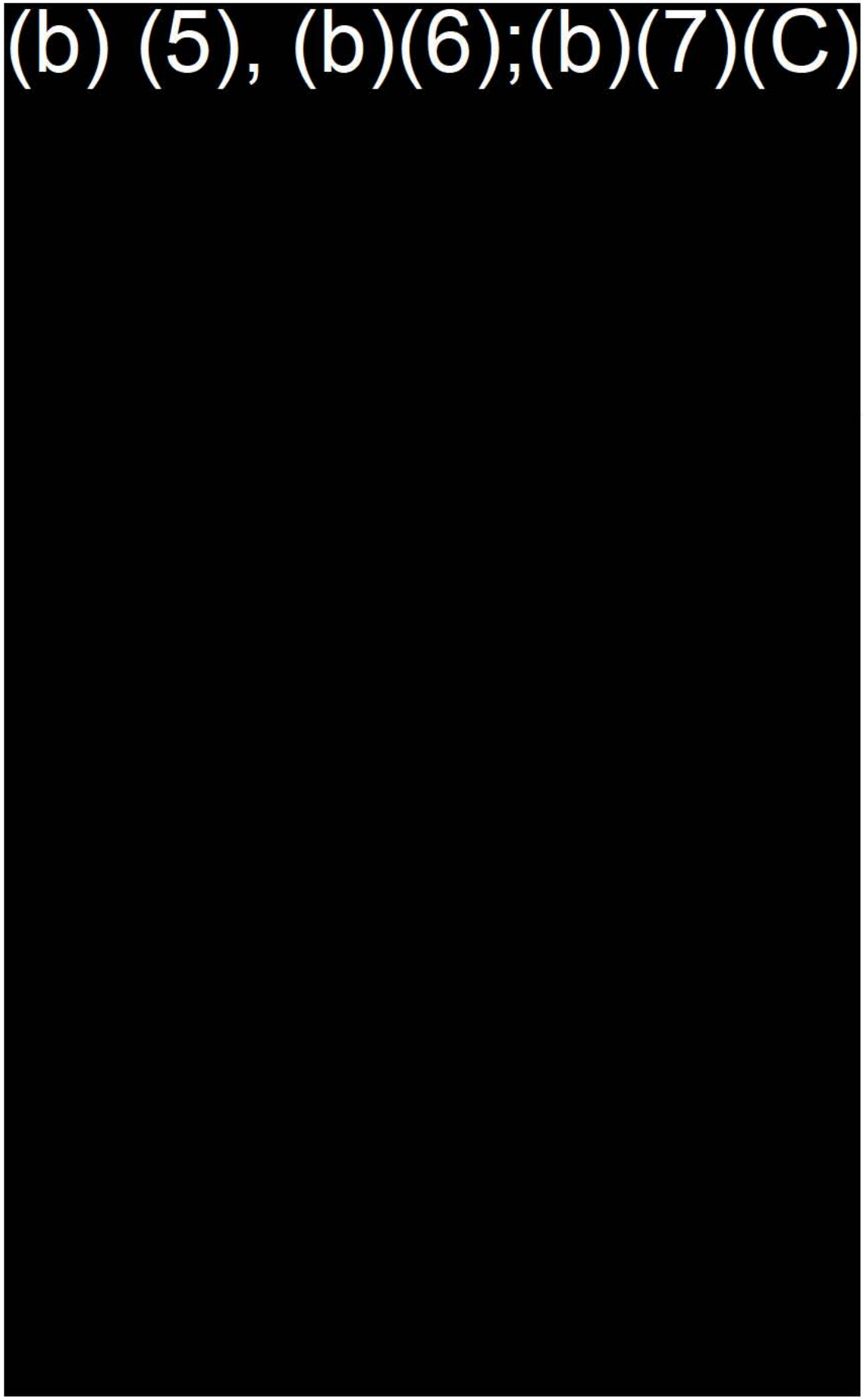

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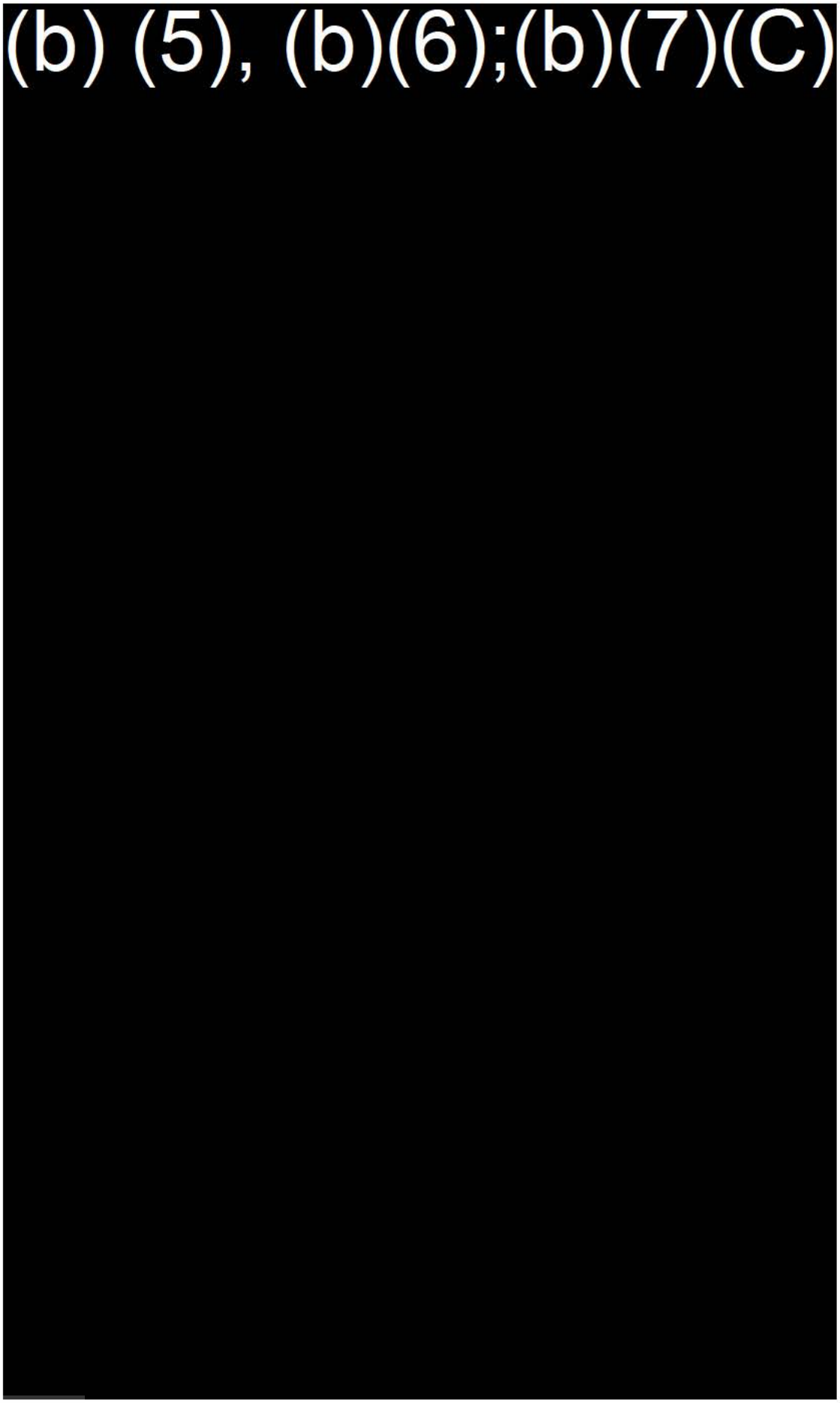

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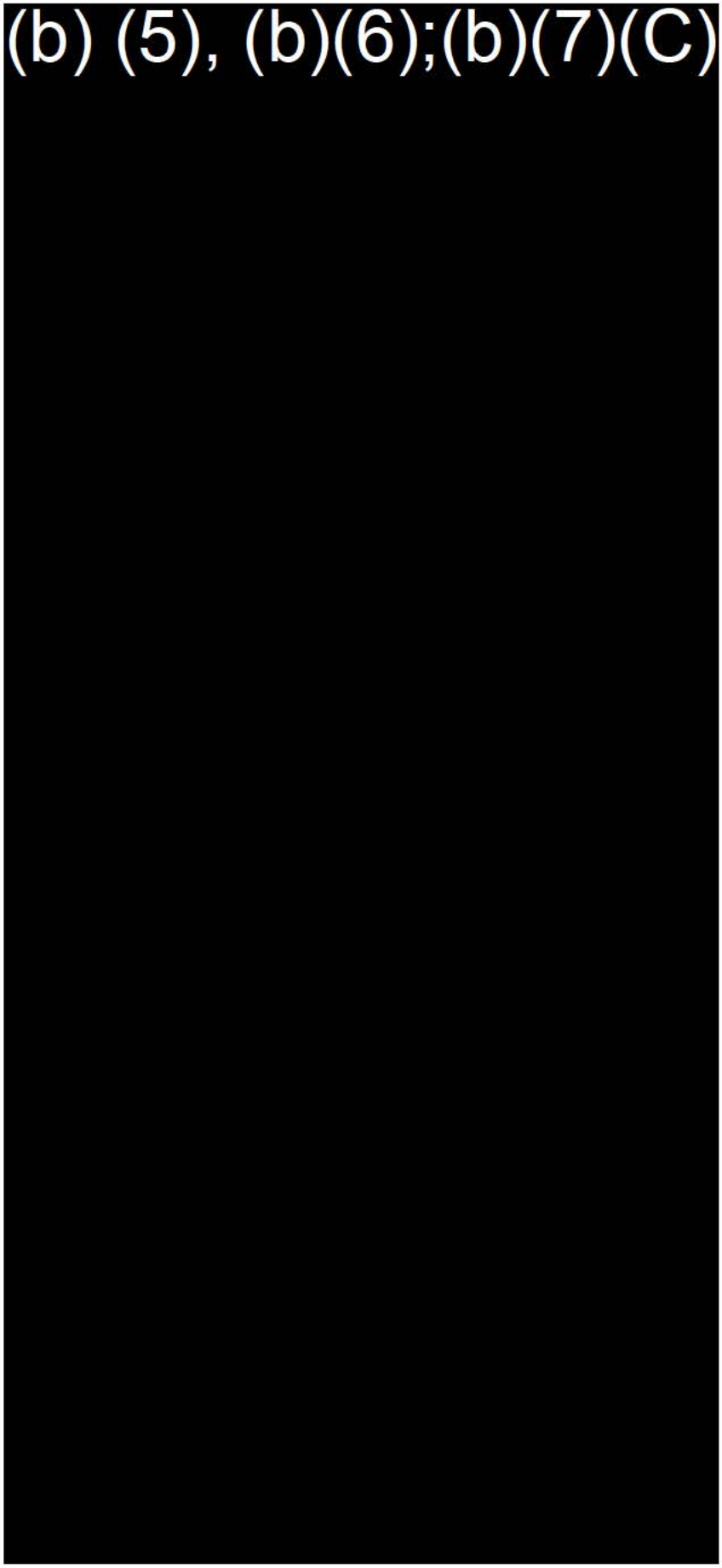

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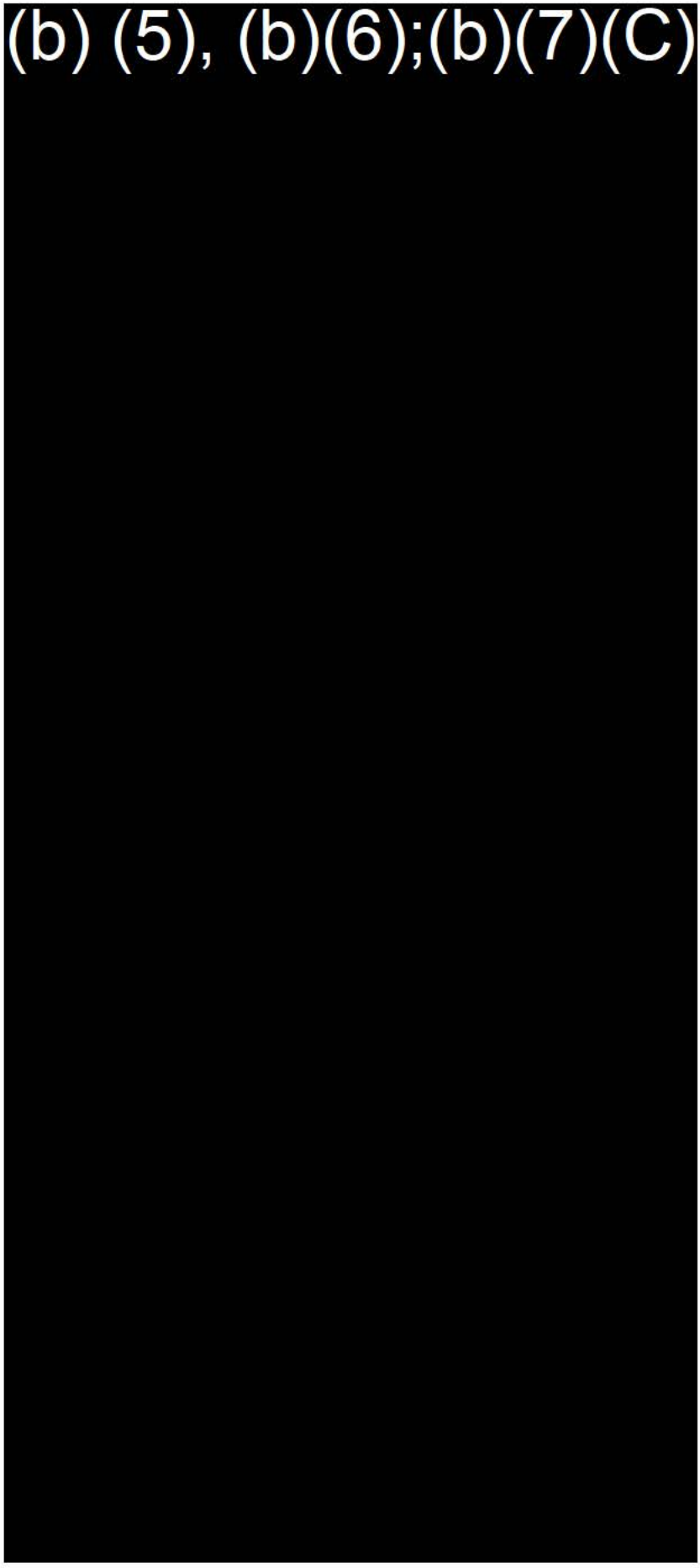

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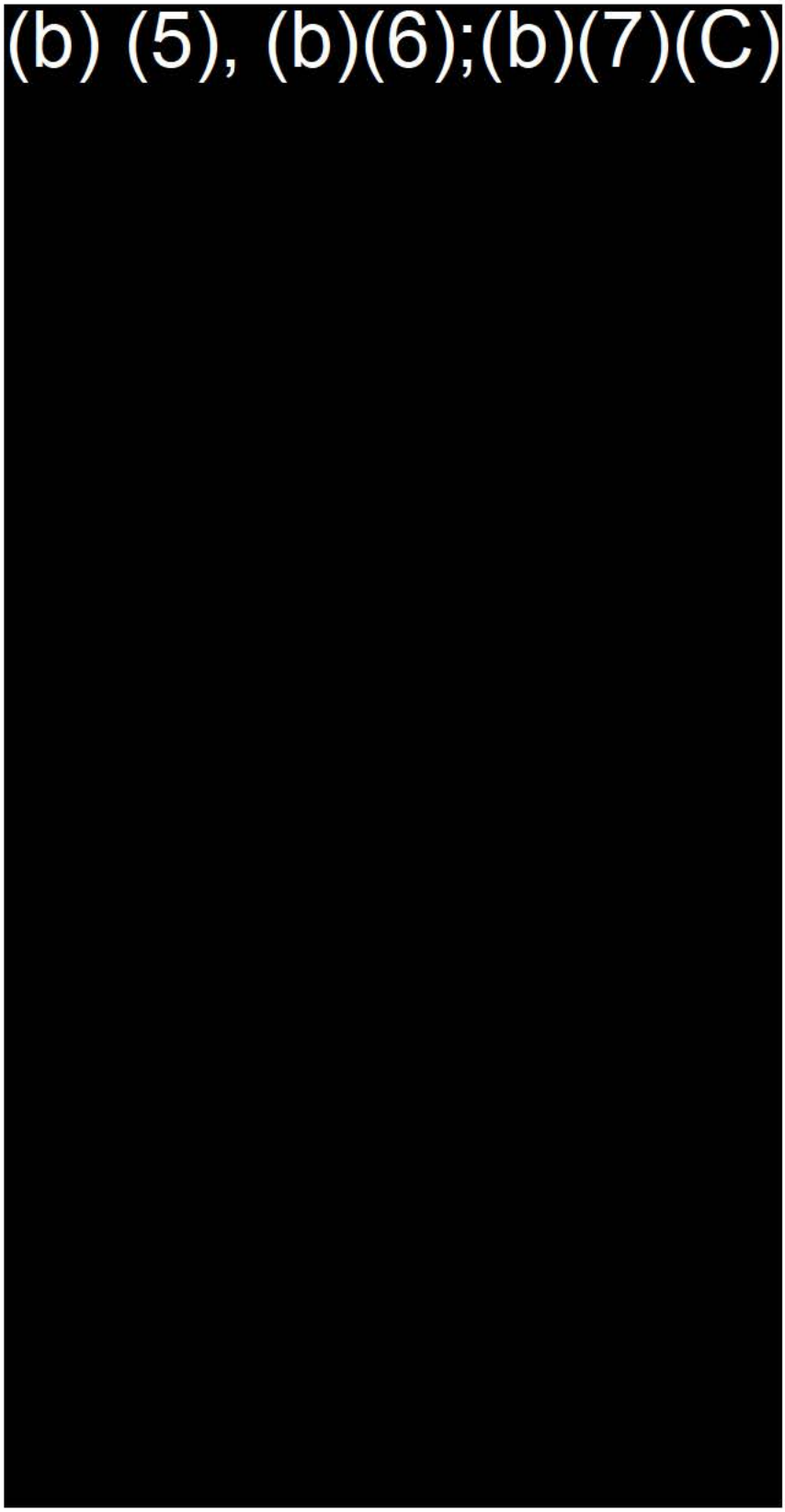

From: PEREZ, ROBERT E <(b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 11:21 AM
To: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B <(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

PROVOST, CARLA (USBP) <(b)(6);(b)(7)(C)
SCOTT, RODNEY S <(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)
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Deputy Commissioner
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AMERICAN OVERSIGHT

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U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

[redacted]

Thanks,

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

AMERICAN OVERSIGHT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

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(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
To:
Subject: Re: U.S. Customs and Border Protection Deputy Commissioner
Date: Wednesday, July 10, 2019 4:02:13 PM

For what it's worth, the person I've been in discussion with will be sending his maps shortly.

Sent from my iPhone

On Jul 10, 2019, at 2:35 PM, (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) wrote:

> Ugh. (b) (5), (b)(6);(b)(7)(C)
> .
>
> (b)(6);(b)(7)(C)
> Desk: (b)(6);(b)(7)(C)
> Mobile: (b)(6);(b)(7)(C)
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Sent:** Wednesday, July 10, 2019 3:13 PM
> **To:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Cc:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Subject:** RE: U.S. Customs and Border Protection Deputy Commissioner
>
> (b)(6);(b)(7)(C) – I spoke with USACE about the landownership within the coordinates provided in Mr. Kobach's letter (start (b) (7)(E) stop (b) (7)(E). Based on USACE's preliminary survey work they provided the attached map which shows the Roosevelt Reservation does exist in this area. As you will see in the attached PDF, there are areas to the east of the provided coordinates where the Roosevelt Reservation does not exist. It appears the preliminary tax record information I pulled did not accurately reflect where the US Government property was located. USACE is still finalizing their official title review but their initial information appears to validate Mr. Kobach's research.
>
> Please let me know if you need any other information.
>
> ---
>
> **From:** (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
> **Sent:** Wednesday, July 10, 2019 11:12 AM

AMERICAN OVERSIGHT

To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Actually attaching the letter -

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, July 10, 2019 2:11 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: FW: U.S. Customs and Border Protection Deputy Commissioner
Importance: High

(b)(6);(b)(7)(C) – See below. When we had USACE do the review for the locations in question from WBTW (incoming attached again for ease), they identified 5 landowners. The tax records below show something different. It won't change our answer in the short term, but C2 has a call with Kobach tomorrow. Can you get with USACE and see if you can deconflict our understandings at least enough to provide C2 with an interim response before his call with WBTW tomorrow?

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk: (b)(6);(b)(7)(C)
Mobile: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Wednesday, July 10, 2019 2:05 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C) MARTIN, JERRY B

AMERICAN OVERSIGHT

< (b)(6);(b)(7)(C)
Subject: FW: U.S. Customs and Border Protection Deputy Commissioner
Importance: High

(b)(6);(b)(7)(C) and Chief Martin,

Please see the email below from Kris Kobach. Per the Deputy Commissioner please prepare a rebuttal/answers to the email below for him to have in hand prior to his call with Mr. Kobach. Please let me know if you have any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 10, 2019 1:29 PM
To: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

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

Thanks for emailing the letter to me. I wanted to get back to you right away about one matter though. There appears to be a miscommunication. The Perez letter says that 5 land owners own border land between (b) (7)(E) NM, and Texas. That is correct. However we are only referring to the land that is owned by the United States of America and starts at (b) (7)(E) and ends at (b) (7)(E)

County tax records clearly show that to be the property of the United States government. See below. The narrow strip in blue is listed as property of the United States, as is the (b) (7)(E) . Could you please have the relevant CBP people review this and either confirm those records to be correct, or let us know if you believe these county records to be wrong.

Assuming that can be done within a day, so we have the correct information, I would like to speak with Mr Perez tomorrow at a time that suits him. Please let me know any times that might work.

Thank you for your assistance.

AMERICAN OVERSIGHT

Kris Kobach

see attached.
<image001.jpg>

<image002.jpg>

From: (b)(6);(b)(7)(C) <(b)(6);(b)(7)(C)>
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work-(b)(6);(b)(7)(C)
Cell-(b)(6);(b)(7)(C)

<(b) (7)(E) Mapping Roosevelt Proclamation_.pdf>

AMERICAN OVERSIGHT

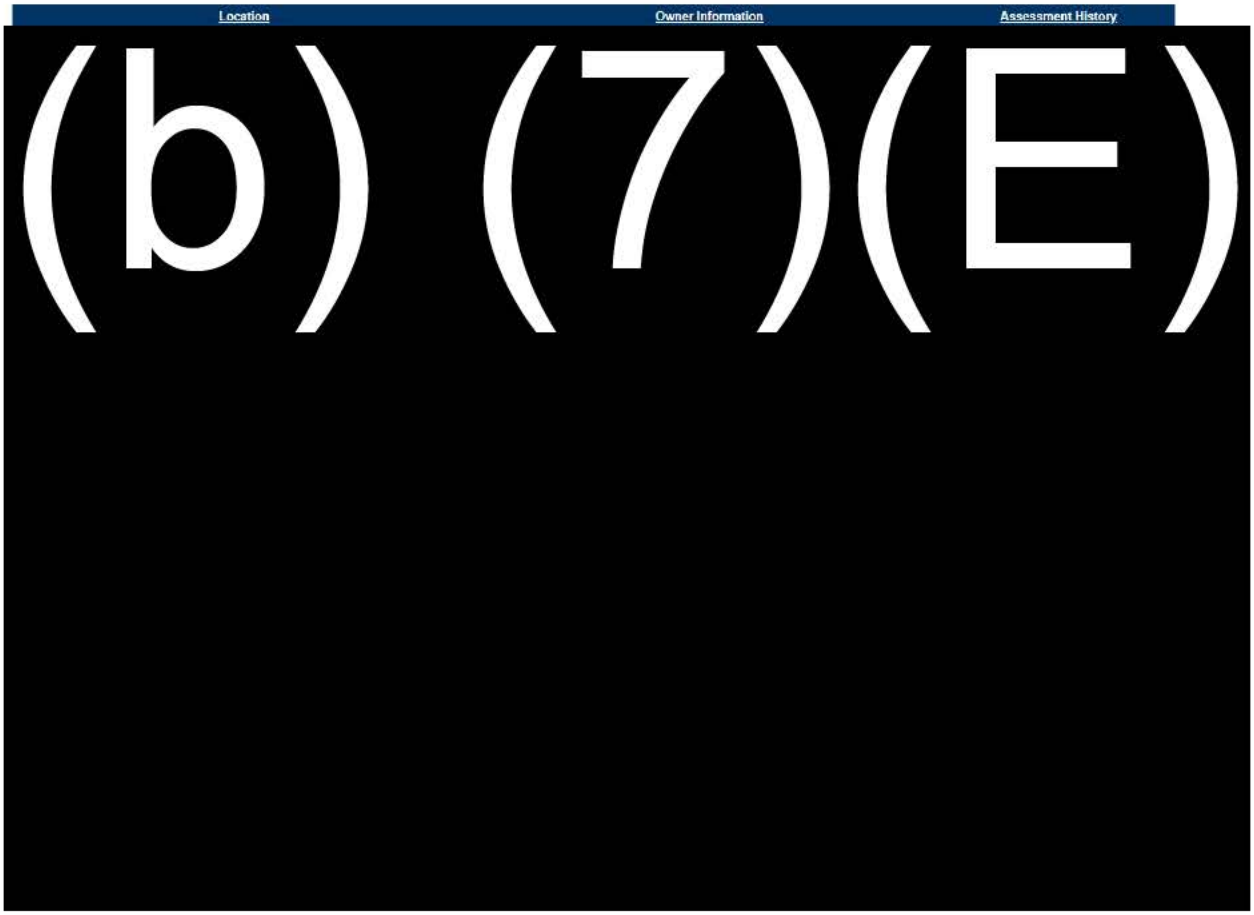
From: (b)(5);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner
Date: Wednesday, July 10, 2019 3:12:34 PM
Attachments: (b) (7)(E) apping Roosevelt Proclamation .pdf

(b)(6); – I spoke with USACE about the landownership within the coordinates provided in Mr. Kobach s letter (start (b) (7)(E) stop (b) (7)(E) Based on USACE s preliminary survey work they provided the attached map which shows the Roosevelt Reservation does exist in this area. As you will see in the attached PDF there are areas to the east of the provided coordinates where the Roosevelt Reservation does not exist. It appears the preliminary tax record information I pulled did not accurately reflect where the US Government property was located. USACE is still finalizing their official title review but their initial information appears to validate Mr. Kobach s research.

Please let me know if you need any other information.

From: (b)(6);(b)(7)(C) < (b)(6);(b)(7)(C)
Sent: Wednesday July 10 2019 11 12 AM
To: (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ; (b)(6);(b)(7)(C) ;

Location | Owner Information | Assessment History



From: (b)(6);(b)(7)(C) [redacted] (b)(6);(b)(7)(C) [redacted]
Sent: Tuesday July 9 2019 4 36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr Kobach,

Good afternoon My name is (b)(6);(b)(7)(C) and I am the Special Assistant to U S Customs and Border Protection Deputy Commissioner Robert E Perez Attached you will find a letter for your reference, please note an original is being mailed to you as well A CBP team will be reaching out to you soon to discuss this topic further In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns

Please feel free to contact me directly and I will be happy to coordinate further

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U S Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Work (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b) (7)(E)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 6:26 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Re: Query from CNN

Thanks. Totally get it.

Sent from my iPhone

On May 28, 2019, at 6:24 PM (b)(6);(b)(7)(C) > wrote:

(b) (5)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 5:27 PM
To (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

Mike makes some good points below. Do we have context to add from USBP? Hope everyone had a safe trip. Thanks (b)(6);(b)(7)(C)

Sent from my iPhone

Begin forwarded message:

From: "FRIEL, MICHAEL J (b)(6);(b)(7)(C)
Date: May 28, 2019 at 4:46:42 PM EDT
To: (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

Understood. But, what does USBP have to say about the construction project in terms of the operational impact.

What do chiefs say if asked by media?

Although we must say that the project is not connected to our efforts, seems to me there might be other necessary points to make.

Sample questions:

- (b) (5)

AMERICAN OVERSIGHT

- [redacted]

From [redacted]
Sent: Tuesday, May 28, 2019 1:25 PM
To: FRIEL, MICHAEL [redacted]
Subject: RE: Query from CNN

This is what we've been using but there's continued interest in thi [redacted]

"This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. We will get back to you if there is anything more we can add."

From: FRIEL, MICHAEL [redacted]
Sent: Tuesday, May 28, 2019 12:38 PM
To [redacted]
Subject: FW: Query from CNN

What do you think?

From: FRIEL, MICHAEL J
Sent: Tuesday, May 28, 2019 12:14 PM
To [redacted]
Cc: PETERLIN, MEGHANN [redacted]
Subject: RE: Query from CNN

CBP doesn't have a statement on this private venture at this time.

However, do to comments in news reports that CBP has engaged the organization, we're seeking feedback from USBP's wall team on a potential response.

Will keep you posted.

Mike

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:00 PM
To: FRIEL, MICHAEL (b)(6);(b)(7)(C)
Cc: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: FW: Query from CNN

Hey Mike,

I just saw this story air on Fox.

Are you aware of an any approved statements that we are speaking to on the GoFundMe segment of the fence?

See below for more details.

Thanks,
(b)(6);(b)(7)(C)

From (b) (6)
Sent: Tuesday, May 28, 2019 11:04 AM
To: PETERLIN, MEGHANN (b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

Team,

(b) (5)

Thx,

(b) (6)
Counselor to DHS Secretary
Cell (b) (6)

Sent from iPhone

From (b) (6)
Sent: Tuesday, May 28, 2019 10:01:54 AM
To (b) (6)
Subject: FW: Query from CNN

FYI

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM

AMERICAN OVERSIGHT

To (b) (6) Media Inquiry (b) (6)
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thanks (b) (6). One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
To (b) (b) (6) Media Inquiry
Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From (b) (6) ((b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquir (b) (6)
Subject: Query from CNN

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)

AMERICAN OVERSIGHT

(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 6:26 PM
To: FRIEL, MICHAEL J
Subject: Fwd: Query from CNN

Fysa. Working it.

Sent from my iPhone

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: May 28, 2019 at 6:24:46 PM EDT
To: (b)(6);(b)(7)(C))(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

(b) (5)
.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 5:27 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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AMERICAN OVERSIGHT

Although we must say that the project is not connected to our efforts, seems to me there might be other necessary points to make.

Sample questions:

- (b) (5)

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This is what we've been using but there's continued interest in this (b) (5)

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To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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CBP doesn't have a statement on this private venture at this time.

AMERICAN OVERSIGHT

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Will keep you posted.

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To: FRIEL, MICHAEL (b)(6);(b)(7)(C) >
Cc: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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To: PETERLIN, MEGHANN (b)(6);(b)(7)(C) v> (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

Team,

(b) (5)

Thx,

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

(b) (6)
Counselor to DHS Secretary
Cell (b) (6)

Sent from iPhone

From (b) (6)
Sent: Tuesday, May 28, 2019 10:01:54 AM

AMERICAN OVERSIGHT

To (b) (6)
Subject: FW: Query from CNN

FYI

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To (b) (6) Media Inquiry
(b) (6) >
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
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Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
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To: Media Inquir (b) (6)
Subject: Query from CNN

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Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

AMERICAN OVERSIGHT

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 10:32 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: private border wall in NM - many more media inquiries

FYSA statements are being made tomorrow by CBP/USBP. We will send to all so everyone is in the loop. We are also coordinating all statements with USACE OPA HQ, USACE PHX OPA, USACE Fort Worth OPA.

I spoke to USACE OPA HQ tonight. More to follow in the am.

For both the NM Private construction and DoD litigation.

(b)(6);(b)(7)(C) PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 10:29 PM
To (b)(6);(b)(7)(C) BORDERWALLTASK (b) (7)(E) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

So all are in the loop. We are getting a statement finalized by leadership now and will use this for all media and hill inquiries regarding this topic. We are also getting one for the DoD litigation. Be on the lookout tomorrow. We will also need to notify location sector and stations of this so we are on the same page at the HQ and local level. Thanks!

(b)(6);(b)(7)(C) PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 4:05 PM
To: BORDERWALLTASK (b) (7)(E) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

Lordy lordy that's a lot of questions.

(b)(6);(b)(7)(C) for awareness

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) **On Behalf Of** BORDERWALLTASKS
Sent: Tuesday, May 28, 2019 2:57 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: BORDERWALLTASK (b) (7)(E)
Subject: FW: private border wall in NM - many more media inquiries

Again, FYSA.

(b)(6);(b)(7)(C)
Communications Specialist
Strategic Analysis, Inc.
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 3:50 PM
To: BORDERWALLTASK (b) (7)(E)
Subject: FW: private border wall in NM - many more media inquiries

Again for your visibility.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:10 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: private border wall in NM - many more media inquiries

Hello:

AMERICAN OVERSIGHT

We are getting slammed with questions/clarification on the limited statement we have been sending. Some do not apply to us but many do. Some are simple to answer for example this does not connect to any existing infrastructure, Border Patrol does monitor the international boundary area adjacent to the private property where this was built, etc. Others focus on possible advance coordination with CBP and/or DHS and what happens once it is completed. Sharing this with you all to see if there is anything more we can say in regards to the inquiries being received from multiple media outlets including CNN, NBCUNI, BBC, Yahoo News and many others.

Here are some of the topics/questions coming in.

Will CBP patrol a private wall?

There is a road south of the wall, is that the road that CBP would use to patrol/or gain access to the area?

Will CBP coordinate the connection points to the existing wall?

How will CBP use/deal with the fact that the wall is there?

Brian Kolfage from "We Build The Wall" says that DHS gave its blessing because the group didn't want to build on a site where DHS was already going to build a wall. Can you confirm that account?

Was the wall needed in that area?

Does CBP anticipate that it will help stop drug and human smuggling?

I realize it is on private property but since it is on the border does it require any special authorization from CBP or DHS?

BUT the organization is claiming they will turn over responsibility of the barrier and its surveillance over to Border Patrol, Will Border Patrol accept it ? If not will they, allow a private group to monitor the area ?

Before the barrier was built, was this an area that Border Patrol has monitored in the past ?

Steve Bannon told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Leaders of We Build the Wall, the group funding the private construction project, have said that this particular area of the El Paso border sector was selected based on input from Border Patrol officials. Can you confirm whether this is accurate?

The group's leaders have also stated that control of sensors on the privately-constructed wall will be handed off to U.S Border Patrol. Can you confirm this and any other details of an agreement regarding USBP use and control of the privately-funded fencing?

There have been conflicting reports about the length of the new steel fencing in Sunland Park (some say it extends a full mile, others say half a mile) and the time frame in which it's been constructed.

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Can you tell me the exact length of the gap in the existing U.S. government border fencing near Mount Cristo Rey?

Also, can you confirm whether construction of new fencing in this area was completed over the weekend or if it's still ongoing?

We Build The Wall, a group that is building privately-funded wall on the U.S. southern border, is claiming that it connected two separate walls near the El Paso-Sunland Park area. Is CBP able to verify that these two walls were, in fact, connected by the private wall?

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)



AMERICAN OVERSIGHT

Sent: Wednesday, May 29, 2019 9:00 AM
To: (b)(6);(b)(7)(C) BORDERWALLTASKS (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

Thank (b)(6);(b)(7)(C)! Standing by.

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 9:29 PM
To (b)(6);(b)(7)(C) BORDERWALLTASK (b) (7)(E) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

So all are in the loop. We are getting a statement finalized by leadership now and will use this for all media and hill inquiries regarding this topic. We are also getting one for the DoD litigation. Be on the lookout tomorrow. We will also need to notify location sector and stations of this so we are on the same page at the HQ and local level. Thanks!

(b)(6);(b)(7)(C) PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 4:05 PM
To: BORDERWALLTASK (b) (7)(E) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

Lordy lordy that's a lot of questions.

(b)(6);(b)(7)(C) for awareness

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

AMERICAN OVERSIGHT

Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) **On Behalf Of** BORDERWALLTASKS
Sent: Tuesday, May 28, 2019 2:57 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: BORDERWALLTASK (b) (7)(E)
Subject: FW: private border wall in NM - many more media inquiries

Again, FYSA.

(b)(6);(b)(7)(C)
Communications Specialist
Strategic Analysis, Inc.
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 3:50 PM
To: BORDERWALLTASK (b) (7)(E)
Subject: FW: private border wall in NM - many more media inquiries

Again for your visibility.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:10 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: private border wall in NM - many more media inquiries

Hello:

We are getting slammed with questions/clarification on the limited statement we have been sending. Some do not apply to us but many do. Some are simple to answer for example this does not connect to any existing infrastructure, Border Patrol does monitor the international boundary area adjacent to the private property where this was built, etc. Others focus on possible advance coordination with CBP and/or DHS and what happens once it is completed. Sharing this with you all to see if there is anything more we can say in regards to the inquiries being received from multiple media outlets including CNN, NBCUNI, BBC, Yahoo News and many others.

AMERICAN OVERSIGHT

Here are some of the topics/questions coming in.

Will CBP patrol a private wall?

There is a road south of the wall, is that the road that CBP would use to patrol/or gain access to the area?

Will CBP coordinate the connection points to the existing wall?

How will CBP use/deal with the fact that the wall is there?

Brian Kolfage from "We Build The Wall" says that DHS gave its blessing because the group didn't want to build on a site where DHS was already going to build a wall. Can you confirm that account?

Was the wall needed in that area?

Does CBP anticipate that it will help stop drug and human smuggling?

I realize it is on private property but since it is on the border does it require any special authorization from CBP or DHS?

BUT the organization is claiming they will turn over responsibility of the barrier and its surveillance over to Border Patrol, Will Border Patrol accept it ? If not will they, allow a private group to monitor the area ?

Before the barrier was built, was this an area that Border Patrol has monitored in the past ?

Steve Bannon told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Leaders of We Build the Wall, the group funding the private construction project, have said that this particular area of the El Paso border sector was selected based on input from Border Patrol officials. Can you confirm whether this is accurate?

The group's leaders have also stated that control of sensors on the privately-constructed wall will be handed off to U.S Border Patrol. Can you confirm this and any other details of an agreement regarding USBP use and control of the privately-funded fencing?

There have been conflicting reports about the length of the new steel fencing in Sunland Park (some say it extends a full mile, others say half a mile) and the time frame in which it's been constructed. Can you tell me the exact length of the gap in the existing U.S. government border fencing near Mount Cristo Rey?

Also, can you confirm whether construction of new fencing in this area was completed over the weekend or if it's still ongoing?

AMERICAN OVERSIGHT

We Build The Wall, a group that is building privately-funded wall on the U.S. southern border, is claiming that it connected two separate walls near the El Paso-Sunland Park area. Is CBP able to verify that these two walls were, in fact, connected by the private wall?

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)



AMERICAN OVERSIGHT

From: [redacted]
Sent: Wednesday, May 29, 2019 11:30 AM
To: [redacted] [redacted]
Subject: RE: Query from CNN

Thank [redacted]!

From [redacted]
Sent: Wednesday, May 29, 2019 11:06 AM
To [redacted] [redacted]
Subject: Fwd: Query from CNN

[redacted]
Counselor to DHS Secretary
Cell [redacted]

Sent from iPhone

From [redacted]
Sent: Tuesday, May 28, 2019 1:13:42 PM
To [redacted]
Cc: PETERLIN, MEGHANN K [redacted] FRIEL, MICHAEL J
Subject: Re: Query from CNN

Perfect. Thank you.

[redacted]
Counselor to DHS Secretary
Cell [redacted]

Sent from iPhone

From [redacted]
Sent: Tuesday, May 28, 2019 1:12:30 PM
To [redacted]
Cc: PETERLIN, MEGHANN K [redacted] FRIEL, MICHAEL J
Subject: RE: Query from CNN

[redacted]

This portion of wall was built on private land with private funding sponsors.

Neither the Sector or Headquarter offered any endorsement.

AMERICAN OVERSIGHT

Sector and Headquarters became aware of this project on May 24th at approximately 11:00a.m. (MST), when an agent working in Santa Teresa, NM Border Patrol Station's area of responsibility was approached by members of the media inquiring about the privately owned wall being built along the border by the landowner. Agents had no response to provide and referred the media sources to the El Paso Sector Public Affairs Office.

Hope this helps,
(b)(6);(b)(7)(C)

From (b) (6)
Sent: Tuesday, May 28, 2019 1:30 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: Query from CNN

Thanks. (b) (5)
.

(b) (6)
Counselor to DHS Secretary
Cell (b) (6)

Sent from iPhone

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:16:57 PM
To (b) (6)
Cc: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: FW: Query from CNN

(b) (6), see Mike's message below. CBP doesn't have a statement.

From: FRIEL, MICHAEL J (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:14 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

CBP doesn't have a statement on this private venture at this time.

However, do to comments in news reports that CBP has engaged the organization, we're seeking feedback from USBP's wall team on a potential response.

Will keep you posted.

Mike

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:00 PM
To: FRIEL, MICHAEL (b)(6);(b)(7)(C) >

AMERICAN OVERSIGHT

Cc: PETERLIN, MEGHANN K [redacted] [redacted]
[redacted]
Subject: FW: Query from CNN

Hey Mike,

I just saw this story air on Fox.

Are you aware of an any approved statements that we are speaking to on the GoFundMe segment of the fence?

See below for more details.

Thanks,
[redacted]

From [redacted]
Sent: Tuesday, May 28, 2019 11:04 AM
To: PETERLIN, MEGHANN [redacted]
[redacted]
Subject: Fwd: Query from CNN

Team,

[redacted]

Thx,

[redacted]

[redacted]
Counselor to DHS Secretary
Cell [redacted]

Sent from iPhone

From [redacted]
Sent: Tuesday, May 28, 2019 10:01:54 AM
To [redacted]
Subject: FW: Query from CNN

FYI

From [redacted] cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To [redacted] Media Inquiry [redacted]
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thanks [redacted]. One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

AMERICAN OVERSIGHT

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
To (b) (6) Media Inquiry
Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquir (b) (6)
Subject: Query from CNN

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, March 1, 2019 12:14 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: Texas Minutemen Meeting

Thank yo (b)(6);(b)(7)(C)!

(b)(6);(b)(7)(C)
Division Chief
LE Operations
Big Bend Sector
(b)(6);(b)(7)(C) office
(b)(6);(b)(7)(C)

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

-------- Original message --------
From (b)(6);(b)(7)(C)
Date: 3/1/19 11:12 AM (GMT-06:00)
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

The Minutemen are no longer in the area. They plan to come back in April.

I'll keep in touch with the landowner and let you know of any updates.

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

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 3:29 PM
To (b)(6);(b)(7)(C) >
Cc (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

Gentlemen,

Good afternoon. Sheriff Clarke stopped by at approximately 2:45 P.M., and left a few minutes ago. TCSO Deput (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) brought him by.

AMERICAN OVERSIGHT

He stated since he was in the area he wanted to stop by and thank us for what we do. We visited in my office a little and he didn't have any specific questions. I talked to him about the community and the work our agents do. I walked him though a portion of the station and he met a few of the agents and thanked them for their service as well. He will be in Sanderson one more night and plans on leaving the area tomorrow.

As far as his ride along with TCSO, he was taken down t [redacted] which is approximatel [redacted] It's the same location CNN was taken to by Sheriff Hughes.

If you have any other questions that I may have missed, please let me know.

Thank you.
[redacted]

From [redacted]
Sent: Thursday, January 31, 2019 12:21 PM
To [redacted]
Subject: RE: Texas Minutemen Meeting

[redacted]

How did Sheriff Clarke's visit go? Anything of interest?

Thank You Respectfully,
[redacted]

[redacted]
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(O [redacted]
(C

From [redacted]
Sent: Wednesday, January 30, 2019 8:57 AM
To [redacted]
Cc [redacted]
Subject: RE: Texas Minutemen Meeting

[redacted]

Good morning. I just spoke wit [redacted]. He stated that former Sheriff Clarke is flying into Midland today and they would like to know if Border Patrol will provide him with a tour. I let him know I had not heard back from my request last week and that I was sending it up the chain again.

The question came up with regards to their map request as well. I hadn't heard anything back, so I informed them we couldn't provide maps as they are for LEO use.

Thank you.

AMERICAN OVERSIGHT

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

From (b)(6);(b)(7)(C)
Sent: Wednesday, January 30, 2019 5:51 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

Good morning. I had a message left for me regarding a phone call for (b) (6) of the Texas Minutemen. It was regarding the ride along request for David Clarke. Is this something Border Patrol will entertain? I plan to cal (b) (6) back this morning and wanted to provide him with information. The request was originally for yesterday, other than that, I do not have any more specifics at this time.

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

From (b)(6);(b)(7)(C)
Sent: Friday, January 25, 2019 4:22 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

Good afternoo (b)(6);(b)(7)(C) and I just finished up a visit fro (b) (6) founder of the Texas Minutemen, and another gentlemen by the name (b) (6) is a volunteer that came in from Florida.

At this time they only have permission to be on the land owned b (b) (6) which is approximately 185 acres. They did confirm that David A. Clarke is attempting to make it to the area next Tuesday and may be flying into Midland (b) (6) stated they plan to have Sheriff Hughes provide a tour for Mr. Clarke, but also asked if Border Patrol could provide a tour. I informed them I would route that through our chain of command. In addition to Mr. Clarke (b) (6) stated they are making contact with other people that support their cause and bring as much attention to the area as they can.

The entire conversation was good.

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

From (b)(6);(b)(7)(C) >
Sent: Friday, January 25, 2019 2:55 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: Re: Texas Minutemen Meeting

AMERICAN OVERSIGHT

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

Thank You. Please ensure the rules of engagement are reiterated at musters. Also, notify us of any contact or issues.

Thank You Respectfully,

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

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(O (b)(6);(b)(7)(C)
(
Sent from my iPhone

On Jan 25, 2019, at 12:54 PM (b)(6);(b)(7)(C) > wrote:

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

Good afternoon. I received a call fro (b) (6) the Terrell County landowner that will be allowing the Texas Minutemen to patrol his property. He informed me he there are currently three members of the Texas Minutemen at his ranch and that they are anticipating approximately 10 more in a week or so (b) (6) also informed me that former Milwaukee county Sheriff, David A. Clarke will be in the area next week to meet with him as well as the Sheriff. (b) (6) asked if we could provide him with maps of the area to provide to the Minutemen. I told him we didn't generate those here and I would have to send the request up the chain, but I didn't believe it would be possible. (b) (6) and the Texas Militia also plan to start a GoFundMe page asking for support for fuel and what not.

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 2:47 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

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

Good afternoon. Below is what I sent t (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM

AMERICAN OVERSIGHT

To: (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Texas Minutemen Meeting

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

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landown (b) (6) and Texas Minutemen founde (b) (6) stopped by the station. (b) (6) property is located o (b) (7)(E), (b) (6) approximatel (b) (7)(E), (b) (6) and an additiona (b) (7)(E), (b) (6) The portion o (b) (7)(E), (b) (6) leading up t (b) (6) property is considered a county road. Additionally, the entrance t (b) (6) property has a sign titled (b) (7)(E), (b) (6)

(b) (6) informed me that he contacte (b) (6) due to recently viewing an illegal alien alon (b) and a subsequent event when he had a satellite phone stolen, which he attributed to an illegal alie (b) (6) mentioned that he was once a Marshall in Wise County, Texas, and that he was also a Vietnam Veteran. Whe (b) (6) mentioned that he was from Wise County (b) (6) seemed surprised and mentioned that he lives i (b) (6). This demonstrated to me they were not very familiar with one another.

(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood an (b) (6) stated that they will be in static positions and would advise of any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

Both men were cordial and respectful.

(b) (6) an (b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

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

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

From: [redacted] turner.com>
Sent: Wednesday, May 29, 2019 4:39 PM
To: [redacted]
Subject: Re: CNN inquiry // Border Wall, built privately

Thanks so much! I appreciate you. Have a good one!

[redacted]
CNN Correspondent
C [redacted]

From [redacted] Border Patrol EL PAS [redacted]
Date: Wednesday, May 29, 2019 at 4:38 PM
To [redacted] turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

Nothing from us beyond our original statement.

There is news being made in Sunland Park though you may want to reach out to the city government there.

From [redacted] turner.com>
Sent: Wednesday, May 29, 2019 2:17 PM
To [redacted]
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Age [redacted]

I hope you're doing well. I'm just emailing to check in. Anything new or of note?

Thanks,
[redacted]

Sent from my iPhone

On May 28, 2019, at 3:32 PM [redacted] wrote:

> Nothing additional at this time. If that changes I will let you know.
>
> ---
>
> **From** [redacted] turner.com>
> **Sent:** Tuesday, May 28, 2019 2:21 PM
> **To** [redacted]
> **Cc** [redacted] turner.com>
> **Subject:** Re: CNN inquiry // Border Wall, built privately
>
> Hi, Agen [redacted].

AMERICAN OVERSIGHT

Any update?

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6) (b) (6) turner.com>
Date: Tuesday, May 28, 2019 at 12:37 PM
To (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b) (6), (b) (7)(C)

I'm so sorry to bug you again. I tried calling to see if that was easier but the call went to voicemail.

Another editor had a few more questions.
-Will CBP patrol a private wall?
-There is a road south of the wall, is that the road that CBP would use to patrol/or gain access to the area?
-Will CBP coordinate the connection points to the existing wall?
-How will CBP use/deal with the fact that the wall is there?
-Brian Kolfage from "We Build The Wall" says that DHS gave its blessing because the group didn't want to build on a site where DHS was already going to build a wall. Can you confirm that account?
-Was the wall needed in that area?
-Does CBP anticipate that it will help stop drug and human smuggling?

If it's easier to talk please call me. My cell i (b) (6).

Many thanks for all your help. I appreciate your time.

Best,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6) (b) (6) turner.com>
Date: Tuesday, May 28, 2019 at 11:02 AM
T (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Thanks so much, Agen (b)(6);(b)(7)(C)

My editors are asking the following:

1. Does the fence connect to their existing fence?
2. Has anyone from CPB, including locally, been advising the group or telling the group where to build?

AMERICAN OVERSIGHT

Are you able to answer these?

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Date: Tuesday, May 28, 2019 at 10:29 AM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

<image001.jpg> <image002.jpg> <image003.jpg> <image004.jpg>

From (b) (6) (b) (6) turner.com>
Sent: Tuesday, May 28, 2019 7:07 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

Good morning. Just checking in to see if you had an update.

Many thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Date: Monday, May 27, 2019 at 4:58 PM

AMERICAN OVERSIGHT

To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

You have reached us on a federal holiday. We will get back to you Tuesday. Thank you.

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

From (b) (6) (b) (6) turner.com>
Sent: Monday, May 27, 2019 11:45 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

This i (b) (6) from CNN. I hope you are doing well. It's been a while.

I was hoping you could help me with a question. I'm reading that there is a private group who constructed a portion of the border wall on private property.

Here is the post:
https://www.facebook.com/WeFundTrumpWall/posts/365278784334538

They claim:
-they built a half-mile section along the New Mexico border with Mexico
-18-foot steel bollard wall

Can you confirm that the wall was indeed built?
And is CBP commenting about how agents will be using it? Does it have the functionality that agents would want based on the location and what is around the wall… etc.

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
(b) (6)
Miami, FL 33131
C (b) (6)
Twitter: (b) (6)
FB & IG: (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 10:47 PM
To: (b)(6);(b)(7)(C)
Subject: Re: LINE TOUR REQUEST

Follow Up Flag: Follow up
Flag Status: Completed

Thanks.

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

Offic (b)(6);(b)(7)(C)
Ce (b)(6);(b)(7)(C)
HSDN (SIPR (b)(6);(b)(7)(C)
8901 Montana Ave, El Paso, TX 79925

On May 29, 2019, at 20:35 (b)(6);(b)(7)(C) wrote:

As far as know he is.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Strategic Communications
U.S. Border Patrol - El Paso Sector
8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

On May 29, 2019, at 8:34 PM (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) wrote:

10-4. I will bounce it off of Chief Hull in the morning. Is he still coming in?

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

Offic (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)
HSDN (SIPR (b)(6);(b)(7)(C)
8901 Montana Ave, El Paso, TX 79925

On May 29, 2019, at 19:19 (b)(6);(b)(7)(C) wrote:

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

AMERICAN OVERSIGHT

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Your thoughts?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
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U.S. Border Patrol - El Paso Sector
8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: May 29, 2019 at 6:42:37 PM MDT
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: LINE TOUR REQUEST

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<image001.jpg>

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

AMERICAN OVERSIGHT

Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 9:15 AM
To: (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

10-4 sir...

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 7:01 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST

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

I need a few minutes with the Chief when he has a chance this morning.

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: LINE TOUR REQUEST

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8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell

AMERICAN OVERSIGHT

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

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Date: May 29, 2019 at 6:42:37 PM MDT
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
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AMERICAN OVERSIGHT

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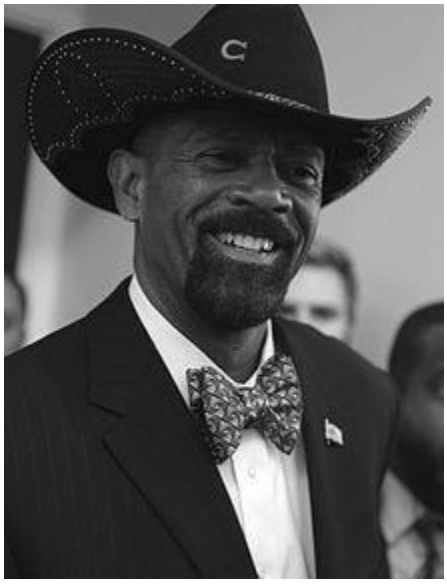

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:47 AM
To: (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST

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

I went back t (b)(6);(b)(7)(C) office and did not see him there. Not sure if he is in or not. Please see below. (b) (5) . Thanks.

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

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

(b) (5)). Thanks.

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

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From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM

AMERICAN OVERSIGHT

To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
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From: (b)(6);(b)(7)(C)
Date: May 29, 2019 at 6:42:37 PM MDT
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
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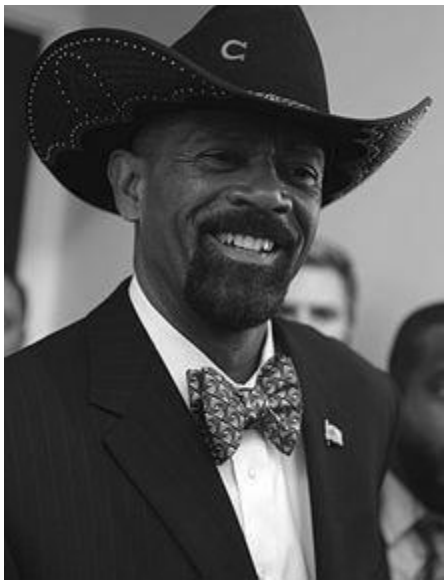

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:54 AM
To: (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

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

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:53 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

Sir,

I'll get back to you by noon. About to walk into a meeting.

Thanks,

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

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C) <russell.d.wardlow@cbp.dhs.gov>
Cc (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

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

(b) (5)
). Thanks.

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

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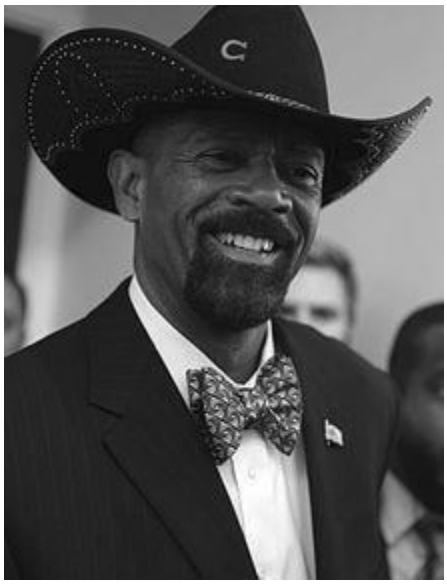

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:54 AM
To: (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST

10-3

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

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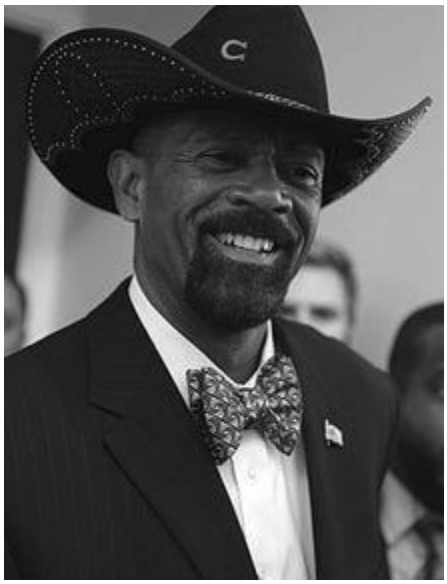

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:54 AM
To: (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST

Follow Up Flag: Follow up
Flag Status: Completed

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

Office: (b)(6);(b)(7)(C)
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From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:53 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

Sir,

I'll get back to you by noon. About to walk into a meeting.

Thanks,

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

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

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

(b) (5)

). Thanks.

AMERICAN OVERSIGHT

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: LINE TOUR REQUEST

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

Please see the below ride along request for David Clark for tomorrow for your review and approval.

He will be in town for the Santa Teresa new wall event tomorrow and is asking for a ride along after the event.

Your thoughts?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Strategic Communications
U.S. Border Patrol - El Paso Sector
8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

Begin forwarded message:

From: (b)(6);(b)(7)(C)
Date: May 29, 2019 at 6:42:37 PM MDT
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: LINE TOUR REQUEST

Good afternoon Sir,

STN received a phone call requesting information on how to set up a line tour for Sheriff David Clarke. The caller wa (b) (6) who is currently the head of security for the "We Build the Wall" project at monument one. His number i (b) (6)

Sheriff Clarke is scheduled to be in the El Paso area for the next couple of days attending several events. Sheriff Clarke requested a line tour to see the realities faced by agents on a daily basis. Sheriff Clarke has several events scheduled throughout the day and requested the line tour (if possible) be scheduled during the evening hours. I've provide (b) (6) your contact information and he will call you shortly with specifics regarding the request.

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Below is a quick Wikipedia biography on Sheriff Clarke

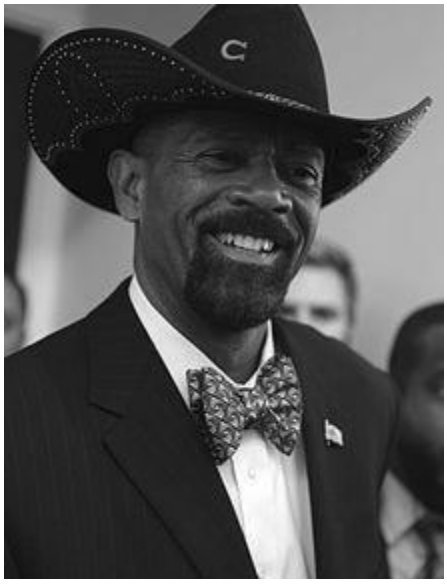
David Alexander Clarke Jr. is an American former law enforcement official who served as Sheriff of Milwaukee County, Wisconsin from 2002 to 2017. In 2002, Clarke was appointed to the position by Governor Scott McCallum and later elected that same year to his first four-year term. He was reelected in November 2006, 2010 and 2014.[1] Although registered and elected as a Democrat in a heavily Democratic county, many of Clarke's political views align with those of conservative Republicans.

He resigned as sheriff in August 2017.[4] A vocal supporter of President Donald Trump, Clarke was considered for a role in the Trump Administration. After resigning as Sheriff of Milwaukee County, Clarke joined the super PAC America First Action as a spokesman and senior advisor, serving until February 2019.

Clarke was born in Milwaukee, one of five children of Jeri and David Clarke Sr. His father was a paratrooper with the 2nd Ranger Infantry Company. Clarke Jr. attended Marquette University High School where he played for the varsity basketball team. After finishing high school, Clarke took classes at the University of Wisconsin in Milwaukee but dropped out during his first year when he got a job driving beer trucks.

His career in law enforcement began in 1978 at the Milwaukee Police Department (MPD). He "rose through the ranks at a slow but steady pace in his 24 years with the department." Clarke was a patrol officer for eleven years and then a homicide detective; he was promoted to lieutenant of detectives in 1993 and captain in 1999.

In 1999, Clarke received a B.A. in Management of Criminal Justice from Concordia University Wisconsin's School of Adult and Continuing Education. In January 2002, Milwaukee County Sheriff Leverett F. (Lev) Baldwin resigned midway through his term to take a pension payout. Clarke was one of ten applicants for the position, and Governor Scott McCallum appointed him on March 19, 2002. He was elected to a full term later in 2002, and was reelected in 2006, 2010, and 2014.



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

AMERICAN OVERSIGHT

Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:23 AM
To: (b) (6)
Subject: RE: CNN inquiry // Border Wall, built privately

CBP Statement:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 2:38 PM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

Nothing from us beyond our original statement.

There is news being made in Sunland Park though you may want to reach out to the city government there.

From (b) (6) (b) (6) turner.com>
Sent: Wednesday, May 29, 2019 2:17 PM
To (b)(6);(b)(7)(C)
Subject: Re: CNN inquiry // Border Wall, built privately

AMERICAN OVERSIGHT

Hi, Agen [redacted].

I hope you're doing well. I'm just emailing to check in. Anything new or of note?

Thanks,
[redacted]

Sent from my iPhone

On May 28, 2019, at 3:32 PM [redacted] wrote:

> Nothing additional at this time. If that changes I will let you know.
>
> ---
>
> **From** [redacted] turner.com>
> **Sent:** Tuesday, May 28, 2019 2:21 PM
> **To** [redacted]
> **Cc** [redacted] turner.com>
> **Subject:** Re: CNN inquiry // Border Wall, built privately
>
> Hi, Agen [redacted]
>
> Any update?
>
> [redacted]
> CNN Correspondent
> C [redacted]
>
> ---
>
> **From** [redacted] turner.com>
> **Date:** Tuesday, May 28, 2019 at 12:37 PM
> **To** [redacted] Border Patrol EL PAS [redacted]
> **Cc** [redacted] turner.com>
> **Subject:** Re: CNN inquiry // Border Wall, built privately
>
> Hi, Agen [redacted]
>
> I'm so sorry to bug you again. I tried calling to see if that was easier but the call went to voicemail.
>
> Another editor had a few more questions.
> -Will CBP patrol a private wall?
> -There is a road south of the wall, is that the road that CBP would use to patrol/or gain access to the area?
> -Will CBP coordinate the connection points to the existing wall?
> -How will CBP use/deal with the fact that the wall is there?
> -Brian Kolfage from "We Build The Wall" says that DHS gave its blessing because the group didn't want to build on a site where DHS was already going to build a wall. Can you confirm that account?
> -Was the wall needed in that area?
> -Does CBP anticipate that it will help stop drug and human smuggling?
>
> If it's easier to talk please call me. My cell i [redacted]

AMERICAN OVERSIGHT

Many thanks for all your help. I appreciate your time.

Best,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6) (b) (6) turner.com>
Date: Tuesday, May 28, 2019 at 11:02 AM
T (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Thanks so much, Agen (b)(6);(b)(7)(C)

My editors are asking the following:

1. Does the fence connect to their existing fence?
2. Has anyone from CPB, including locally, been advising the group or telling the group where to build?

Are you able to answer these?

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

(b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Date: Tuesday, May 28, 2019 at 10:29 AM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

<image001.jpg> <image002.jpg> <image003.jpg> <image004.jpg>

AMERICAN OVERSIGHT

From (b) (6) (b) (6) turner.com>
Sent: Tuesday, May 28, 2019 7:07 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C).

Good morning. Just checking in to see if you had an update.

Many thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6), (b) (7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Date: Monday, May 27, 2019 at 4:58 PM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

You have reached us on a federal holiday. We will get back to you Tuesday. Thank you.

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

From (b) (6) (b) (6) turner.com>
Sent: Monday, May 27, 2019 11:45 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6)
Subject: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

This i (b) (6) from CNN. I hope you are doing well. It's been a while.

I was hoping you could help me with a question. I'm reading that there is a private group who constructed a portion of the border wall on private property.

Here is the post:
https://www.facebook.com/WeFundTrumpWall/posts/365278784334538

They claim:
-they built a half-mile section along the New Mexico border with Mexico
-18-foot steel bollard wall

Can you confirm that the wall was indeed built?

AMERICAN OVERSIGHT

And is CBP commenting about how agents will be using it? Does it have the functionality that agents would want based on the location and what is around the wall… etc.

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
(b) (6)
Miami, FL 33131
C (b) (6)
Twitter: (b) (6)
FB & IG: (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:25 AM
To: (b) (6) (NBCUniversal) (b) (6) (NBCUniversal (b) (6), (b) (7)(C); @NBC Uni News Digital Desk
Cc: (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 2:32 PM
To (b) (6) (NBCUniversal) (b) (6) nbcuni.com> (b) (6) (NBCUniversal) (b) (6) nbcuni.com> (b) (6), (b) (7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b) (6), (b) (7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

Nothing additional at this time. If that changes I will let you know.

From (b) (6) (NBCUniversal (b) (6))
Sent: Tuesday, May 28, 2019 1:52 PM
To (b) (6) (NBCUniversal (b) (6)) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C) >; @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

Hello,

Just following up on my colleague's email from earlier.

Thanks!

(b) (6)
Social Media Reporter
NBC News
((b) (6)
((b) (6)
NBC NEWS

From (b) (6) (NBCUniversal)
Sent: Tuesday, May 28, 2019 10:36 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

Hi there,

Thanks for the prompt response. We're aware that this effort isn't associated with DHS or CBP. We just wanted to know if this structure is actually being built on the US- Mexico border and if CBP or DHS is aware that such is structure has been erected near El Paso.

If there's any information on that, we'd appreciate it. Otherwise, we will of course reach out to the private group as well.

Thanks for the help.

From (b)(6);(b)(7)(C) [mailt (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 10:31 AM
To (b) (6) (NBCUniversa (b) (6) (b)(6);(b)(7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: [EXTERNAL] RE: NBC News inquiry: Private group builds mile of border wall near El Paso

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

From (b) (6) (NBCUniversal (b) (6))
Sent: Tuesday, May 28, 2019 8:13 AM
To (b)(6);(b)(7)(C) >; @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: NBC News inquiry: Private group builds mile of border wall near El Paso

Hello,

My name i (b) (6) and I'm with NBC News. I am reaching out because we are seeing videos from a private group associated with Brian Kolfage who have been able to build a portion of their "border wall" near El Paso. Would your agency be able to verify this claim? Is this portion of the wall constructed with metal slates and a mile long?

Kolfage also shared this video below showing the construction of a portion of the wall. Can your agency confirm the authenticity of this video?

https://www.facebook.com/Brian.Kolfage.jr/videos/365817830712299/?__xts__%5B0%5D=68.ARCULCqttW1-81i7YZVDrfWZ4X8K3rC3heN01LGmUS4AAqiE01jkd_iA3Pf0g4eunRB1bpd6zkbK_BZpWoU_6HCnlIGjUP2zTpu5eIgfQdIVa2BqIzPxq9vmVcZHqUhlmqY-eMjj5MDe-mfS1ebcoOx4ngeTCzqfd3H3gyENJCQTvK_LR26cpi-c_fWt9ybGjPiCorM0t9TmA3PUSsTmVgZm3N6QE610D9yWCuEhWIxVXEnxHg6FVqjYBGjmheRTAj-kcHDVm-0FTnOkMmSC_zAUsGhHJA-WT_tOZH363qMGpFQRQm3-NIYTLd9ReHB5pU4tbxk414TliyTF11vWLaLkMLKLx48Nvmb7Eo3x&__tn__=-R

Thank you for the help and we hope to hear back.

(b) (6)
Director of Social Newsgathering
(Direc (b) (6)
(Mobi
(Team line (b) (6)
(b) (6)
NBC NEWS

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:27 AM
To: (b) (6)
Subject: RE: ON DEADLINE-Request for comment/additional info on private border wall construction in El Paso sector

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

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With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:05 AM
T (b) (6) (b) (6)
Subject: RE: ON DEADLINE-Request for comment/additional info on private border wall construction in El Paso sector

(b) (6):

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. I will get back to you if there is anything more we can add. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs

AMERICAN OVERSIGHT

U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

Fro (b) (6) (b) (6) >
Sent: Tuesday, May 28, 2019 10:45 AM
To (b)(6);(b)(7)(C)
Subject: ON DEADLINE-Request for comment/additional info on private border wall construction in El Paso sector

(b)(6);(b)(7)(C),
I have a couple of questions I'm hoping you might be able to answer regarding the reported construction over the weekend of new border barrier on private land in Sunland Park, New Mexico.

First, leaders of We Build the Wall, the group funding the private construction project, have said that this particular area of the El Paso border sector was selected based on input from Border Patrol officials. Per the El Paso Times, Kris "Kobach said Border Patrol agents in the area have told him that hundreds of immigrants have crossed there illegally and more than $100,000 worth of drugs has been smuggled through the gap."
Can you confirm whether this is accurate?

The group's leaders have also stated that control of sensors on the privately-constructed wall will be handed off to U.S Border Patrol. Can you confirm this and any other details of an agreement regarding USBP use and control of the privately-funded fencing?

There have been conflicting reports about the length of the new steel fencing in Sunland Park (some say it extends a full mile, others say half a mile) and the time frame in which it's been constructed. Can you tell me the exact length of the gap in the existing U.S. government border fencing near Mount Cristo Rey?
Also, can you confirm whether construction of new fencing in this area was completed over the weekend or if it's still ongoing?

My deadline is this afternoon. I really appreciate any and all information you can provide on this.
Very best,
(b) (6)

--
(b) (6)
Senior Reporter, Yahoo News
(b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:28 AM
To: (b) (6)
Cc: (b) (6)
Subject: RE: Query from CNN

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

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With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 9:09 AM
To (b) (6) (b) (6) (b) (6) cnn.com>; Media Inquiry (b) (6)
Cc: cbpmediarelations <cbpmediarelations@cbp.dhs.gov> (b) (6) (b) (6) turner.com>
Subject: RE: Query from CNN

We have been communicating with CNN (b) (6) on this matter.

From (b) (6)
Sent: Tuesday, May 28, 2019 9:03 AM
To (b) (6) (b) (6) cnn.com>; Media Inquir (b) (6)
Cc: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Subject: RE: Query from CNN

AMERICAN OVERSIGHT

(b) (6) understood. Will get back to you on this.

Thanks!

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To (b) (6) Media Inquir (b) (6)
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thanks (b) (6) One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
To (b) (6) Media Inquiry
Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquir (b) (6)
Subject: Query from CNN

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

AMERICAN OVERSIGHT

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

Sent: Thursday, May 30, 2019 11:30 AM
To: (b) (6) (NBCUniversa) (b)(6);(b)(7)(C) ; @NBC Uni News Digital Desk
Cc: (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 8:31 AM
To (b) (6) (NBCUniversal (b) (6)) (b)(6);(b)(7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)



From (b) (6) (NBCUniversal (b) (6))>
Sent: Tuesday, May 28, 2019 8:13 AM
To (b)(6);(b)(7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: NBC News inquiry: Private group builds mile of border wall near El Paso

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My name i (b) (6) and I'm with NBC News. I am reaching out because we are seeing videos from a private group associated with Brian Kolfage who have been able to build a portion of their "border wall" near El Paso. Would your agency be able to verify this claim? Is this portion of the wall constructed with metal slates and a mile long?

Kolfage also shared this video below showing the construction of a portion of the wall. Can your agency confirm the authenticity of this video?

AMERICAN OVERSIGHT

https://www.facebook.com/Brian.Kolfage.jr/videos/365817830712299/?__xts__%5B0%5D=68.ARCULCqttW1-81i7YZVDrfWZ4X8K3rC3heN01LGmUS4AAqiE01jkd_iA3Pf0g4eunRB1bpd6zkbK_BZpWoU_6HCnlIGjUP2zTpu5elgfQdIVa2BqIzPxq9vmVcZHqUhlmqY-eMjj5MDe-mfS1ebcoOx4ngeTCzqfd3H3gyENJCQTvK_LR26cpi-c_fWt9ybGjPiCorM0t9TmA3PUSsTmVgZm3N6QE610D9yWCuEhWIxVXEnxHg6FVqjYBGjmheRTAj-kcHDVm-0FTnOkMmSC_zAUsGhHJA-WT_tOZH363qMGpFQRQm3-NIYTLd9ReHB5pU4tbxk414TIiyTF11vWLaLkMLKLx48Nvmb7Eo3x&__tn__=-R

Thank you for the help and we hope to hear back.

(b) (6)
Director of Social Newsgathering
(Direc (b) (6)
(Mobi
(Team line (b) (6)
(b) (6)
NBC NEWS

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:31 AM
To: (b) (6) (NBCUniversal); @NBC Uni News Digital Desk
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 8:31 AM
To (b) (6) (NBCUniversal (b) (6)) (b)(6);(b)(7)(C) >; @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs

AMERICAN OVERSIGHT

U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

From (b) (6) (NBCUniversal (b) (6))
Sent: Tuesday, May 28, 2019 8:13 AM
To (b)(6);(b)(7)(C); @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: NBC News inquiry: Private group builds mile of border wall near El Paso

Hello,

My name i (b) (6) and I'm with NBC News. I am reaching out because we are seeing videos from a private group associated with Brian Kolfage who have been able to build a portion of their "border wall" near El Paso. Would your agency be able to verify this claim? Is this portion of the wall constructed with metal slates and a mile long?

Kolfage also shared this video below showing the construction of a portion of the wall. Can your agency confirm the authenticity of this video?

https://www.facebook.com/Brian.Kolfage.jr/videos/365817830712299/?__xts__%5B0%5D=68.ARCULCqttW1-81i7YZVDrfWZ4X8K3rC3heN01LGmUS4AAqiE01jkd_iA3Pf0g4eunRB1bpd6zkbK_BZpWoU_6HCnllGjUP2zTpu5eIgfQdIVa2BqIzPxq9vmVcZHqUhlmqY-eMjj5MDe-mfS1ebcoOx4ngeTCzqfd3H3gyENJCQTvK_LR26cpi-c_fWt9ybGjPiCorM0t9TmA3PUSsTmVgZm3N6QE610D9yWCuEhWIxVXEnxHg6FVqjYBGjmheRTAj-kcHDVm-0FTnOkMmSC_zAUsGhHJA-WT_tOZH363qMGpFQRQm3-NIYTLd9ReHB5pU4tbxk414TliyTF11vWLaLkMLKLx48Nvmb7Eo3x&__tn__=-R

Thank you for the help and we hope to hear back.

(b) (6)
Director of Social Newsgathering
(Direc (b) (6)
(Mobile (b) (6)
(Team line (b) (6)
(b) (6)
NBC NEWS

AMERICAN OVERSIGHT

From: [redacted] turner.com>
Sent: Thursday, May 30, 2019 11:37 AM
To: [redacted]
Subject: Re: CNN inquiry // Border Wall, built privately

Thanks so much Age [redacted]. We appreciate it.

Sent from my iPhone

On May 30, 2019, at 10:22 AM [redacted] wrote:

> CBP Statement:
>
> The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.
>
> Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.
>
> With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From [redacted]
Sent: Wednesday, May 29, 2019 2:38 PM
To [redacted] turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

Nothing from us beyond our original statement.

There is news being made in Sunland Park though you may want to reach out to the city government there.

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From (b) (6) (b) (6) turner.com>
Sent: Wednesday, May 29, 2019 2:17 PM
To (b)(6);(b)(7)(C)
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Age (b)(6);(b)(7)(C)

I hope you're doing well. I'm just emailing to check in. Anything new or of note?

Thanks,
(b) (6)

Sent from my iPhone

On May 28, 2019, at 3:32 PM (b)(6);(b)(7)(C) wrote:

> Nothing additional at this time. If that changes I will let you know.

From (b) (6) (b) (6) turner.com>
Sent: Tuesday, May 28, 2019 2:21 PM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

Any update?

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6) (b) (6) turner.com>
Date: Tuesday, May 28, 2019 at 12:37 PM
To (b) (6), (b) (7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

I'm so sorry to bug you again. I tried calling to see if that was easier but the call went to voicemail.

Another editor had a few more questions.
-Will CBP patrol a private wall?
-There is a road south of the wall, is that the road that CBP would use to patrol/or gain access to the area?
-Will CBP coordinate the connection points to the existing wall?

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-How will CBP use/deal with the fact that the wall is there?
-Brian Kolfage from "We Build The Wall" says that DHS gave its blessing because the group didn't want to build on a site where DHS was already going to build a wall. Can you confirm that account?
-Was the wall needed in that area?
-Does CBP anticipate that it will help stop drug and human smuggling?

If it's easier to talk please call me. My cell i (b) (6)

Many thanks for all your help. I appreciate your time.

Best,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b) (6) (b) (6) turner.com>
Date: Tuesday, May 28, 2019 at 11:02 AM
To (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Thanks so much, Agen (b)(6);(b)(7)(C)

My editors are asking the following:

1. Does the fence connect to their existing fence?
2. Has anyone from CPB, including locally, been advising the group or telling the group where to build?

Are you able to answer these?

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Date: Tuesday, May 28, 2019 at 10:29 AM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

<image001.jpg> <image002.jpg> <image003.jpg> <image004.jpg>

From (b) (6) (b) (6) turner.com>
Sent: Tuesday, May 28, 2019 7:07 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) turner.com>
Subject: Re: CNN inquiry // Border Wall, built privately

Hi, Agen (b) (6), (b) (7)(C)

Good morning. Just checking in to see if you had an update.

Many thanks,
(b) (6)

(b) (6)
CNN Correspondent
C (b) (6)

From (b)(6);(b)(7)(C) Border Patrol EL PAS (b)(6);(b)(7)(C)
Date: Monday, May 27, 2019 at 4:58 PM
To (b) (6) (b) (6) turner.com>
Subject: RE: CNN inquiry // Border Wall, built privately

(b) (6)

You have reached us on a federal holiday. We will get back to you Tuesday. Thank you.

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

From (b) (6) (b) (6) turner.com>
Sent: Monday, May 27, 2019 11:45 AM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6)
Subject: CNN inquiry // Border Wall, built privately

Hi, Agen (b)(6);(b)(7)(C)

This i (b) (6) from CNN. I hope you are doing well. It's been a while.

I was hoping you could help me with a question. I'm reading that there is a private group who constructed a portion of the border wall on private property.

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Here is the post:
https://www.facebook.com/WeFundTrumpWall/posts/365278784334538

They claim:
-they built a half-mile section along the New Mexico border with Mexico
-18-foot steel bollard wall

Can you confirm that the wall was indeed built?
And is CBP commenting about how agents will be using it? Does it have the functionality that agents would want based on the location and what is around the wall... etc.

Thanks,
(b) (6)

(b) (6)
CNN Correspondent
(b) (6)
Miami, FL 33131
C (b) (6)
Twitter: (b) (6)
FB & IG: (b) (6)

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From: [redacted] nmsu.edu>
Sent: Thursday, May 30, 2019 12:34 PM
To: [redacted]
Subject: Re: Question from NPR

Got it, thanks.

Get Outlook for iOS

From [redacted]
Sent: Thursday, May 30, 2019 10:10:52 AM
To [redacted]
Subject: RE: Question from NPR

These are all spelled out in the FedBizOps soliciations for border wall constructgion. You can research those there.

From [redacted] nmsu.edu>
Sent: Thursday, May 30, 2019 9:39 AM
To [redacted]
Subject: Re: Question from NPR

Thanks for the quick response.

Can you clarify what the "established mechanisms" are to compete for border barrier contracts?

[redacted]

[redacted] • Multimedia Reporter • KRWG Public Media [redacted]

From [redacted]
Sent: Thursday, May 30, 2019 9:21:27 AM
To [redacted]
Subject: RE: Question from NPR

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction

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activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b) (6) (b) (6) @nmsu.edu>
Sent: Thursday, May 30, 2019 9:03 AM
To (b)(6);(b)(7)(C)
Subject: Question from NPR

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

I'm reporting on We Build the Wall and see that Brian Kolfage has claimed his group is constructing the wall in an area known as a "smuggling route for the cartels." Can you confirm whether this is a known corridor for drug and/or human smuggling?

Thanks,
(b) (6)

(b) (6) • Multimedia Reporter • KRWG Public Media (b) (6)

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From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 12:37 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Border Wall Daily Media Summary - May 30, 2019 (UNCLASSIFIED)

LOL. I guess that's one way to demonstrate your ability to carry out the project.

(b)(6);(b)(7)(C)
Task Manager
Agile Group
Supporting the Office of Facilities and Asset Management U.S. Customs and Border Protection Ce (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:14 AM
To (b)(6);(b)(7)(C)
Subject: FW: Border Wall Daily Media Summary - May 30, 2019 (UNCLASSIFIED)
Importance: High

Lots of articles on the private border wall below! It gets even weirder, the contractor they hired to build it is protesting the government for not getting one of the border wall projects.

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
(b)(6);(b)(7)(C)

-----Original Message-----
From (b) (6)
Sent: Thursday, May 30, 2019 8:00 AM
T (b) (6)
Subject: Border Wall Daily Media Summary - May 30, 2019 (UNCLASSIFIED)
Importance: High

CLASSIFICATION: UNCLASSIFIED

All:

Below is the Daily Media Summary (Border Wall only) for internet-based news stories that I'm tracking 30 May 2019.

v/r

AMERICAN OVERSIGHT

(b) (6)
Public Affairs Officer
USACE Border Infrastructure PMO
(b) (6)
Office (b) (6)
Mobile (b) (6)

Headlines:

1. (VIDEO only) Private Border Wall Fight -- https://twitter.com/CBSThisMorning/status/1134061422642651138

2. FEDERAL AGENCIES PUSH BACK ON CLAIM THEY SANCTIONED PRIVATE BORDER WALL CONSTRUCTION -- https://dailycaller.com/2019/05/29/federal-agencies-private-border-wall/

3. Group to hold rally at private border wall as completion nears -- https://www.abqjournal.com/1321648/group-to-hold-rally-at-private-border-wall.html

4. Tempe company (Fisher) hired to build privately-funded section of NM border wall -- https://www.azfamily.com/news/tempe-company-hired-to-build-privately-funded-section-of-nm/article_eec0bfb6-8280-11e9-ae60-9b2e0d7a0ab8.html

5. Border wall battle forces courts to wade into appropriations law -- https://www.rollcall.com/news/congress/border-battle-forces-courts-to-wade-into-appropriations-law

6. VIDEO (b)(7)(E) County (Texas) town preparing for border wall construction -- https://valleycentral.com/news/loca (b)(7)(E)county-town-preparing-for-border-wall-construction

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1. (VIDEO only) Private Border Wall Fight -- https://twitter.com/CBSThisMorning/status/1134061422642651138

CBS This Morning ... David Begnaud 4:38 AM - 30 May 2019

Interviews with "We Build the Wall" members and video of privately-funded Border Wall near El Paso.

According to the report, the group plans Fireworks in the next 48 hours in celebration of their wall being completed.

2. FEDERAL AGENCIES PUSH BACK ON CLAIM THEY SANCTIONED PRIVATE BORDER WALL CONSTRUCTION -- https://dailycaller.com/2019/05/29/federal-agencies-private-border-wall/

The Daily Caller ... Andrew Kerr 9:25 PM 05/29/2019

-- We Build the Wall founder Brian Kolfage said the Trump administration called the International Boundary and Water Commission, a federal agency, to authorize his organization's construction of a private border wall.
-- He also said the Department of Homeland Security approved his organization's venture.
-- Both agencies disputed Kolfage's claim.

The founder of the nonprofit group that built a half-mile border wall over Memorial Day weekend said the Trump administration sanctioned the project, but two federal agencies disputed his claim Wednesday.

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Triple amputee and Air Force veteran Brian Kolfage said Wednesday that the Trump administration called the International Boundary and Water Commission (IBWC) and authorized the construction on private property near El Paso, Texas. He also said that the Department of Homeland Security (DHS) approved the venture.

However, a spokeswoman for the IBWC told The Daily Caller News Foundation it received no such call from the Trump administration regarding We Build The Wall, which is funded by the viral $20 million GoFundMe fundraising campaign Kolfage launched in December.

Brian Kolfage via TWITTER
@BrianKolfage
The International Boundary and Water Commission received a call direct from the Trump administration last week authorizing our build- WE ARE IN FULL COMPLIANCE! #Winning
6:26 AM - May 29, 2019 · El Paso, TX

"We are not aware of any call from the administration, and there would be no reason for our authorization because it's on private land," said the spokeswoman for the U.S. section of the IBWC, Lori Kuczmanski.

Kolfage hinted on Twitter that he had evidence of the Trump administration's authorization, but said he was "saving it for the media to break."

We Build The Wall did not return a request for comment.

Kolfage's tweet came one day after Sunland Park, New Mexico, issued a cease and desist order to the owner of the land where We Build The Wall's barrier was constructed. The letter said it violated a city ordinance. (RELATED: Cease And Desist Letter Issued Over Private Border Wall)

"There was no survey submitted with the plans at this point. There's no site plan developed or turned into the city of Sunland Park," Sunland Park Mayor Javier Perea said at a press conference Tuesday. "Also, city ordinance only allows a wall up to six feet tall, and this far exceeds that."

The DHS also pushed back on Kolfage, who told the Daily Mail on Monday that the agency approved his organization's build.

"This project is not connected to DHS efforts," a DHS spokeswoman told TheDCNF.

Kolfage also told the Daily Mail that former Kansas Secretary of State Kris Kobach is representing We Build The Wall in talks with the DHS in an effort to receive "permission to build inside the Roosevelt Easement."

The DHS spokeswoman would not say whether it was in talks with We Build The Wall. Key figures in Kolfage's organization have close ties to President Donald Trump.

Steve Bannon, who served as Trump's White House chief strategist in 2017, is We Build The Wall's director. Kobach led Trump's now-disbanded Presidential Advisory on Election Integrity alongside Vice President Mike Pence. The president was reportedly considering Kobach in May for a new "immigration czar" position to coordinate the administration's immigration policies.

Trump has also "aggressively" pushed DHS to award a border wall contract with Fisher Industries, the North Dakota-based construction firm working with Kolfage's organization, according to The Washington Post.

Fisher Industries CEO Tommy Fisher and Kobach have been featured in videos posted to We Build The Wall's YouTube channel touting that they built the barrier in an area the Army Corps of Engineers said was too rugged to build on at a

AMERICAN OVERSIGHT

cost far lower than government estimates. The Office of Management and Budget said in January that the border wall would cost $24.4 million per mile, but Kolfage's organization said it constructed a half-mile barrier for an estimated $6 to $8 million.

Kobach also said Fisher Industries used a much higher quality steel with a lifespan of 75 years for We Build The Wall's barrier, compared to the 25-year lifespan of the steel used in the federal government's existing border wall.

Fisher Industries filed a lawsuit against the federal government in April after it lost out on a lucrative contract to construct 50 miles of border fencing. The Army Corps of Engineers said the design submitted by Fisher Industries did not meet the "operational requirements" of Customs and Border Protection.

3. Group to hold rally at private border wall as completion nears -- https://www.abqjournal.com/1321648/group-to-hold-rally-at-private-border-wall.html

Albuquerque Journal ... ANGELA KOCHERGA Wednesday, May 29th, 2019 at 11:35pm

SUNLAND PARK The We Build the Wall group has a high profile "unveiling" and rally for the first private border barrier scheduled for today as the City of Sunland Park calls into question whether the company had a building permit.

The leader of the non-profit organization that raised more than $20 million with a crowd funding campaign, Brian Kolfage, assured supporters "that they have all of the necessary permits and approvals and the wall is under full compliance with local laws," according to a news release issued Wednesday.

The City of Sunland Park issued a cease-and-desist order Tuesday afternoon as construction crews were putting the finishing touches on the border barrier. It's unclear if that cease-and-desist order was being followed. The bollard-style wall, which is at least 18 feet tall, is on property owned by American Eagle Co. and within Sunland Park city limits.

According to city officials, the owner turned in an incomplete application for a permit late Friday, and construction began over the Memorial Day holiday weekend before it was approved.

"There was no survey submitted, no site plan and some contradictory information submitted to the City of Sunland Park," Mayor Javier Perea told a news conference Tuesday.

"My understanding is the city only allows a wall up to 6 feet tall, so at this point it is not within city ordinance," Perea said.

So they would, at a minimum, need to apply for a variance for the wall.

The tiny border town has had to deal with a crush of media because of the private border wall and permit problem. The mayor has scheduled another news conference for today to provide an update on the permit issues.

Also today, Kolfage, an Air Force veteran, is expected to be at the private wall to "address questions about the cease-and-desist order," according to the We Build the Wall organization. Steve Bannon, former White House chief strategist to President Donald Trump, and other members of a "powerhouse team" will attend the unveiling event in New Mexico, the group said.

Former Kansas Secretary of State Kris Kobach, legal counsel for We Build the Wall, said the Sunland Park barrier is the first of several projects on the border.

“We will go to other private lands,” Kobach said at the construction site Tuesday. “At the end of the day, the federal government is going to build the majority of whatever wall gets built but we can fill in the gaps.”

Kobach is under consideration for a top job with the Department of Homeland Security as an immigration czar. The North Dakota company that built the private wall in Sunland Park, Fisher Industries, also submitted a prototype for President Trump’s border wall.

Even as We Build the Wall celebrates the first private border barrier, New Mexico’s Democratic governor and other critics doubt the half-mile long structure in New Mexico will make a difference.

“To act as though throwing up a small section of wall on private land does anything to effectively secure our southern border from human- and drug-trafficking or address the humanitarian needs of the asylum-seekers and local communities receiving them that’s nonsense,” Gov. Michelle Lujan Grisham said.

4. Tempe company (Fisher) hired to build privately-funded section of NM border wall -- https://www.azfamily.com/news/tempe-company-hired-to-build-privately-funded-section-of-nm/article_eec0bfb6-8280-11e9-ae60-9b2e0d7a0ab8.html

KPHO-TV (CBS-Phoenix) ... Lauren Reimer 5/30/19 9:30 PM

SUNLAND PARK, NM (3TV/CBS 5) -- Work on a privately funded stretch of border wall in New Mexico has come to a halt.

The fence is being built on private land with donated funds. But the city says the landowner doesn't have the right permits to build.

The company hired to do it is from right here in the Valley.

"They would just come over, and you can see the pathways from Mexico where the drugs would run and everything else,” said Fisher Industries CEO Tommy Fisher, as he stood along the border.

In a rugged area of private land, in Sunland Park, New Mexico, crews from fisher industries are working to build a half mile of the new border fence.

“I think it's going to be very effective," said Fisher. "I’ve heard from multiple border agents. They just can't believe it."

Late last year, a GoFundMe page by the group “We Build the Wall' raised $23 million to build more fencing.

[RELATED: A private group says it's started building its own border wall using millions donated in GoFundMe campaign]

The group hired Fisher Industries, a Tempe-based construction company, to do the job.

Fisher, the CEO, says their special hanging system that's attached to an excavator can put in multiple panels at a time.

“It makes me feel very very proud," said Fisher. "As well as just the effort that all the employees of the Fisher Industries family have put in to do this amount of work in ten days."

Fisher previously put in a bid with the federal government in hopes of winning the contract to build 234 miles of new barrier along the southern border.

For now, the Army Corps. of Engineers are chosen to construct new fencing.

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Fisher says his company is happy to demonstrate its technique along the border for "We Build the Wall."

“I think we've made really big progress," Fisher said. "People said that there was no way this project would ever be built."

But with half the work complete, construction has temporarily come to a halt. The city and landowners are arguing over whether or not permits were granted for the project.

"The staff has been reviewing those particular documents, and have determined that, at this point, it is incomplete, and that the construction on the wall, at this point, is in violation of city ordinance,” said Mayor Javier Perea of Sunland Park, NM.

Fisher says they expect to find out if they can get back to work on Thursday morning. He believes it will only take another three or four days to finish the half-mile stretch of fence.

"I’m leaving it up to those guys. If they tell me to stop, I’m going to stop," said Fisher. "They're the customer. If they tell me to go, I’m going to go."

Using Fisher's technique, the half-mile stretch of the border wall will cost about $6 million. With money still left from the fundraiser, Fisher says they're currently scouting other locations for the next project.

5. Border wall battle forces courts to wade into appropriations law -- https://www.rollcall.com/news/congress/border-battle-forces-courts-to-wade-into-appropriations-law

Roll Call ... Todd Ruger May 29, 2019 7:16 AM

The legal fights over President Donald Trump’s move to build a wall along the U.S.-Mexico border have forced the federal courts to confront a new question: What does it look like when Congress denies a president’s request for an appropriation?

The answer might seem a straightforward call. The Appropriations Clause of the Constitution says no money can be spent unless it is in a spending law. Courts have already ruled that congressional control over federal expenditures is “absolute.” Congress passed laws to reinforce that control.

And it sure sounds like a “no” from Congress this time. Trump asked for $5.7 billion in fiscal 2019 to build a steel barrier along the southwest border and even shut down the government when he didn’t get it. Congress ultimately gave him a quarter of that $1.375 billion and only for one sector of the border.

But federal agencies do have some limited ability to transfer funds within their accounts. And the Trump administration has argued in court that Congress, at the same time it denied the direct request, also gave the government the statutory authority to transfer money into a fund that can be used for a range of projects that expressly includes fence construction on international borders.

The government says Congress did not explicitly spell out that no additional funds could be used for border barrier construction.

So judges are being asked to decide whether a congressional “no” on Trump’s high-profile direct request for wall funding also meant a “no” on the other mechanisms that Trump eventually turned to when he didn’t get it.

Judges are without their typical guideposts on the issue. U.S. District Judge Trevor N. McFadden, facing that question during a hearing last week in Washington on the House lawsuit to stop the wall, asked whether there are any prior court decisions that judges can look to for guidance about when an appropriation has been denied by Congress.

There isn't any such case law, House General Counsel Douglas Letter told McFadden.

McFadden then described his quandary. His instinct is that clearly Congress did deny Trump's preference for direct funding of the wall construction. But he also said he understood Congress in sections of law did give authority for the alternative funding mechanisms used by the administration and did not deny those.

McFadden plans to issue a decision at a later date.

The next day, U.S. District Judge Haywood Gilliam Jr. in California delivered a 56-page opinion that covered some of the same legal ground about whether Congress had given authority for the transfers, part of what he called "one of the key issues" in a case that is a "Gordian knot of sorts."

Gilliam, in his ruling, sided with a coalition of states and some environmental groups against the Trump administration and issued a preliminary injunction to stop border construction.

The Justice Department argued in that case that Section 8005 of the fiscal 2019 Defense spending law gives the Defense secretary the authority to transfer funds for military functions that are in the national interest.

The DOJ argued that the Defense Department can use that authority to put $1 billion into a fund that Congress approved for counter-drug activities, which expressly provides for "construction of roads and fences and installation of lighting to block drug smuggling corridors across international boundaries of the United States."

There are a few apparent catches in the text of the laws for the government, though. Section 8005 says the transfers are available for "military functions (except military construction)," and the transferred funds can't be used for projects that have been denied by Congress.

Gilliam decided that Congress had denied such a move when it denied the president's request and made "a clear decision to deny the border barrier funding sought here." And he wrote that the Justice Department can point to nothing in the law or legislative history to back up its argument that Congress would have to explicitly deny a project to stop the Section 8005 transfer.

"The reality is that Congress was presented with and declined to grant a $5.7 billion request for border barrier construction," Gilliam wrote. "Border barrier construction, expressly, is the item Defendants now seek to fund via the Section 8005 transfer, and Congress denied the requested funds for that item."

Last week, Letter said the House did exactly what it needed to do to deny Trump's full request for border wall construction funds with "amazing specificity" during the high-profile government shutdown. Congress doesn't need to pass another law or tweak appropriations riders to say, "no, no, we really meant it," Letter said.

6. VIDEO (b)(7)(E) County (Texas) town preparing for border wall construction --
https://valleycentral.com/news/loca (b)(7)(E)county-town-preparing-for-border-wall-construction

KGBT-TV (CBS-Harlingen, TX) ... Sydney Hernandez Wednesday, May 29th 2019 10:30 PM

AMERICAN OVERSIGHT

Border wall construction is expected to start in two months, and a sma (b)(7)(E) County community is already preparing for it.

But where the new three miles of border wall will go up is still unclear, so the town of Escobares is planning if it is in their backyard.

"We're here for border security 100 percent," said Noel Escobar, Escobares' mayor. "We do not shy away from that responsibility that we need border security."

Escobar is the only mayor the town has ever had and said he has been included in CBP meetings, but hasn't gotten much information other than generalities.

"We haven't really gotten any definitive information at this point," Escobar said.

CBP has not released an exact location for the construction, but confirms they are spending over $42 million to include steel bollards, road construction, detection technology and lighting installation.

Escobar said there is a need for the wall security because of a lack of technology in his town.

"Right now it's just brush everywhere," Escobar said. "All the way to the river, so those agents have a difficult time."

CLASSIFICATION: UNCLASSIFIED

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 12:40 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Invitation to Chief Aaron Hull

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

Unfortunately Chief Hull will not be able to attend this event. Please thank the coordinator for the invitation on behalf of Chief Hull.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:22 AM
To (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
> **To** (b)(6);(b)(7)(C)
> **Subject: Invitation to Chief Aaron Hull**
>
> Office (b)(6);(b)(7)(C)
>
> I would like to invite Chief Aaron Hull to the We Build the Wall site in Sunland Park at 4:00 pm today to take part in our dedication ceremony/rally for the newly-constructed wall. If he would like to say a few words to the crowd and media, we would be pleased for him to do so. At a minimum we would like to recognize him and thank him for the support of the BP in this endeavor.
>
> We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.
>
> Our board will be there, including me Brian Kolfage, Sheriff David Clarke, former US Rep. Tom Tancredo, and others.

AMERICAN OVERSIGHT

Please let me know if Chief Hull would like to attend. Thank you.

Kris Kobach
General Counsel, We Build the Wall
(b) (6)

AMERICAN OVERSIGHT

From: HASTINGS, BRIAN S
Sent: Thursday, May 30, 2019 12:44 PM
To: HULL, AARON A
Cc: (b) (6), (b) (7)(C)
Subject: Re: Invitation to Chief Aaron Hull

Understood, Chief.

Thank you,
Brian

Get Outlook for iOS

From: HULL, AARON A
Sent: Thursday, May 30, 2019 10:38:16 AM
To: HASTINGS, BRIAN S
Cc (b) (6), (b) (7)(C)
Subject: FW: Invitation to Chief Aaron Hull

Chief:

FYI. This is the private group that built a wall nea (b) (7)(E) on the American Eagle Brick Plant property. We were not involved in any way in the effort. We have stopped by and talked to them about the project and I introduced Chief Martin to them when we were on his line tour.

We are declining this invitation. However, I suspect that they will say that we helped/supported/whatever their effort in their press conference today.

Thanks.

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:32 AM
To: HULL, AARON (b)(6);(b)(7)(C)
Cc (b) (6), (b) (7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: Invitation to Chief Aaron Hull

Chief,

Please see the below invitation to the We Build The Wall dedication ceremony today at 4:00 PM.

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:22 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
> **To:** (b)(6);(b)(7)(C)
> **Subject: Invitation to Chief Aaron Hull**
>
> Office (b)(6);(b)(7)(C)
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>
> We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.
>
> Our board will be there, including me Brian Kolfage, Sheriff David Clarke, former US Rep. Tom Tancredo, and others.
>
> Please let me know if Chief Hull would like to attend. Thank you.
>
> Kris Kobach
> General Counsel, We Build the Wall
> (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 12:46 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Fysa

Sent from my iPhone

Begin forwarded message:

From: "HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Date: May 30, 2019 at 10:44:35 AM MDT
To: "MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) "HUDSON, RICHARD M (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

FYSA only.
Get Outlook for iOS

From: HULL, AARON A
Sent: Thursday, May 30, 2019 10:38:16 AM
To: HASTINGS, BRIAN S
Cc (b) (6), (b) (7)(C)
Subject: FW: Invitation to Chief Aaron Hull

Chief:

FYI. This is the private group that built a wall near Monument One on the American Eagle Brick Plant property. We were not involved in any way in the effort. We have stopped by and talked to them about the project and I introduced Chief Martin to them when we were on his line tour.

We are declining this invitation. However, I suspect that they will say that we helped/supported/whatever their effort in their press conference today.

Thanks.

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:32 AM
To: HULL, AARON (b)(6);(b)(7)(C)
Cc (b) (6), (b) (7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Subject: FW: Invitation to Chief Aaron Hull

Chief,

Please see the below invitation to the We Build The Wall dedication ceremony today at 4:00 PM.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 10:22 AM
To (b)(6);(b)(7)(C)
Subject: Fwd: Invitation to Chief Aaron Hull

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** May 30, 2019 at 10:04:06 AM MDT
> **To** (b)(6);(b)(7)(C) >
> **Subject: Invitation to Chief Aaron Hull**
>
> Office (b)(6);(b)(7)(C)
>
> I would like to invite Chief Aaron Hull to the We Build the Wall site in Sunland Park at 4:00 pm today to take part in our dedication ceremony/rally for the newly-constructed wall. If he would like to say a few words to the crowd and media, we would be pleased for him to do so. At a minimum we would like to recognize him and thank him for the support of the BP in this endeavor.
>
> We would also like to extend an invitation to any off-duty (or on-duty) officers who would like to take part in the festivities.
>
> Our board will be there, including me Brian Kolfage, Sheriff David Clarke, former US Rep. Tom Tancredo, and others.
>
> Please let me know if Chief Hull would like to attend. Thank you.
>
> Kris Kobach
> General Counsel, We Build the Wall
> (b) (6)

AMERICAN OVERSIGHT

Sent: Thursday, May 30, 2019 1:22 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST
Attachments: 5410-001B.pdf

Sir,

(b) (5)

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:54 AM
To (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

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

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:53 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

Sir,

I'll get back to you by noon. About to walk into a meeting.

Thanks,

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

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

AMERICAN OVERSIGHT

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

(b) (5)

Thanks.

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: LINE TOUR REQUEST

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

Please see the below ride along request for David Clark for tomorrow for your review and approval.

He will be in town for the Santa Teresa new wall event tomorrow and is asking for a ride along after the event.

Your thoughts?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Strategic Communications
U.S. Border Patrol - El Paso Sector
8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

Begin forwarded message:

> **From:** (b)(6);(b)(7)(C)
> **Date:** May 29, 2019 at 6:42:37 PM MDT
> **To:** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Cc:** (b)(6);(b)(7)(C)
> **Subject: LINE TOUR REQUEST**
>
> Good afternoon Sir,

AMERICAN OVERSIGHT

STN received a phone call requesting information on how to set up a line tour for Sheriff David Clarke. The caller wa (b) (6) who is currently the head of security for the "We Build the Wall" project at monument one. His number i (b) (6)

Sheriff Clarke is scheduled to be in the El Paso area for the next couple of days attending several events. Sheriff Clarke requested a line tour to see the realities faced by agents on a daily basis. Sheriff Clarke has several events scheduled throughout the day and requested the line tour (if possible) be scheduled during the evening hours. I've provide (b) (6) your contact information and he will call you shortly with specifics regarding the request.

Below is a quick Wikipedia biography on Sheriff Clarke

David Alexander Clarke Jr. is an American former law enforcement official who served as Sheriff of Milwaukee County, Wisconsin from 2002 to 2017. In 2002, Clarke was appointed to the position by Governor Scott McCallum and later elected that same year to his first four-year term. He was reelected in November 2006, 2010 and 2014.[1] Although registered and elected as a Democrat in a heavily Democratic county, many of Clarke's political views align with those of conservative Republicans.

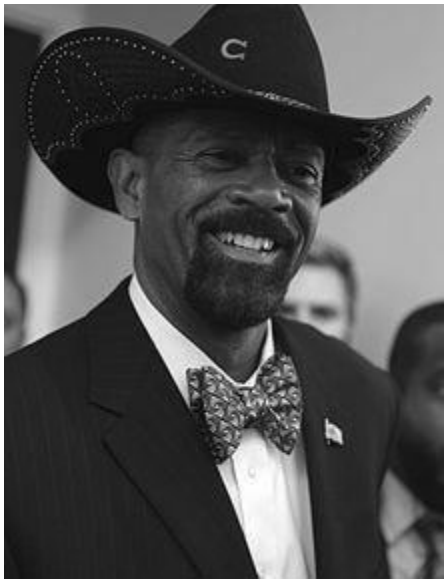
He resigned as sheriff in August 2017.[4] A vocal supporter of President Donald Trump, Clarke was considered for a role in the Trump Administration. After resigning as Sheriff of Milwaukee County, Clarke joined the super PAC America First Action as a spokesman and senior advisor, serving until February 2019.

Clarke was born in Milwaukee, one of five children of Jeri and David Clarke Sr. His father was a paratrooper with the 2nd Ranger Infantry Company. Clarke Jr. attended Marquette University High School where he played for the varsity basketball team. After finishing high school, Clarke took classes at the University of Wisconsin in Milwaukee but dropped out during his first year when he got a job driving beer trucks.

His career in law enforcement began in 1978 at the Milwaukee Police Department (MPD). He "rose through the ranks at a slow but steady pace in his 24 years with the department." Clarke was a patrol officer for eleven years and then a homicide detective; he was promoted to lieutenant of detectives in 1993 and captain in 1999.

In 1999, Clarke received a B.A. in Management of Criminal Justice from Concordia University Wisconsin's School of Adult and Continuing Education. In January 2002, Milwaukee County Sheriff Leverett F. (Lev) Baldwin resigned midway through his term to take a pension payout. Clarke was one of ten applicants for the position, and Governor Scott McCallum appointed him on March 19, 2002. He was elected to a full term later in 2002, and was reelected in 2006, 2010, and 2014.

AMERICAN OVERSIGHT



(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

CBP DIRECTIVE NO. 5410-001B

DATE: March 18, 2009
ORIGINATING OFFICE: C:PP
SUPERSEDES: CBPD 5410-001A, 9/8/05
REVIEW DATE: March 2012

U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PUBLIC AFFAIRS
ROLES, FUNCTIONS AND RESPONSIBILITIES

1. PURPOSE. To define guidelines relating to the disclosure of official U.S. Customs and Border Protection (CBP) information to accredited news organizations, mass media, published professional journals, and stakeholder groups. In addition, this directive establishes policy and assigns responsibility for the management of public affairs activities in CBP.

2. DEFINITIONS

2.1 Office of Public Affairs (OPA) – In this document, the term Office of Public Affairs or OPA refers to the functional office as a whole which includes Headquarters Office of Public Affairs, Field Public Affairs Specialists, and uniformed personnel who perform public affairs functions as a collateral duty. Uniformed public affairs personnel report to their permanent offices' chain of command for operational and administrative supervision.

2.2 Public Affairs Specialists (GS-1035) – PAS, whether assigned to Headquarters or to field locations, disseminate timely and accurate information to the public and to CBP employees through the media and other communication outlets while protecting sensitive, proprietary or personal information. In addition, Public Affairs Specialists serve as subject matter experts to CBP leadership regarding communications, community relations, media relations and crisis communications. PAS report to the Headquarters PAO for functional and administrative supervision, guidance, and overarching administrative support.

3. POLICY.

3.1 CBP shall cooperate with accredited local, national, and foreign news organizations, without favoritism, in the dissemination of official information while not compromising the DHS/CBP mission. Through its authorized spokespersons, the CBP Office of Public Affairs (OPA) shall provide timely and sufficient responses to news organizations and individuals to establish and maintain the public trust. Authorized individuals who release information shall exercise due care to preserve privileged information, protect the rights of individuals, and comply with applicable laws, including the Freedom of Information and Privacy Acts. Additionally, responses to news organizations and individuals shall be tempered by concerns for on-going investigations; sensitive foreign activities; operational factors; detection, targeting and selectivity

AMERICAN OVERSIGHT

factors; techniques and capabilities; exchange of intelligence; and matters in litigation.

3.2 Unless otherwise delegated, official spokespersons for CBP are the Commissioner, Deputy Commissioner, Assistant Commissioners, (which includes the Chief of the Office of Border Patrol), the OPA and others appointed by the OPA. In matters involving statements on behalf of the Administration, the only spokesperson shall be the Commissioner.

3.3 The OPA shall serve as the news media's principal point of contact for CBP. The OPA shall coordinate with the Office of Training and Development to create and provide media/crisis communications training to official spokespersons and full-time and collateral public affairs specialists.

3.4 The issuance of all headquarters press statements, news releases and interviews, and journal articles and the scheduling of telephone and in-person interviews shall be coordinated in advance through the OPA. All media requests and releases of information in the field shall be coordinated with the appropriate field public affairs specialists (GS-1035 series employees).

3.5 CBP personnel who participate in events that may generate national media interest or have policy implications, such as delivering speeches, participating in panel discussions, writing for an outside journal or publication, shall notify the appropriate OPA specialist for guidance and resource materials. The field public affairs specialists shall be responsible for advising the Headquarters OPA as well as senior field leadership.

3.6 The OPA ensures consistency of messaging and compliance with appropriate branding standards of materials that will be used to represent the agency through external journal articles by employees, brochures, pamphlets, content and placement of specific information on the CBP website, public speaking engagements such as panel discussions, conferences, trade shows, and local and regional organization meetings. This does not include any materials related to litigation or ongoing legal matters, negotiations with government organizations, union negotiations, or internal office communications.

3.7 The OPA shall prepare and disseminate timely and accurate public information for internal and external use, and shall research, develop, and produce internal communication plans and tools to improve CBP operations. The OPA may provide access to writers, communications specialists, and others to assist with various communication needs. The OPA will also serve as a conduit to external events planning to ensure a consistent message is relayed between internal and external audiences.

3.8 CBP media and public affairs policy must be executed with discretion and the use of sound judgment, as every possibility cannot be predicted and covered by a written policy statement. However, the unauthorized disclosure of official information to the media may be the basis for criminal and civil sanctions, and administrative disciplinary action.

4. AUTHORITIES.

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4.1 DHS MD 2000 Organization of the Office of Public Affairs

4.2 DHS MD 2010 Public Affairs Guidance and Designated Spokesperson

4.3 DHS MD 2020 Providing Information to Call Centers

4.4 DHS MD 2220 Embarkation of Media on Aircraft, Vessels, and Vehicles

4.5 DHS MD 2230 Public Affairs Management Structure

4.6 DHS MD 2250 Press Release Coordination and Approval Process

4.7 DHS MD 2260.1 Review of External Publications

4.8 DHS MD 2270 Public Speaking Opportunities

4.9 DHS MD 2290 Coordination with U.S. Attorneys' Offices For Release of Information

4.10 DHS MD 2510 Review of DHS Internal Publications

4.11 DHS MD 0020 Management and Use of DHS Aircraft

4.12 OMB Circular A-126 Improving Management and Use of Government Aircraft

4.13 5 U.S.C. §§ 552 Freedom of Information Act

4.14 5 U.S.C. §§ 552a Privacy Act

4.15 6 C.F.R. Part 5 DHS disclosure regulations

4.16 19 C.F.R. Part 103 CBP disclosure regulations

4.17 CBP Directive No. 5410-001A (September 8, 2005)

4.18 The Homeland Security Act of 2002, as amended, Pub. L. 107-296 (November 25, 2002), codified in Title 6, U.S. Code

4.19 Delegation of Authority to the Commissioner of U.S. Customs and Border Protection, Department of Homeland Security Delegation 7010.3 (May 11, 2006)

4.20 CBP Memorandum "Integrating as One Agency: CBP Office Roles, Responsibilities, and Coordination" (September 29, 2008)

5. RESPONSIBILITIES.

AMERICAN OVERSIGHT

5.1 The Assistant Commissioner, OPA, is responsible for the operations of the office, has overall responsibility for CBP interactions with media and other public affairs programs and products, and reports directly to the Commissioner, CBP.

5.1.2 The OPA ensures that the Commissioner's public affairs programs are run properly and efficiently. The OPA is responsible for advising and assisting the Commissioner, Deputy Commissioner, and other CBP leaders on issues related to disseminating CBP information to the news media, the public, CBP workforce, and other government agencies.

5.1.3 The OPA (See definition section 2.2 - Headquarters, Field PAS, and uniformed Public Affairs Liaisons) is the single point of contact for all news media matters throughout CBP and is responsible for initiating and coordinating all CBP contact with the media.

5.1.4 The Headquarters OPA provides guidance to, and coordinates the activities of, field public affairs specialists and serves as CBP's coordinator with the Department of Homeland Security (DHS) public affairs office.

5.2 CBP personnel, including uniformed officers and agents assigned to conduct public affairs activity, will comply with guidance issued by OPA.

5.2.1 CBP offices with personnel performing public affairs duties shall ensure that those individuals receive OPA approved training, adhere to OPA Guidance, and conduct all public affairs related business in full coordination with the CBP OPA.

5.3 The OPA public affairs specialists will support the communication needs of their respective field leadership and report to the Assistant Commissioner for OPA.

5.3.1 No office within CBP or employee outside of the OPA should initiate contact with members of the media or press for reasons of official business without prior approval by the OPA. In the event that notification to the OPA cannot be made in advance, of the media contact, the OPA will be notified as soon as possible.

5.4 No office within CBP shall employ personnel with the purpose of communicating or working with the media or press, nor plan or execute any public affairs outreach without the approval of the Assistant Commissioner, OPA, or his delegee.

5.4.1 The OPA is responsible for the coordination, approval and dissemination of all official information to the public via the media and public affairs outreach activity (with the exception of Congress, state governors, state and local officials, and other governments). Public Affairs personnel are responsible for the disclosure of official information regarding CBP activities within their area of responsibility. Matters potentially involving national media attention must promptly be reported to and coordinated through OPA.

5.4.2 The OPA manages and oversees the Publications Review Board and agency branding to ensure accurate and relevant information is released to public entities. The Board reviews any printed material intended for external distribution. Field public affairs specialists are responsible

AMERICAN OVERSIGHT

for reviewing all materials that will be used regarding CBP activities within their area of responsibility. External information sharing to the media involving CBP policy must be coordinated with the OPA.

5.4.3 The OPA is responsible for the creation of agency magazines, newsletters, and other agency-wide distribution of public information to the internal audience via established channels, including informational television programming.

5.4.4 The OPA manages and plans for appropriate public affairs activities related to operational plans; accordingly, all CBP operational and program offices will coordinate with OPA in the course of operational planning, as appropriate (i.e., hurricanes, tabletops, enforcement operations).

5.4.5 In developing agency operations, the OPA will ensure that CBP is prepared to respond accordingly.

5.4.6 Public Affairs personnel are responsible for the public affairs annex, when one is required to Operations Orders during operational planning.,

5.5 It is the responsibility of the OPA to inform the public of the identity of CBP and its missions and goals.

5.6 All offices within CBP must coordinate with the OPA on all external contracts that support public affairs activities.

5.7 The OPA ensures that the office will not release to the public any material that is classified, law enforcement sensitive, private or proprietary information or information relating to matters in litigation or ongoing legal matters as directed in the Freedom of Information Act, Privacy Act, and other relevant law, regulation, or policy. Where there are restrictions on release or dissemination of information, offices providing such information shall advise OPA of these restrictions and ensure that documents are appropriately marked.

6. PROCEDURES.

6.1 CRIMINAL PROCEEDINGS:

6.1.1 The disclosure of official enforcement information to the news media will be fully coordinated with the appropriate office or agencies.

6.1.1.1 In matters involving post-complaint or post-indictment arrests and seizures, all statements, comments and news releases will be coordinated with the appropriate U.S. Attorney prior to release.

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6.1.1.2 No information shall be disclosed which details grand jury proceedings or prejudices

either potential or on-going criminal actions.

6.1.1.3 At no time shall any CBP personnel furnish any statement or information to influence the outcome of a trial. Spokespersons may, however, make public the following information after coordinating with the appropriate entities (except for minors):

6.1.1.3.1 the name, age, residence, employment, marital status, and similar background information of the defendant(s); for minors only name and age may be released.

6.1.1.3.2 the substance or text of the charge, if not sealed, such as a complaint, indictment or information;

6.1.1.3.3 the identity of the investigating and/or arresting agency(s); and

6.1.1.3.4 the circumstances immediately surrounding an arrest or seizure, including the time and place of the incident, resistance, pursuit, possession and use of weapons, and, if deemed appropriate, a description of physical items seized at the time of arrest.

6.1.2 CBP will **refrain** from making available the following information:

6.1.2.1 observations about a defendant's character;

6.1.2.2 statements, admissions, confessions, or alibis attributable to a defendant;

6.1.2.3 details of investigative techniques and intelligence information or of the refusal by the defendant to submit to such techniques;

6.1.2.4 statements concerning the identity, credibility, or testimony of prospective witnesses; and

6.1.2.5 statements concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial (however, this generally does not include quantities or types of contraband seized);

6.1.2.6 any opinion as to the accused's guilt, or as to the possibility of a plea of guilty to the offense charged, or as to the possibility of a plea to a lesser offense;

6.1.2.7 names of juvenile offenders; and

6.1.2.8 staffing levels of specific enforcement units.

6.1.3 There may be situations in which these proscriptions will limit the release of information which would not be prejudicial under the particular circumstances. If a CBP official believes that in the interest of the fair administration of justice, the law enforcement process, or the homeland security needs of the United States, information beyond these guidelines should be released in a particular case, he or she shall request the permission of the Commissioner or

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designee and, if the matter is to be referred or has been referred for prosecution, he or she will coordinate with the appropriate Department of Justice officials to do so. CBP officials may also consult with the Office of Chief Counsel for legal advice in such circumstances.

6.2 MEDIA REQUESTS TO PHOTOGRAPH SUSPECTS

6.2.1 Photographing of suspects /detainees by news organizations in public places or in transit is neither encouraged nor discouraged, but the individuals in CBP custody shall not be posed. Upon request of the media, mug shots of individuals in CBP custody may be provided in the interest of public safety, (i.e. to assist in the apprehension fugitives, developing investigative leads, crime deterrence, etc.) To ensure the integrity of investigations and judicial process, requests for mug shots should be coordinated with the appropriate law enforcement agency.

6.2.2 When news organizations arrive at the scene of an enforcement action in progress without prior CBP knowledge, CBP personnel shall not interfere with photographing suspects in public places or in transport. Generally, other than by reasons of judicial order or the specific need to take reasonable steps to limit activity of the news media if such activity will endanger the safety of CBP personnel or the public, or reveal CBP law enforcement techniques. CBP personnel should not prevent the lawful efforts of the news media to photograph, tape, record, or televise an enforcement action from outside a designated perimeter as long as the CBP-controlled area has not been breached.

6.2.3 Decisions to allow any photographing, videotaping or filming by the media at CBP facilities shall be made in consultation with the appropriate Public Affairs Specialist and with the concurrence and control of the appropriate CBP supervisor.

6.2.4 Detention of persons or media and/or the detention of recording equipment, film or notes are prohibited unless the owner or operator of such materials has violated federal law, unlawfully breached the security of a CBP facility, or has endangered the safety of CBP personnel.

6.3 CUSTOMS AND BORDER PROTECTION ENFORCEMENT ACTIONS – ARRESTS, SEIZURES, SEARCH WARRANTS, SURVEILLANCE

6.3.1 In cases in which a search warrant is to be executed, no advance information shall be provided to the news media about actions to be taken by law enforcement personnel, nor shall media representatives be invited to be present.

6.3.2 If the media arrive at the scene of enforcement actions, the officer in charge (or designee) or the OPA representative shall be the only authorized spokespersons within the previously stated guidelines. Authorized spokespersons may provide public information after safeguarding the integrity of the enforcement action and ensuring the safety and protecting the identity of participating law enforcement officers.

6.4 CIVIL PROCEEDINGS

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6.4.1 Guidelines for civil cases (information concerning fines, penalties, and forfeitures cases) in 19 C.F.R. 103.32 (and, to the extent the matter has been referred and is handled by the Department of Justice, in coordination with the appropriate Justice Department officials acting pursuant to 28 C.F.R. 50.2 (c) or successor regulations) shall be followed.

6.4.2 It is the policy of CBP to seek to deter violations of 19 USC §1592 and other customs and immigration laws by making known, when appropriate, general information about penalty and forfeiture actions taken by the agency.

6.4.3 After the assessment of a civil penalty, payment of a mitigated amount or judicial action, the identity of the violator; the section of the law violated and the nature of the violation; the amount of the penalty assessed; the loss of government revenue; the mitigated amount (if applicable); the amount of money paid; the alleged violator's right to seek mitigation; judicial review or appeal from a penalty assessed; and other information available under FOIA or other laws may be disclosed to the public after consulting the operational office involved and in accordance with existing CBP protocol regarding the release of information under FOIA by the appropriate OPA personnel or field manager.

6.4.4 Public disclosure of any other item of information concerning such cases, whether open or closed, shall only be made in conformance with the procedures provided in the Freedom of Information Act and other laws, as appropriate.

6.5 WHISTLEBLOWER ACT

6.5.1 CBP officials designated as spokespersons may comment on allegations made by declared whistleblowers. However, the quantity and type of information for potential release will be determined on a case-by-case basis by OPA personnel. This policy requires employees not to disclose information protected by the Privacy Act in personnel or investigative files.

6.6 RIDE-ALONG REQUESTS

6.6.1 All requests by the media to ride along in CBP aircraft and vessels must be approved in advance by the operational office HQ leadership.

6.6.1.1 Media ride-alongs on CBP conveyances are prohibited during the execution of arrest and search warrants. All other ride-along requests shall be handled on a case-by-case basis. Media related requests shall be coordinated in advance with the appropriate Public Affairs personnel. All ride-along requests shall include a signed "hold harmless" agreement. Approval of ride-along requests on CBP aircraft is contingent on applicable federal regulations regarding non-essential passengers on government law enforcement aircraft.

6.6.3 Approval of a ride-along request must take into consideration the following criteria:

6.6.3.1 safety consideration regarding individuals and activities involved;

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6.6.3.2 protection of sensitive law enforcement information, investigative techniques, and the identity of law enforcement personnel involved; and

6.6.3.3 media consent to embargo publication or broadcast pending completion of appropriate investigative matters resulting from a law enforcement action occurring during the ride-along.

6.7 CRISIS COMMUNICATIONS

6.7.1 Each CBP office, in creating their incident/emergency response plans and continuation of operations plan should ensure that their appropriate public affairs specialists is aware of the plan and understands his/her role as the communicators to the media during a crisis. Operational managers and public affairs specialists shall report incidents to their respective chains of command as quickly as possible.

6.7.2 Crises may include, but are not limited to: terrorist attacks; incidents that could be construed as terrorist-related; shooting incidents; the use or threatened use of explosives; mass deaths of illegal immigrants; ambush killings and assassinations; taking of hostages; kidnapping; hijacking; theft of weapons; mass demonstrations; sabotage; other forms of violence; and natural disasters.

6.7.3 In the event of a crisis or incident, and in accordance with the Incident Command System, it is essential to identify a local spokesperson as soon as possible and that Headquarters officials, the designated local spokesperson and the principal field officer/public affairs specialist are distributing the same information (speaking with one voice). Proposed responses to media queries shall be coordinated as soon as possible with the appropriate public affairs specialist and Headquarters. The OPA is responsible for coordinating release of information with the DHS Office of Public Affairs. Overseas, host governments and the U.S. Department of State have primary responsibility for managing incidents that involve U.S. citizens or property, including possible attacks on U.S. Government agencies or installations.

6.7.4 Further coordination should be affected with appropriate state/local entities that have a jurisdictional interest in the incident.

6.7.5 Principal field officers/public affairs specialists should consider establishing a joint information center near the scene, consistent with safety requirements.

6.8 ACCIDENTS AND INCIDENTS

6.8.1 Principal field officers and/or public affairs specialists shall ensure the timely coordination and release of accurate information released to the media as soon as possible after an accident involving CBP aircraft or vessels; or after serious vehicle accidents involving CBP personnel. This is to prevent or dispel rumors that could promote misinformation in media reports.

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6.8.2 The names of all injured or deceased accident victims will be withheld pending

notification of next of kin. Depending on the nature of the incident, and unless there are exigent circumstances to the contrary, following notification of next of kin, names of CBP employees may be released along with job title and duty station. Such release will be coordinated with impacted operational offices.

6.8.3 If news media arrive at the scene of an accident, the officer in charge or OPA personnel shall be the only official(s) authorized to release official information. The integrity of the incident site must be preserved and any exposed classified or law enforcement sensitive material immediately will be removed prior to permitting news media photography.

6.8.4 The following information may be released unless otherwise deemed law enforcement sensitive:

6.8.4.1 a general description of the type of accident (crash, mid-air collision, etc.);

6.8.4.2 the time and general location;

6.8.4.3 the aircraft's or vessel's departure point and destination (unless classified or foreign country sensitivities precludes release);

6.8.4.4 the number of crew members and passengers on board or persons in vehicle(s);

6.8.4.5 the type of aircraft, vessel or vehicle and its general purpose;

6.8.4.6 unclassified facts about the mission of the vehicle, aircraft or vessel when the accident occurred, such as training flight, patrol, surveillance, etc.; and

6.8.4.7 the fact that a board of officials, including local CBP representatives, will investigate the accident. No speculation about the cause of the accident shall be released, even if it appears obvious. Release of information concerning aircraft accidents, during and following a field investigation, shall be made only by the lead investigative agency or the investigator-in-charge.

6.8.4.8 Information that could reveal law enforcement tactics, eliminate the element of surprise, or endanger lives may not be released.

6.9 INTERNATIONAL OPERATIONS

6.9.1 The Office of International Affairs (INA) and other CBP offices with employees abroad or conducting international training programs abroad may, at their discretion and with the concurrence of appropriate U.S. embassy personnel, provide information about such programs and training to the media. When such events occur, CBP personnel abroad will inform the OPA prior to the disclosure of information, when possible. In the event that notification to the OPA cannot be made in advance, the Office of International Affairs will notify the OPA as soon as possible of any such media event.

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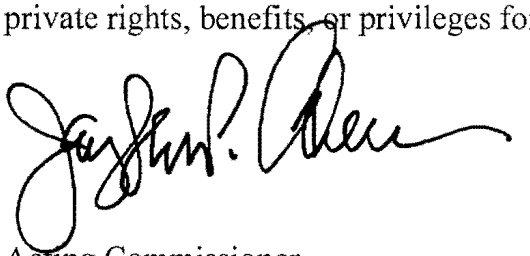
6.9.2 The Office of International Affairs, will ensure timely coordination of major international events. News releases by OPA will be coordinated with the State Department, foreign country administrations, and the Office of International Affairs.

7. MEASUREMENT

7.1 The OPA will accurately and efficiently provide information regarding CBP policies and activities to the public through interaction with accredited media, production of brochures, pamphlets, and other internal and external publications, and operation and review of interactions with the public and other stakeholders. Effective communication begins with effective planning and continues throughout the project. Some of the following methods will be used to track effectiveness of communications: web tracking; user surveys and questionnaires; telephone surveys; user observation; focus group feedback; and feedback cards.

8. NO PRIVATE RIGHTS CREATED

8.1 The procedures set forth in this directive are for CBP internal use only and create no private rights, benefits, or privileges for any private person or party.



Acting Commissioner
U.S. Customs and Border Protection

AMERICAN OVERSIGHT

From: (b) (6) (NBCUniversal (b) (6))
Sent: Thursday, May 30, 2019 1:23 PM
To: (b)(6);(b)(7)(C) @NBC Uni News Digital Desk
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

Thank you for sending this statement.

From (b)(6);(b)(7)(C) [mailt (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:31 AM
To (b) (6) (NBCUniversal (b) (6) ; @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Subject: [EXTERNAL] RE: NBC News inquiry: Private group builds mile of border wall near El Paso

CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 8:31 AM
To (b) (6) (NBCUniversal (b) (6) (b) (6), (b) (7)(C) @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b) (6), (b) (7)(C) (b)(6);(b)(7)(C)
Subject: RE: NBC News inquiry: Private group builds mile of border wall near El Paso

(b) (6)

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This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)



From (b) (6) (NBCUniversal) (b) (6) 6)
Sent: Tuesday, May 28, 2019 8:13 AM
To (b)(6);(b)(7)(C) >; @NBC Uni News Digital Desk (b) (6) nbcuni.com>
Cc (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: NBC News inquiry: Private group builds mile of border wall near El Paso

Hello,

My name i (b) (6) and I'm with NBC News. I am reaching out because we are seeing videos from a private group associated with Brian Kolfage who have been able to build a portion of their "border wall" near El Paso. Would your agency be able to verify this claim? Is this portion of the wall constructed with metal slates and a mile long?

Kolfage also shared this video below showing the construction of a portion of the wall. Can your agency confirm the authenticity of this video?

https://www.facebook.com/Brian.Kolfage.jr/videos/365817830712299/?__xts__%5B0%5D=68.ARCULCqttW1-81i7YZVDrfWZ4X8K3rC3heN01LGmUS4AAqiE01jkd_iA3Pf0g4eunRB1bpd6zkbK_BZpWoU_6HCnlIGjUP2zTpu5eIgfQdIVa2BqIzPxq9vmVcZHqUhlmqY-eMjj5MDe-mfS1ebcoOx4ngeTCzqfd3H3gyENJCQTvK_LR26cpi-c_fWt9ybGjPiCorM0t9TmA3PUSsTmVgZm3N6QE610D9yWCuEhWIxVXEnxHg6FVqjYBGjmheRTAj-kcHDVm-0FTnOkMmSC_zAUsGhHJA-WT_tOZH363qMGpFQRQm3-NIYTLd9ReHB5pU4tbxk414TliyTF11vWLaLkMLKLx48Nvmb7Eo3x&__tn__=-R

Thank you for the help and we hope to hear back.

(b) (6)
Director of Social Newsgathering
(Direct (b) (6)
(Mobile (b) (6)
(Team line (b) (6)
(b) (6)
NBC NEWS

AMERICAN OVERSIGHT

From: GoFundMe <support@gofundme.com>
Sent: Thursday, March 7, 2019 11:10 AM
To: (b) (6)
Subject: Donation Confirmation for https://www.gofundme.com/TheTrumpWall

Dear GoFundMe Customer,

Thank you for confirming that you would like your donation to go to We Build The Wall Inc., the new 501(c)(4) organization created to manage the money raised on Brian Kolfage's campaign: https://www.gofundme.com/TheTrumpWall

If you believe you have received this message in error, please reply to this email to reach our team.

Thank you,

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From: (b)(6);(b)(7)(C)
Sent: Monday, May 6, 2019 10:21 PM
To: BORKOWSKI, MARK S
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Information for 4:30pm Meeting

Mark,

Following up on your meeting recap, below is some additional information to assist with the concerns expressed by Senator Hoeven. I am going to go ahead and add this to our timeline now that this has been raised as a concern. Not sure exactly what was promised on what "follow-up" consisted of, but the below demo, as well as sharing the documents Fisher provided at the briefings to the Border Wall Program and to OA have been shared with USACE as well. If you get any insight on his expectations please let us know and I would be happy to follow up.

(b)(6);(b)(7)(C) She has a meeting with Senator Cramer next week, so I want to ensure we are on the same page)

(As confirmed by the USACE Fort Worth Office)

*Three technical USACE personnel were invited and attended a Fisher Industries Demonstration in Coolidge, AZ on **16 April 2019**. Other attendees noted by the USACE participants included: Mr. Kevin Cramer - ND Senator, Mr. Bill Cassidy - LA Senator, Ms. Debora Lasko - AZ Congresswoman, Mr. John Rutherford - FL Congressman, Mr. Andy Briggs - AZ Congressman, Mr. Matt Gaetz - FL Congressman, Mr. John Joyce - PA Congressman, Mr. Pete Stauber - MN Congressman, Mr. Dusty Johnson - SD Congressman, and Mr. Kris Kobach - former Kansas State Secretary.*

The agenda for the domination included:
** Fisher's Patent-Pending Fence Installation System Demo*
** Presentation of three stage border security system*
    ** Physical Barrier*
    ** Infrastructure*
    ** Technology*
** Fisher Industries construction presentation*
** Tour of Stinger Steel facilities*

(As confirmed by the CBP Border Wall Program)

*Two CBP personnel attended a similar demonstration at the same location on or about **13 March 2019**. Congressional representation was also present but CBP did not speak to anyone.*

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)

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

From: BORKOWSKI, MARK (b)(6);(b)(7)(C)
Sent: Monday, May 6, 2019 4:44 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: Information for 4:30pm Meeting

Just got off the call with Senator Hoeven.

He was concerned because, after he spoke to us last, we connected wit (b)(6);(b)(7)(C) and told Senator Hoeven we get the Fisher info to the Corps. The Corps never got anything from us. Senator Hoeven wants to know why. I told him I'd ask you and then get back to him.

I did tell him that I believed the Corps was aware, since Fisher had bid on contracts and we had done an assessment of their proposals. He said that he and his staff have gotten the material forwarded to the Corps so he knows they now have it but he'd still like to know why we didn't follow through.

Can you help me track that down?

Thanks,
Mark

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From: (b)(6);(b)(7)(C)
Sent: Monday, January 28, 2019 1:14 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: We Build The Wall GoFundMe

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

Here's the email.

(b)(6);(b)(7)(C)
Border Patrol Agent
Public Affairs Office
Rio Grande Valley Sector
(b)(6);(b)(7)(C)

From (b) (6)
Sent: Monday, January 28, 2019 12:11 PM
To (b)(6);(b)(7)(C)
Subject: We Build The Wall GoFundMe

H (b)(6);(b)(7)(C),

Good afternoon. Following up on my call, here is the tweet from the leader of the We Build the Wall organization:

https://twitter.com/BrianKolfage/status/1089938257725607941

Brian Kolfage and other organizers are in the Valley this week and say they will meet with landowners about privately constructing sections of border wall.

Would it be possible to get a statement from CBP about whether Kolfage and other organizers are meeting with any CBP officials today? And would it also be possible to get a statement about CBP's position on whether private landowners or groups should build border wall?

Thanks,
(b) (6)

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AP

ASSOCIATED PRESS

(b) (6) b) (6)
Reporter
Houston
(b) (6)

Office:
Mobile: (b) (6)
Fax (b) (6)
Twitter (b) (6)

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at (b) (6) and delete this email. Thank you.

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, June 4, 2019 4:44 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: Private border fence

Received

Sent from my iPhone

On Jun 4, 2019, at 16:41 (b)(6);(b)(7)(C) wrote:

> Sorry, we just aren't in a position to speak to those issues at this point.
>
> (b)(6);(b)(7)(C)
>
> **From** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Sent:** Tuesday, June 4, 2019 4:38 PM
> **To** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
> **Subject:** RE: Private border fence
>
> Sounds good. Just was checking since she's down there. Appreciate it.
>
> **From** (b)(6);(b)(7)(C)
> **Sent:** Tuesday, June 4, 2019 4:37 PM
> **To** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
> **Subject:** RE: Private border fence
>
> I stand by the "we don't have anything beyond that" fro (b)(6);(b)(7)(C) earlier email...
>
> (b)(6);(b)(7)(C)
>
> **From** (b)(6);(b)(7)(C)
> **Sent:** Tuesday, June 4, 2019 2:10 PM
> **To** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
> **Cc** (b)(6);(b)(7)(C)
> **Subject:** RE: Private border fence
>
> ALCON, here's the statement that we're currently using to address the questions about our involvement with this project.

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CBP statement attributable to a CBP spokesperson:

The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.

Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.

With regard to how the U.S. Border Patrol intends to operate in the area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Tuesday, June 4, 2019 1:57 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: Private border fence

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

I hope you had a good trip last week. See below. Anything we can share to add context? FYI, she's down there right now. Thanks (b)(6);(b)(7)(

From (b) (6) @wsj.com>
Sent: Tuesday, June 4, 2019 1:53 PM
To (b)(6);(b)(7)(C)
Subject: Re: Private border fence

And to follow up, the land owner here tells me that he is selling the land where the new private wall was built is being sold to the folks at We Build the Wall, with a provision in that contract that they must pursue a sale to the federal government for a $1. Is there any ongoing negotiations with We Build the Wall to purchase that property and the accompanying infrastructure? And just in case you can share more, is there any current plan for U.S. Border Patrol or any other U.S. government employee to monitor the cameras and sensors in place along the wall line? Thanks much.

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Cheers (b) (6)

(b) (6)
Immigration Reporter
The Wall Street Journal
Los Angeles
(b) (6) (o)
(c)
Twitter (b) (6)

On Fri, May 31, 2019 at 2:36 P (b)(6);(b)(7)(C) wrote:

> Hey, sorry, have been slammed all week. The statement below is all I have at this time, attributable to a CBP official. We don't have anything beyond that.
>
> And I have a ticket in for the phone. It calls out but doesn't let external numbers in. Frustrating.
>
> Bes (b) (6), (b) (7)
>
> CBP Statement:
>
> The U.S. Border Patrol (USBP) has identified requirements to construct more than 700 miles of border barriers along the Southwest border. These requirements have been prioritized against currently identified funding sources to enable construction in locations where border barriers will most impact border security operations. Approximately 43 miles of new barrier construction has already been completed in high priority locations, across varied terrain and topography, with many more miles underway.
>
> Fisher Industries has advised USBP that they have initiated construction activities on private property in the approximate area of a USBP border barrier requirement that was not prioritized under current funding. It is not uncommon for vendors to undertake demonstrations of their capabilities utilizing their own resources. We encourage all interested vendors to compete for border barrier contracts through established mechanisms to ensure any construction is carried out under relevant federal authorities and meets USBP operational requirements for border barrier.
>
> With regard to how the U.S. Border Patrol intends to operate in the

AMERICAN OVERSIGHT

area in which the private border barrier has been erected, our posture remains as it always has - committed to completing our border security mission regardless of the terrain, topography, and infrastructure in a given location. Our agents will continue to patrol in pursuit of operational control of the Southwest border.

From [redacted]@wsj.com>
Sent: Friday, May 31, 2019 1:32 PM
To [redacted]
Subject: Re: Private border fence

Following up on this. Also, your number still doesn't work. And need to add to the below, Kris Kobach at We Build the Wall said yesterday that the fence comes complete with lights, cameras and sensors and they will turn over "a turnkey operation" to you with a "smart fence." So, will CBP be accepting this "turnkey operation" and if so, what is the procedure for accepting a $6 million to $8 million piece of infrastructure that you neither built, oversaw or asked for?

Thanks.

[redacted]

Immigration Reporter

The Wall Street Journal

Los Angeles

[redacted](o)

(c)

Twitter [redacted]

On Tue, May 28, 2019 at 12:50 P [redacted]@wsj.com> wrote:

> Thanks for your help with this [redacted] As I mentioned, I am trying to run down a few things on the stretch of fencing/wall being built in New Mexico, just east of Monument 1.

AMERICAN OVERSIGHT

Will CBP have any roll in securing the privately-built structure? I know there is a maintenance team responsibility for fence/wall repairs in the area, will those efforts include this structure?

Will this structure inhibit or otherwise impact the Border Patrol's access to the stretch of border where this structure has been built?

Thanks in advance for your help.

Cheers (b) (6)

(b) (6)

Immigration Reporter

The Wall Street Journal

Los Angeles

(b) (6) (o)

(c)

Twitter (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 2:14 PM
To: (b)(6);(b)(7)(C)
Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (Initial)

Evolving Situation Report

National Media Presence i (b)(7)(E)

January 29, 2019, 1230 hrs.

(b)(7)(E), Texas (Zon (b)(7)(E)

GPS Coordinates: (b)(7)(E))

SIR: Pending

INITIAL

SITUATION:

On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7)(E)nea (b)(7)(E) contacted th (b)(7)(E)Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b)(7)(E) and (b)(7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b)(6)

TIMELINE:

1230 hrs. Agents assigned to Zon (b)(7)(E)nea (b)(7)(E) contacted th (b)(7)(E) Tactical Operations Center

AMERICAN OVERSIGHT

From: RGV-PAO
Sent: Tuesday, January 29, 2019 2:26 PM
To: RGV Public Affairs; RGV Comms Supervisors
Subject: FW: RG (b)(7)(E) ESR: Media Presence i (b) (7)(E) (Initial)

From (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 1:26:19 PM (UTC-06:00) Central Time (US & Canada)
To: RGV-PAO
Cc (b)(7)(E) PAIC (b)(6);(b)(7)(C)
Subject: FW: RG (b)(7)(E) ESR: Media Presence i (b) (7)(E) (Initial)

Good afternoon RGV PAO personnel.

FYSA.

(b)(6);(b)(7)(C)
Special Operations Supervisor
(b) (7)(E) *Border Patrol Station*
Rio Grande Valley Sector
(b) (7)(E)
O: (b)(6);(b)(7)(C) G: (b)(6);(b)(7)(C) P: (b)(6);(b)(7)(C) F: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C) >
Sent: Tuesday, January 29, 2019 1:18 PM
T (b)(7)(E) ES (b) (7)(E) (b)(7)(E) TO (b) (7)(E)
Subject: FW: RG (b)(7)(E) ESR: Media Presence i (b) (7)(E) (Initial)
Importance: High

Evolving Situation Report
National Media Presence i (b) (7)(E)
January 29, 2019, 1230 hrs.
(b) (7)(E), Texas (Zon (b)(7)(E)
GPS Coordinates (b) (7)(E))
SIR: Pending
INITIAL

SITUATION:
On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7) nea (b) (7)(E) contacted the (b) (7)(E) Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b) (7)(E) an (b) (7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b) (6)

AMERICAN OVERSIGHT

TIMELINE:

1230 hrs. Agents assigned to Zo [redacted]nea (b) (7)(E) contacted th (b) (7)(E) Tactical Operations Cente (b) (7)(E) -TOC) concerning media presence in the area.
1232 hrs. SBP (b)(6);(b)(7)(C) responded to the area for further inquiry.
1240 hrs. Agents advised that Breitbart News Reporter Brandon Darby was actively recording and interviewing aliens apprehended nea (b) (7)(E) an (b) (7)(E)
1240 hrs The Rio Grande Valley Sector Public Affairs Office and the the Rio Grande Valley Sector Operations Center were notified.

Updates to follow

This ESR was reviewed and approved by W (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: RGVOPCEN
Sent: Tuesday, January 29, 2019 2:32 PM
To: (b)(6);(b)(7)(C)
Cc: RGVOPCEN
Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (Initial)

ALCON,

Please see below ESR (initial) regarding Media Interest reported by the (b)(7)(E), Texas Border Patrol Station.

Regards,

RGV OPCEN

From (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 1:18 PM
To (b)(7)(E) ESR (b)(7)(E) (b)(7)(E)-TOC (b)(7)(E)
Subject: FW: RGV (b)(7)(E) ESR: Media Presence i (b)(7)(E) (Initial)
Importance: High

Evolving Situation Report

National Media Presence i (b)(7)(E)

January 29, 2019, 1230 hrs.

(b)(7)(E), Texas (Zon (b)(7)(E)

GPS Coordinates (b)(7)(E))

SIR: Pending

INITIAL

SITUATION:

On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7) nea (b)(7)(E)

AMERICAN OVERSIGHT

contacted the (b) (7)(E) Tactical Operations Center (b) (7)(E) TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b) (7)(E) an (b) (7)(E)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 3:31 PM
To: (b)(6);(b)(7)(C)
Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (FINAL)

Evolving Situation Report

National Media Presence i (b)(7)(E)

January 29, 2019, 1230 hrs.

(b)(7)(E), Texas (Zon (b)(7)(E)

GPS Coordinates (b)(7)(E))

SIR: (b)(7)(E)

FINAL

SITUATION:

On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7)(E)nea (b)(7)(E) contacted th (b)(7)(E) Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b)(7)(E) and (b)(7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b)(6)

FINAL

1330 hrs Media Interest Significant Incident Repor (b)(7)(E) generated

1400 hrs

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 4:04 PM
To: (b)(6);(b)(7)(C)
Subject: RE: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (Initial)

Who i (b)(6)

From (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 1:26 PM
To: RGV-PA (b)(7)(E)
Cc (b)(7)(E) PAI (b)(7)(E) (b)(6);(b)(7)(C)
Subject: FW: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (Initial)
Importance: High

Good afternoon RGV PAO personnel.

FYSA.

(b)(6);(b)(7)(C)
Special Operations Supervisor
(b)(7)(E) *Border Patrol Station*
Rio Grande Valley Sector
(b)(7)(E)
O: (b)(6);(b)(7)(C) M: (b)(6);(b)(7)(C) P: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)>
Sent: Tuesday, January 29, 2019 1:18 PM
To (b)(7)(E) ES (b)(7)(E) (b)(7)(E)-TO (b)(7)(E)
Subject: FW: RG (b)(7)(E)ESR: Media Presence i (b)(7)(E) (Initial)
Importance: High

Evolving Situation Report
National Media Presence i (b)(7)(E)
January 29, 2019, 1230 hrs.
(b)(7)(E) **Texas (Zon** (b)(7)(E)
GPS Coordinates (b)(7)(E))
SIR: Pending
INITIAL

AMERICAN OVERSIGHT

SITUATION:
On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon [redacted]nea (b) (7)(E) contacted the (b) (7)(E) Tactical Operations Cente (b) (7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b) (7)(E) an (b) (7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b) (6)

TIMELINE:

1230 hrs. Agents assigned to Zon [redacted]nea (b) (7)(E) contacted th (b) (7)(E) Tactical Operations Cente (b) (7)(E)-TOC) concerning media presence in the area.
1232 hrs. SBP (b)(6);(b)(7)(C) responded to the area for further inquiry.
1240 hrs. Agents advised that Breitbart News Reporter Brandon Darby was actively recording and interviewing aliens apprehended nea (b) (7)(E) an (b) (7)(E)
1240 hrs The Rio Grande Valley Sector Public Affairs Office and the the Rio Grande Valley Sector Operations Center were notified.

Updates to follow

This ESR was reviewed and approved by W (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 29, 2019 4:40 PM
To: (b)(7)(E) ESR (b)(7)(E) TOC
Subject: RG (b)(7)(E) ESR: Media Presence (b)(7)(E) (FINAL)

Evolving Situation Report

National Media Presence i (b)(7)(E)

January 29, 2019, 1230 hrs.

(b)(7)(E), Texas (Zon (b)(7)(E)

GPS Coordinates: (b)(7)(E))

SIR: (b)(7)(E)

FINAL

SITUATION:

On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zone (b)(7) nea (b)(7)(E) contacted th (b)(7)(E) Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b)(7)(E) and (b)(7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b)(6)

FINAL

1330 hrs Media Interest Significant Incident Repor (b)(7)(E)) generated

1400

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C) on behalf of RGVOPCEN
Sent: Tuesday, January 29, 2019 4:55 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (FINAL)

ALCON,

Below is an ESR (final) regarding a National Media Presence reported by th (b)(7)(E), Texas Border Patrol Station.

Regards,

RGV OPCEN

Evolving Situation Report
National Media Presence i (b)(7)(E)
January 29, 2019, 1230 hrs.
(b)(7)(E) Texas (Zon (b)(7)(E)
GPS Coordinates (b)(7)(E)
SIR: (b)(7)(E)
FINAL

SITUATION:
On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7)(E) nea (b)(7)(E) contacted the (b)(7)(E) Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b)(7)(E) an (b)(7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b)(6)

FINAL
1330 hrs Media Interest Significant Incident Repor (b)(7)(E) generated
1400 hrs Media Outlet left the area without further incident.

TIMELINE:

1230 hrs. Agents assigned to Zon (b)(7)(E) nea (b)(7)(E) contacted th (b)(7)(E) Tactical Operations Cente (b)(7)(E)-TOC) concerning media presence in the area.
1232 hrs. SBP (b)(6);(b)(7)(C) responded to the area for further inquiry.
1240 hrs. Agents advised that Breitbart News Reporter Brandon Darby was actively recording and interviewing aliens apprehended nea (b)(7)(E) an (b)(7)(E)

AMERICAN OVERSIGHT

1240 hrs	The Rio Grande Valley Sector Public Affairs Office and the the Rio Grande Valley Sector Operations Center were notified.
1330 hrs	Media Interest Significant Incident Repo (b) (7)(E) generated
1400 hrs	Media Outlet cleared the area without further incident.

No further updates anticipated

This ESR was reviewed and approved by W (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: RGVOPCEN
Sent: Tuesday, January 29, 2019 4:55 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (FINAL)

ALCON,

Below is an ESR (final) regarding a National Media Presence reported by th (b)(7)(E), Texas Border Patrol Station.

Regards,

RGV OPCEN

Evolving Situation Report

National Media Presence i (b)(7)(E)

January 29, 2019, 1230 hrs.

(b)(7)(E), Texas (Zon (b)(7)(E)

GPS Coordinates (b)(7)(E)

SIR: (b)(7)(E)

FINAL

SITUATION:

On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7)(E) nea (b)(7)(E) contacted th (b)(7)(E) Tactical Operations Center (b)(7)(E) TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b)(7)(E) and (b)(7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area f

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 10:19 AM
To: (b)(6);(b)(7)(C)
Subject: FW: (U//LES) CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

Fro (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:07 AM
To
Cc (b)(6);(b)(7)(C)
Subject: (U//LES) CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

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

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From (b) (6)
Sent: Thursday, January 31, 2019 9:04 AM
To (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

C (b) (6)

Subject: LES CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

Situational Awareness Only

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

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

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 10:25 AM
To: (b)(6);(b)(7)(C)
Subject: FW: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (FINAL)

(b)(6);(b)(7)(C)
(A)Special Operations Supervisor
Communications Branch
RGV Sector HQ
O (b)(6);(b)(7)(C)
C

From (b)(6);(b)(7)(C) **On Behalf Of** RGVOPCEN
Sent: Tuesday, January 29, 2019 3:55 PM
To: (b)(6);(b)(7)(C)

Subject: RG (b)(7)(E) ESR: Media Presence i (b)(7)(E) (FINAL)
Importance: High

ALCON,

Below is an ESR (final) regarding a National Media Presence reported by th (b)(7)(E), Texas Border Patrol Station.

Regards,

RGV OPCEN

Evolving Situation Report
National Media Presence i (b)(7)(E)
January 29, 2019, 1230 hrs.
(b)(7)(E), Texas (Zon (b)(7)(

AMERICAN OVERSIGHT

GPS Coordinates (b) (7)(E)
SIR: (b) (7)(E)
FINAL

SITUATION:
On January 29, 2019, at approximately 1230 hrs., Agents assigned to Zon (b)(7) nea (b) (7)(E) contacted the (b) (7)(E) Tactical Operations Center (b) (7)(E) TOC) concerning media presence in the area. Agents stated that Breitbart News Reporter Brandon Darby was actively recording during the apprehension of a group of aliens on (b) (7)(E) an (b) (7)(E) Mr. Darby stated that he was escorting a group of Congressional members but had intentionally not notified the Rio Grande Valley Sector Public Affairs Office. Mr. Darby also stated that he had authorization to be in the area from a gentlemen by the name o (b) (6)

FINAL
1330 hrs Media Interest Significant Incident Repor (b) (7)(E) generated
1400 hrs Media Outlet left the area without further incident.

TIMELINE:

1230 hrs. Agents assigned to Zon (b)(nea (b) (7)(E) contacted th (b) (7)(E) Tactical Operations Cente (b) (7)(E) -TOC) concerning media presence in the area.
1232 hrs. SBP (b)(6);(b)(7)(C) responded to the area for further inquiry.
1240 hrs. Agents advised that Breitbart News Reporter Brandon Darby was actively recording and interviewing aliens apprehended nea (b) (7)(E) an (b) (7)(E)
1240 hrs The Rio Grande Valley Sector Public Affairs Office and the the Rio Grande Valley Sector Operations Center were notified.
1330 hrs Media Interest Significant Incident Repor (b) (7)(E) generated
1400 hrs Media Outlet cleared the area without further incident.

No further updates anticipated

This ESR was reviewed and approved by W (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 10:46 AM
To: (b)(6);(b)(7)(C)
Subject: FW: (U//LES) CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

(b) (7)(E)

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:07 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: (U//LES) CASE SUPPORT (b) (7)(E)FYSA - Militia Activity

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

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Fro (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:04 AM
To (b)(6);(b)(7)(C),

AMERICAN OVERSIGHT

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

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

>

Subject: LES CASE SUPPORT (b)(7)(E) FYSA - Militia Activity

Situational Awareness Only

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

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

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AMERICAN OVERSIGHT

DHS-19-0993-A-000636

Sent: Wednesday, June 5, 2019 1:08 PM
To: (b)(6);(b)(7)(C)
Subject: Memo for record

(b) (5), (b) (6), (b) (7)(C)

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:54 AM
To (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

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

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:53 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

Sir,

I'll get back to you by noon. About to walk into a meeting.

Thanks,

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

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

AMERICAN OVERSIGHT

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

(b) (5)

). Thanks.

Dave

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: LINE TOUR REQUEST

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

Please see the below ride along request for David Clark for tomorrow for your review and approval.

He will be in town for the Santa Teresa new wall event tomorrow and is asking for a ride along after the event.

Your thoughts?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Strategic Communications
U.S. Border Patrol - El Paso Sector
8901 Montana Ave.
El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

Begin forwarded message:

> **From:** (b)(6);(b)(7)(C)
> **Date:** May 29, 2019 at 6:42:37 PM MDT
> **To:** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Cc:** (b)(6);(b)(7)(C)
> **Subject: LINE TOUR REQUEST**
>
> Good afternoon Sir,

AMERICAN OVERSIGHT

STN received a phone call requesting information on how to set up a line tour for Sheriff David Clarke. The caller wa (b) (6) who is currently the head of security for the "We Build the Wall" project at monument one. His number i (b) (6)

Sheriff Clarke is scheduled to be in the El Paso area for the next couple of days attending several events. Sheriff Clarke requested a line tour to see the realities faced by agents on a daily basis. Sheriff Clarke has several events scheduled throughout the day and requested the line tour (if possible) be scheduled during the evening hours. I've provide (b) (6) your contact information and he will call you shortly with specifics regarding the request.

Below is a quick Wikipedia biography on Sheriff Clarke

David Alexander Clarke Jr. is an American former law enforcement official who served as Sheriff of Milwaukee County, Wisconsin from 2002 to 2017. In 2002, Clarke was appointed to the position by Governor Scott McCallum and later elected that same year to his first four-year term. He was reelected in November 2006, 2010 and 2014.[1] Although registered and elected as a Democrat in a heavily Democratic county, many of Clarke's political views align with those of conservative Republicans.

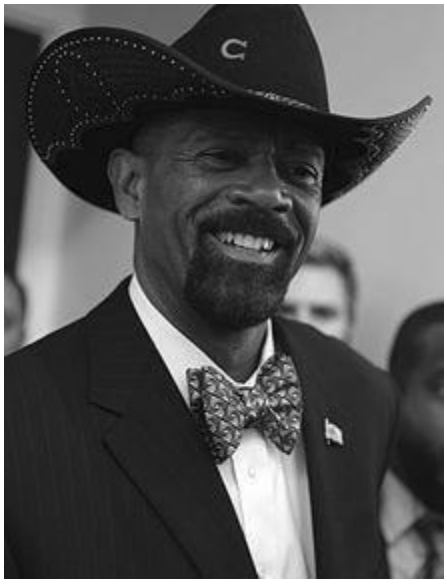
He resigned as sheriff in August 2017.[4] A vocal supporter of President Donald Trump, Clarke was considered for a role in the Trump Administration. After resigning as Sheriff of Milwaukee County, Clarke joined the super PAC America First Action as a spokesman and senior advisor, serving until February 2019.

Clarke was born in Milwaukee, one of five children of Jeri and David Clarke Sr. His father was a paratrooper with the 2nd Ranger Infantry Company. Clarke Jr. attended Marquette University High School where he played for the varsity basketball team. After finishing high school, Clarke took classes at the University of Wisconsin in Milwaukee but dropped out during his first year when he got a job driving beer trucks.

His career in law enforcement began in 1978 at the Milwaukee Police Department (MPD). He "rose through the ranks at a slow but steady pace in his 24 years with the department." Clarke was a patrol officer for eleven years and then a homicide detective; he was promoted to lieutenant of detectives in 1993 and captain in 1999.

In 1999, Clarke received a B.A. in Management of Criminal Justice from Concordia University Wisconsin's School of Adult and Continuing Education. In January 2002, Milwaukee County Sheriff Leverett F. (Lev) Baldwin resigned midway through his term to take a pension payout. Clarke was one of ten applicants for the position, and Governor Scott McCallum appointed him on March 19, 2002. He was elected to a full term later in 2002, and was reelected in 2006, 2010, and 2014.

AMERICAN OVERSIGHT



(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 5, 2019 1:10 PM
To: (b)(6);(b)(7)(C)
Subject: Memo for record

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

(b)(6);(b)(7)(C)
Attorney
Office of the Assistant Chief Counsel
U.S. Customs and Border Protection
9434 Viscount Blvd.
El Paso, Texas 79925
(b)(6);(b)(7)(C) (main line)
(direct line)

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:54 AM
To (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

Thank (b)(6);(b)(7)(C).

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:53 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

AMERICAN OVERSIGHT

Sir,

I'll get back to you by noon. About to walk into a meeting.

Thanks,

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

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:43 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: LINE TOUR REQUEST
Importance: High

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

(b) (5)

Thanks.

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

Office: (b)(6);(b)(7)(C)
Cellular: (b)(6);(b)(7)(C)
HSDN (SIPR) (b)(6);(b)(7)(C)
Address: 8901 Montana Ave, El Paso, TX 79925

From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:19 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: LINE TOUR REQUEST

(b)(6);(b)(7)(,

Please see the below ride along request for David Clark for tomorrow for your review and approval.

He will be in town for the Santa Teresa new wall event tomorrow and is asking for a ride along after the event.

Your thoughts?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Strategic Communications
U.S. Border Patrol - El Paso Sector
8901 Montana Ave.

AMERICAN OVERSIGHT

El Paso, TX 79925
(b)(6);(b)(7)(C) - Office
(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

Begin forwarded message:

From: (b)(6);(b)(7)(C)
Date: May 29, 2019 at 6:42:37 PM MDT
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: LINE TOUR REQUEST

Good afternoon Sir,

STN received a phone call requesting information on how to set up a line tour for Sheriff David Clarke. The caller wa (b) (6) who is currently the head of security for the "We Build the Wall" project at monument one. His number i (b) (6)

Sheriff Clarke is scheduled to be in the El Paso area for the next couple of days attending several events. Sheriff Clarke requested a line tour to see the realities faced by agents on a daily basis. Sheriff Clarke has several events scheduled throughout the day and requested the line tour (if possible) be scheduled during the evening hours. I've provide (b) (6) your contact information and he will call you shortly with specifics regarding the request.

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David Alexander Clarke Jr. is an American former law enforcement official who served as Sheriff of Milwaukee County, Wisconsin from 2002 to 2017. In 2002, Clarke was appointed to the position by Governor Scott McCallum and later elected that same year to his first four-year term. He was reelected in November 2006, 2010 and 2014.[1] Although registered and elected as a Democrat in a heavily Democratic county, many of Clarke's political views align with those of conservative Republicans.

He resigned as sheriff in August 2017.[4] A vocal supporter of President Donald Trump, Clarke was considered for a role in the Trump Administration. After resigning as Sheriff of Milwaukee County, Clarke joined the super PAC America First Action as a spokesman and senior advisor, serving until February 2019.

Clarke was born in Milwaukee, one of five children of Jeri and David Clarke Sr. His father was a paratrooper with the 2nd Ranger Infantry Company. Clarke Jr. attended Marquette University High School where he played for the varsity basketball team. After finishing high school, Clarke took classes at the University of Wisconsin in Milwaukee but dropped out during his first year when he got a job driving beer trucks.

His career in law enforcement began in 1978 at the Milwaukee Police Department (MPD). He "rose through the ranks at a slow but steady pace in his 24 years with the department." Clarke was a patrol officer for eleven years and then a homicide detective; he was promoted to lieutenant of detectives in 1993 and captain in 1999.

AMERICAN OVERSIGHT

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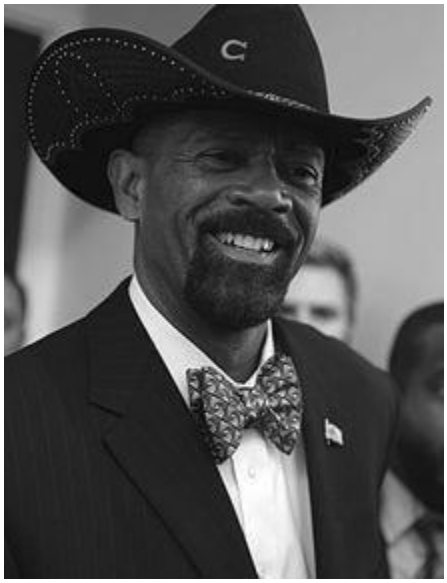

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 11:38 AM
To: (b)(6);(b)(7)(C)
Subject: FW: LES CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:04 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: LES CASE SUPPORT (b) (7)(E) FYSA - Militia Activity

Situational Awareness Only

(b) (7)(E)

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 1:40 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

Thank (b)(6);(b)(7)(C) – see ya on the line

Thank You Respectfully,

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

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

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 12:22 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

He did not come or at least has not come by the station. The Sheriff is out of town, but was going to have a Deputy provide a ride along. If I get any feedback, I'll pass it along.

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

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 12:21 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

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

How did Sheriff Clarke's visit go? Anything of interest?

Thank You Respectfully,

(b)(6);(b)(7)(C)
(A) Division Chief

AMERICAN OVERSIGHT

Law Enforcement Operations Division
Big Bend Sector

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

From (b)(6);(b)(7)(C)
Sent: Wednesday, January 30, 2019 8:57 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

Good morning. I just spoke wit (b) (6) He stated that former Sheriff Clarke is flying into Midland today and they would like to know if Border Patrol will provide him with a tour. I let him know I had not heard back from my request last week and that I was sending it up the chain again.

The question came up with regards to their map request as well. I hadn't heard anything back, so I informed them we couldn't provide maps as they are for LEO use.

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Wednesday, January 30, 2019 5:51 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

Good morning. I had a message left for me regarding a phone call for (b) (6) of the Texas Minutemen. It was regarding the ride along request for David Clarke. Is this something Border Patrol will entertain? I plan to ca (b) (6) back this morning and wanted to provide him with information. The request was originally for yesterday, other than that, I do not have any more specifics at this time.

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Friday, January 25, 2019 4:22 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: Texas Minutemen Meeting

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

AMERICAN OVERSIGHT

Good afternoon. [redacted] and I just finished up a visit fro [redacted] founder of the Texas Minutemen, and another gentlemen by the name [redacted]. [redacted] is a volunteer that came in from Florida.

At this time they only have permission to be on the land owned b [redacted], which is approximately 185 acres. They did confirm that David A. Clarke is attempting to make it to the area next Tuesday and may be flying into Midland. [redacted] stated they plan to have Sheriff Hughes provide a tour for Mr. Clarke, but also asked if Border Patrol could provide a tour. I informed them I would route that through our chain of command. In addition to Mr. Clarke [redacted] stated they are making contact with other people that support their cause and bring as much attention to the area as they can.

The entire conversation was good.

Thank you.
[redacted]

From [redacted]
Sent: Friday, January 25, 2019 2:55 PM
To [redacted]
Cc [redacted]
Subject: Re: Texas Minutemen Meeting

[redacted]

Thank You. Please ensure the rules of engagement are reiterated at musters. Also, notify us of any contact or issues.

Thank You Respectfully,

[redacted]

[redacted]
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

([redacted]
(C
Sent from my iPhone

On Jan 25, 2019, at 12:54 PM [redacted] wrote:

> [redacted]
>
> Good afternoon. I received a call fro [redacted] the Terrell County landowner that will be allowing the Texas Minutemen to patrol his property. He informed me he there are currently three members of the Texas Minutemen at his ranch and that they are anticipating approximately 10 more in a week or so [redacted] also informed me that former Milwaukee county Sheriff, David A. Clarke will be in the area next week to meet with him as well as the Sheriff. [redacted] asked if we could provide him with maps of the area to provide to the Minutemen. I told him we didn't generate those here and I would

AMERICAN OVERSIGHT

have to send the request up the chain, but I didn't believe it would be possible. (b) (6) and the Texas Militia also plan to start a GoFundMe page asking for support for fuel and what not.

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 2:47 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

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

Good afternoon. Below is what I sent t (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C)
>
Subject: Texas Minutemen Meeting

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

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landowne (b) (6) and Texas Minutemen founde (b) (6) stopped by the station. (b) (6) property is located o (b) (7)(E), (b) (6) approximatel (b) (7)(E), (b) (6) and an additiona (b) (7)(E), (b) (6) The portion (b) (7)(E), (b) (6) leading up t (b) (6) property is considered a county road. Additionally, the entrance t (b) (6) property has a sign title (b) (7)(E), (b) (6)

(b) (6) informed me that he contacte (b) (6) due to recently viewing an illegal alien alon (b) and a subsequent event when he had a satellite phone stolen, which he attributed to an illegal alien (b) (6) mentioned that he was once a Marshall in Wise County, Texas, and that he was also a Vietnam Veteran. Whe (b) (6) mentioned that he was from Wise County (b) (6) seemed surprised and mentioned that he lives in Wise County. This demonstrated to me they were not very familiar with one another.

(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood an (b) (6) stated that they will be in static positions and would advise of

AMERICAN OVERSIGHT

any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

Both men were cordial and respectful.

(b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

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

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 2:55 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

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

(b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)
Big Bend Sector
United States Border Patrol
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) >
Sent: Thursday, January 31, 2019 1:52 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

Yes Sir, I agree.

(b) (5)

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 1:48 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

Thanks for the AAR (b) (5)
.

(b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)
Big Bend Sector
United States Border Patrol
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 12:40 PM
To (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

AMERICAN OVERSIGHT

Chief

Former Sheriff Clarke did not have any contact with the Sanderson Station.

Thank You Respectfully,

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

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

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 12:22 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

He did not come or at least has not come by the station. The Sheriff is out of town, but was going to have a Deputy provide a ride along. If I get any feedback, I'll pass it along.

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Sent: Thursday, January 31, 2019 12:21 PM
To (b)(6);(b)(7)(C)
Subject: RE: Texas Minutemen Meeting

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

How did Sheriff Clarke's visit go? Anything of interest?

Thank You Respectfully,

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

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

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Wednesday, January 30, 2019 8:57 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)

Subject: RE: Texas Minutemen Meeting

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

Good morning. I just spoke wit (b) (6) He stated that former Sheriff Clarke is flying into Midland today and they would like to know if Border Patrol will provide him with a tour. I let him know I had not heard back from my request last week and that I was sending it up the chain again.

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Sent: Wednesday, January 30, 2019 5:51 AM
To (b)(6);(b)(7)(C)
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Subject: RE: Texas Minutemen Meeting

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Sent: Friday, January 25, 2019 4:22 PM
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Subject: RE: Texas Minutemen Meeting

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Good afternoon (b)(6);(b)(7 and I just finished up a visit fro (b) (6) founder of the Texas Minutemen, and another gentlemen by the name (b) (6) is a volunteer that came in from Florida.

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AMERICAN OVERSIGHT

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

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

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(O (b)(6);(b)(7)(C)
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AMERICAN OVERSIGHT

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To (b)(6);(b)(7)(C)
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From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Texas Minutemen Meeting

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AMERICAN OVERSIGHT

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I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

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

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 2:58 PM
To: (b)(6);(b)(7)(C)
Subject: RE: LES CASE SUPPORT -(b) (7)(E)FYSA - Militia Activity

You're welcome

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:08 AM
To: (b)(6);(b)(7)(C)
Subject: RE: LES CASE SUPPORT (b) (7)(E)FYSA - Militia Activity

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.
If you believe this to be a malicious and/or phishing email, please send this email as an attachment to (b) (7)(E)

Thank you for sharing with us.

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

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AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Thursday, January 31, 2019 9:04 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: LES CASE SUPPORT (b)(7)(E) FYSA - Militia Activity

Situational Awareness Only

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

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

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AMERICAN OVERSIGHT

From: Brian Kolfage - WeBuildTheWall, Inc. <info@webuildthewall.us>
Sent: Thursday, January 31, 2019 5:51 PM
To: (b)(6);(b)(7)(C)
Subject: GoFundMe told me you still need to take action to have your contribution count

Dear original donor to our GoFundMe Campaign to build the wall,

GoFundMe just told me that they still haven't heard from you whether or not you still want to support our project to build the wall. Your contribution will be automatically refunded unless you use the email address you're receiving this email from to tell GoFundMe that you want to OPT-IN by clicking on ***THIS LINK***

Our team just wrapped up our first visit to the border and I can tell you that we're going to start building segments of wall very soon. We've assembled an incredible team that includes people like General Spalding, John Moran, Eric Prince, Tom Tancredo, Sheriff David Clarke, angel Mom Mary Ann Mendoza, and Kris Kobach. Today we just announced two more incredible additions by adding Breitbart's Border and Cartel Chronicles Director Brandon Darby and Baseball Legend Curt Schilling!

We hope that you are seeing all the progress our team is making and choose to have your generous contribution support this historic project.

We are working hard to EARN YOUR SUPPORT!

To make sure your contribution counts please check the email address you received this email on and enter it into GoFundMe's OPT-IN form that you can find on the link below:

Click HERE to tell GoFundMe that you still want to build the wall!

If you have any questions, you can email us at info@webuildthewall.us and we will do our best to answer those for you.

Thank you and God Bless,
Brian Kolfage
President, WeBuildTheWall



WeBuildTheWall, Inc. | PO Box 131567, Houston, TX 77219-1567

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

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DHS-19-0993-A-000660

From: [redacted]
Sent: Thursday, July 25, 2019 12:10 PM
To: [redacted]
Subject: Fwd: Complimentary Reception Invitation from the El Paso County Republican Party - THIS THURSDAY

Sent from my iPhone

Begin forwarded message:

From: [redacted]
Date: July 22, 2019 at 10:39:00 AM MDT
Subject: Fwd: Complimentary Reception Invitation from the El Paso County Republican Party - THIS THURSDAY

Sent from my iPhone

Begin forwarded message:

From: El Paso County Republican Party <elpasogophq@gmail.com>
Date: July 21, 2019 at 6:17:49 PM MDT
To: [redacted]
Subject: Complimentary Reception Invitation from the El Paso County Republican Party - THIS THURSDAY
Reply-To: <elpasogophq@gmail.com>

Your El Paso County Republican Party invites you to attend this reception as our guests to show a big El Paso welcome to the national headliners and speakers:

SYMPOSIUM AT THE WALL

Thursday, July 25, 2019

6:00PM - 9:30PM

1000 Brickland Rd., Sunland Park, NM

(Site of the newly constructed border wall - WE BUILD THE WALL)*

SEE BULLETS BELOW*



AMERICAN OVERSIGHT

Come meet, shake hands, have a glass of wine, take selfies, and talk with the likes of :

Stephen K. Bannon, Citizens of the American Republic

Brian Kolfage, We Build the Wall

Kris Kobach, We Build the Wall

Candace Owens, Turning Point, Conservative Activist

Sheriff David Clarke, Former Sheriff, Milwaukee, WI

Congressman Louis Gohmert (R TX)

And more **!**

SUBMIT REGISTRATION BY CLICKING HERE!!!

NOTE YOU ARE ATTENDING BY INVITATION OF THE EL PASO COUNTY REPUBLICAN PARTY.

You will receive prompt **email confirmation**.

- ***Symposium's temporary shelter incorporates full bathroom facilities, artificial turf and Refrigerated Air.**
- **Complementary meals served daily between symposium seminar sessions.**
- **Symposium program updates will follow by email**
- **El Paso County Republican Party – Symposium Hotline: (915) 400-4653**

Directions and site map are on Registration form.

GET MORE DETAILED INFORMATION BY CLICKING HERE!

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You are receiving this e-mail because you signed up via e-mail, web site, or at GOP head quarters.

Our mailing address is:

El Paso County Republican Party
120 Paragon
Suite 220
El Paso, TX 79912

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You can update your preferences or unsubscribe from this list.



AMERICAN OVERSIGHT
DHS-19-0993-A-000663

From: (b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 1:08 PM
To: (b)(6);(b)(7)(C)
Cc: BORDERWALLTASK (b)(6);(b)(7)(C)) (b)(6);(b)(7)(C)
Subject: RE: DRAFT: Border Wall Weekly (22-26 July)

Added additional media info re: wall symposium! See below!

From (b)(6);(b)(7)(C) .
Sent: Thursday, July 25, 2019 12:32 PM
To (b)(6);(b)(7)(C)
Cc: BORDERWALLTASKS (b) (7)(E) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: DRAFT: Border Wall Weekly (22-26 July)

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

Please see below for draft weekly. The two highlights are reminders to circle back wit (b)(6);(b)(7)(C) following the PMR. Holding off on updating the card until we hear back from him!

Please let me know if you have any questions or further updates!

Best,

(b)(6);(b)(

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

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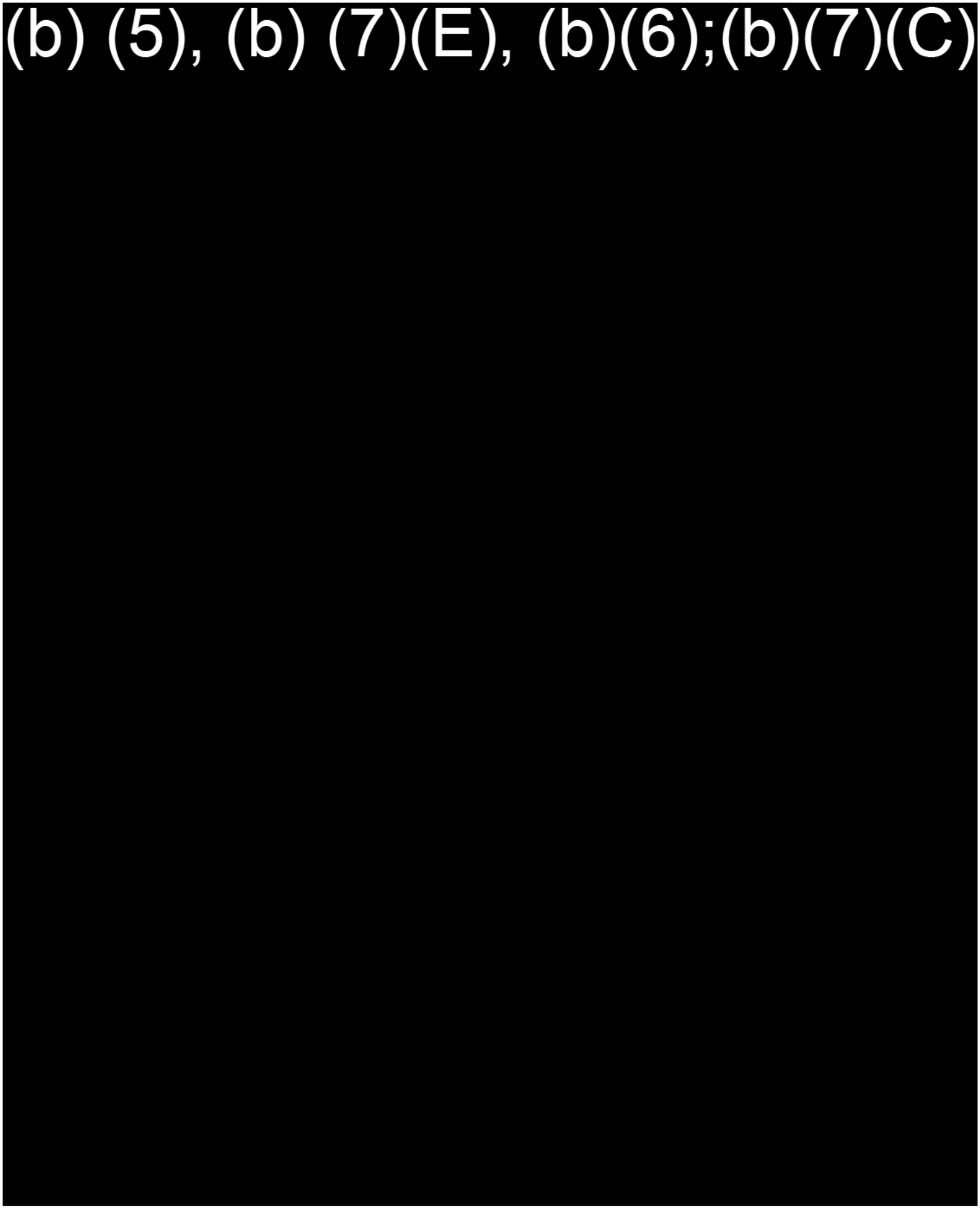

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(b) (5), (b) (7)(E), (b)(6);(b)(7)(C)

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

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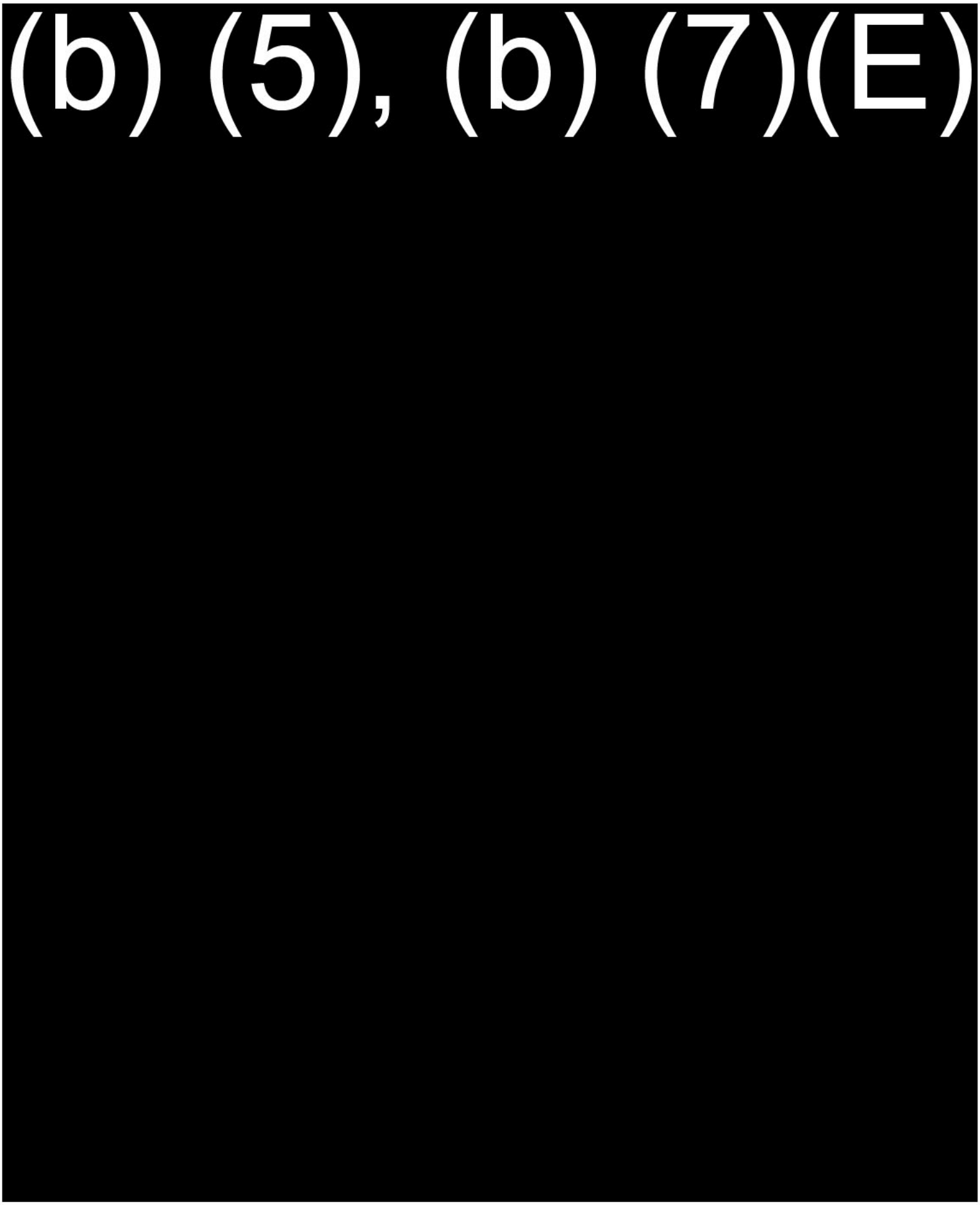

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[redacted]

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From: PROVOST, CARLA (USBP)
Sent: Thursday, July 25, 2019 2:35 PM
To: MARTIN, JERRY B
Cc: LUCK, SCOTT A (USBP); HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: Re: We Build the Wall-Planned Event

Please make sure the 4th floor is aware

Carla L. Provost
Chief
U. S. Border Patrol
(b)(6);(b)(7)(C)

On Jul 25, 2019, at 1:32 PM, MARTIN, JERRY (b) (6), (b) (7)(C) > wrote:

> Chief and Deputy,
>
> For your visibility, We Build The Wall has scheduled a Border Wall Symposium today through Saturday at the Sunland Park project location. Below is a list of today's speakers and events. You'll notice that Brandon Judd will be present as will high ranking members of Congress and Donald Trump Jr.. On a related note, we have completed the assessment on this property and will be ready to tee up with our recommendation within the next week or so.
>
> VR
>
> ***Brian Martin***
> ***U.S. Border Patrol***
> ***Chief of Strategic Planning and Analysis***
> ***Washington, DC***
> O (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, July 25, 2019 12:55 PM
To: MARTIN, JERRY (b) (6), (b) (7)(C)
Subject: FW: We Build the Wall-Planned Event

Here's the email chain below on the symposium, but I also copied out the website agenda for today that shows Judd as a speaker for ease.

08:30
Welcome Kris Kobach
08:45
The Current Crisis: Facts, Figures and Analysi (b) (6)
Introduction by Kris Kobach

AMERICAN OVERSIGHT

10:00
Defending America and Her Border [redacted], **Brandon Judd**, border patrol agents Introduction by Kris Kobach
11:15
The Wall We Built Brian Kolfage D [redacted]
11:30
The Politics of Immigratio [redacted] an [redacted] Introduction by Brian Kolfage
12:15
Buffet Lunch
12:30
Keynote Speakers Introduction by Brian Kolfage
13:30
The Grassroots Fight for Border Security [redacted] Introduction b [redacted]
13:45
Open Border Churches: Human Traffickers Hiding behind the Cros [redacted] Introduction by Congressman Tom Tancredo
14:30
Every Town, a Border Town: The Impact of Immigration on American Cities Sheriff Clarke [redacted], Mary Ann Mendoza, Steve Ronnebeck, Congressman Tom Tancredo Introduction and discussion led by John Fredricks
15:45
Using Citizen Journalism to Drive the National Narrative [redacted], Typical Liberal [redacted] Introduction and Moderated by Brian Kolfage
16:45
A Nation of Legal Immigrant [redacted] Introduction b [redacted]

[redacted]
Desk [redacted]
Mobile [redacted]

From [redacted]
Sent: Monday, July 22, 2019 4:24 PM
To: MARTIN, JERRY [redacted] SINGLETON, RUYNARD R [redacted]
Cc [redacted]
Subject: FW: We Build the Wall-Planned Event

FYSA

[redacted]
Desk [redacted]
Mobile [redacted]

From [redacted]
Sent: Monday, July 22, 2019 4:00 PM
To [redacted]
Cc [redacted]
Subject: FW: We Build the Wall-Planned Event

[redacted],

AMERICAN OVERSIGHT

Please see email traffic below from Santa Teresa station in regard to a "Wall Symposium" that is scheduled to take place at the new wall that was built by Fisher (We Build the Wall) group. Below is the website that was provided to me by their Foreman Mike Furey, that lists the attendees and a countdown.
THanks

http://thewallsymposium.com/

(b)(6);(b)(7)(C), Program Manager
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 9:02 AM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
; EPT-LEO (b) (7)(E)
Subject: We Build the Wall-Planned Event

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

As requested, I reached out t (b) (6) and he confirmed that an event was taking place Thurs-Saturday at the site of the new wall at th (b) (7)(E) area. He was unwilling to share details so I contacted (b)(6);(b)(7)(C) who reached out to the site foreman. (b)(6);(b)(7)(C) was just informed by the foreman that FOX News will cover a "Wall Symposium" on Thursday at 1800 hours. Present at this event will be some high ranking member of congress, Donald Trump Jr. is expected to be present as well. There is an active attempt to keep this event concealed and without direct contact with the We Build the Wall folks we seem to be out of the loop. (b)(6);(b)(7)(C) has requested a schedule/timeline of events which the foreman has already indicated that he would share. (b)(6);(b)(7)(C) will forward these to us as soon as he gets it.

(b)(6);(b)(7)(C)
Deputy Patrol Agent In Charge
Santa Teresa Border Patrol Station
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Friday, July 26, 2019 8:46 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) BORDERWALLTASKS (b) (6), (b) (7)(C)
Subject: RE: FO (b)(6);(b)(7)(C) REVIEW: Border Wall Weekly (22-26 July)

Added a sentence for RG (b) (7)(E) below based on PMR discussions.

From (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 8:20 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b) (6), (b) (7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS (b) (7)(E) (b)(6);(b)(7)(C)
Subject: FOR (b)(6);(b)(7)(C) REVIEW: Border Wall Weekly (22-26 July)
Importance: High

(b)(6);(b)(7)(C) For your review (b)(6);(b)(7)(C) updated based on the PMR but I do not have final confirmation fro (b)(6);(b)(7)(C) on content. I have 3 notes for him that I want to verify. All my comments are incorporated.

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

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

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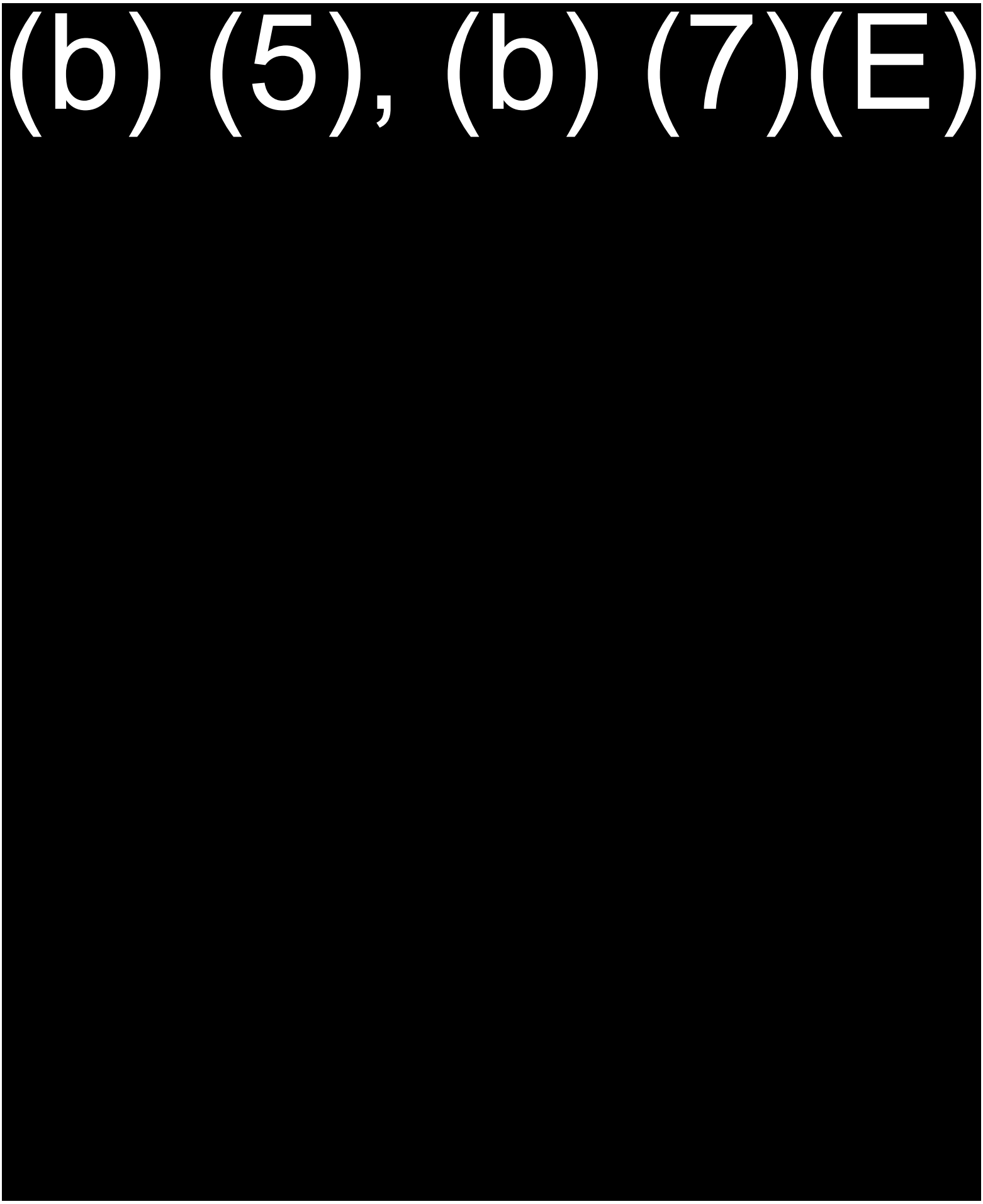

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(b) (5), (b) (7)(E)

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From: (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 8:47 AM
To: BORDERWALLTASKS
Subject: FW: USIBWC requests of WBTW
Attachments: Anexo Escrito Recorrido 20190604.pdf; USIBWC Comments for Bollard Gate Proposal BACKCHECK COMMENTS 07-10-2019.pdf; 2019 06 20 Demand Letter to IBWC re Private Border Wall.docx.pdf; Protective Works Above AD CAD New Mexico Central 9.21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

(b)(6);(b)(7)(C) PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: Rebecca Rizzuti <rebecca.rizzuti@ibwc.gov>
Sent: Thursday, July 25, 2019 3:10 PM
To (b)(6);(b)(7)(C)
Cc: Jose Nunez <jose.nunez@ibwc.gov>; Padinare Unnikrishna <padinare.unnikrishna@ibwc.gov> (b) (6)
Subject: USIBWC requests of WBTW

This message classified as **Official - SBU**

Thanks for the call yesterday

I'm following up on our homework which was to provide to CBP the list of requests we are making of WBTW for their gate:

a. The attached PDF titled (USIBWC Comments for Bollard Gate Proposal BACKCHECK COMMENTS 07-10-2019.pdf" lists in detail some of the technical information we are asking of them (ie, drainage reports, hydraulic analyses, design drawingsetc.) and some other items we are requesting from them. This is our most recent list of requests made to them. Also, at the end of this document, you will find photos depicting the encroachments into Mexico. The following items are in the PDF, but I thought we'd highlight them to you as these are less technical in nature.
    i. Documents that reflect that WBTW conducted requested consultation with NM Env. Dept. , NM SHPO, USFWS, USACE.
    ii. Mechanize the gate.
    iii. Plan for desilting of drainage ponds
    iv. Plan for maintenance of the gate

AMERICAN OVERSIGHT

v. Liability insurance or other financial commitment to cover injuries or damages caused by the gate or caused by defect in design.
vi. We are also requesting that WBTW remove the encroachments into Mexico. This is more involved that just removing rocks as at least one of the encroachments looks like it is used to support the base of the gate. So, it seems like it is part of the structure. The attached PDF titled "Protective Works Above AD CAD new Mexico Central 9.21.pdf" depicts the location of the encroachments on a map. The attached PDF titled "Anexo Escrito Recorrido 20190604" are the pictures provided to us b (b) (5) regarding the encroachments.

2) Attached PDF titled"2019_6_20 Demand Letter to IBWC re Private Border Wall" is the ACLU's demand letter to the USIBWC. This lays out the basis of their potential legal claims.
3) With regard to our suggestion to CB (b) (5)

Respectfully,

Rebecca A. Rizzuti

Assistant Legal Adviser, USIBWC
4171 N. Mesa, Bldg C-100
El Paso, TX 79902
(915) 832-4729 (OFFICE)
(b) (6) (CELL)

This message is classified as **Official - SBU** by **IBWC\Rebecca.Rizzuti** on **Thursday, July 25, 2019 1:08:16 PM**

AMERICAN OVERSIGHT

June 20, 2019

SENT VIA EMAIL

Matt Myers
Chief Counsel
U.S. International Boundary and Water Commission

Rebecca Rizzuti
Attorney
U.S. International Boundary and Water Commission

RE: Unlawful private border gate on federal levee road in Sunland Park, New Mexico

Dear Mr. Myers and Ms. Rizzuti:

We write with serious concern about the unlawful private border gate ("gate") that has been constructed on a federal levee road in Sunland Park, New Mexico, by the extremist group We Build the Wall ("WBW") and an associated group of vigilantes (together, "the applicants"). As a threshold matter, the U.S. International Boundary and Water Commission ("IBWC") must deny the permit application for the already constructed gate; otherwise, the agency risks violating several laws that apply to the permit, as discussed below. We also urge the IBWC to coordinate with the U.S. Attorney for the District of New Mexico and other federal and state agencies to prevent the applicants from continuing to take, and trespass on, federal land; stop the applicants from continuing to harm local air, water, and economic environments, as well as threaten the area's imperiled species; require the applicants to immediately remove the gate to redress these violations and harms; and compel the applicants to pay for environmental remediation.[1]

The applicants' brazenly unlawful conduct sets a dangerous precedent.

Days ago, the extremist group WBW built a privately funded border gate on a federal levee road in Sunland Park, New Mexico. In building a giant steel gate, WBW worked alongside a group of vigilantes who recently held migrant families seeking asylum at gunpoint in Southern New

[1] We encourage the IBWC and U.S. Attorney for the District of Mexico to investigate other potential federal violations, including impeding federal employees from their work obligations through force, threat, and intimidation, and depredation of government property.

AMERICAN OVERSIGHT

Mexico.[2] The applicants built the gate without obtaining a legally required federal permit from IBWC. The gate on federal land closes the gap in a longer wall that the applicants recently constructed on private land. The applicants constructed the longer wall on private land without first obtaining a permit from the City of Sunland Park.[3] When the gate's steel door is closed, as it was for several days, it blocks the only remaining entry point from the United States to International Boundary Monument One ("Monument One"), a public monument and park area that are included on the National Register of Historic Places (Number 74001195).[4]

The applicants' unlawful conduct sets a dangerous precedent. They and their extremist supporters have repeatedly acted with impunity threatening public officials, journalists, and asylum seekers with violence while publicly flouting state and federal laws. The applicants now pledge to repeat what they have done in Sunland Park elsewhere along the U.S.-Mexico border.[5]

Although the applicants' conduct is unprecedented, the answer to their permit request is not a difficult one: the IBWC treaties, the U.S. Constitution, and federal law require the IBWC to deny the permit. Granting the permit application or a modified version of it would violate the law, condone the applicants' unlawful conduct, and embolden the applicants to continue taking, and trespassing on, federal land along the U.S.-Mexico border.[6]

I. IBWC's fundamental treaty and other legal obligations require that the agency deny the permit application.

The IBWC's fundamental purpose is to apply binational treaties and provide Mexico and the United States with "binational solutions" to questions about the international boundary and waters between the two countries. The IBWC's mission is "to apply the rights and obligations which the Governments of the United States and Mexico assume under the numerous boundary and water treaties and related agreements, and to do so in ways that benefits the social and economic welfare of the peoples on the two sides of the boundary and improves relations between the two countries."[7] The IBWC's authority over activities in the Rio Grande Basin,

---

[2] Simon Romero, "Militia in New Mexico Detains Asylum Seekers at Gunpoint," N.Y. TIMES (April 18, 2019), https://www.nytimes.com/2019/04/18/us/new-mexico-militia.html.

[3] A.P., "A New Mexico City Issued a Cease-and-Desist Order Against a Privately Funded Border Wall," TIME (May 29, 2019), https://time.com/5597362/new-mexico-border-wall-cease-desist/.

[4] International Boundary Marker No. 1, U.S. and Mexico, *National Register Digital Assets*, https://npgallery.nps.gov/AssetDetail/NRIS/74001195.

[5] The Trump Wall, *GoFundMe*, https://www.gofundme.com/TheTrumpWall ("PROJECTS 2 & 3 : WILL ANNOUNCE LOCATION WHEN CONSTRUCTION IS COMPLETE").

[6] The letter writers acknowledge and thank ACLU of New Mexico Legal Assistant Elsa Goossen and ACLU Border Rights Center Legal Intern Eden Klein for their significant contributions to this letter.

[7] IBWC, "Its Mission, Organization and Procedures for Solution of Boundary and Water Problems," https://www.ibwc.gov/about_us/about_us.html.

AMERICAN OVERSIGHT

where the gate is located, derives from binational treaties,[8] U.S. statutes implementing those treaties,[9] and binational minutes.[10] Additionally, the U.S. Secretary of State has delegated the administration of certain lands to the IBWC.[11] The Secretary of State's delegated powers also appear to give the IBWC the authority "to issue revo[c]able licenses for public or private use for irrigation or other structures or uses not inconsistent with the use of such lands made, or to be made, by the United States, across any lands retained by the United States, and to execute all necessary leases, title instruments, and conveyances, in order to carry out the provisions of this section."[12]

The IBWC's Realty and Asset Management Office has established specific criteria for applicants who wish to build on IBWC-administered land.[13] Among other requirements, the Realty and Asset Management Office requires applicants to provide "resource agency statements" from the appropriate Historic Preservation officer, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers.[14] Those statements must indicate that the resource agencies have no objections to the proposed construction. Additionally, the IBWC has established construction criteria requiring that the IBWC review and approve gates on levee roads before they are constructed or installed.[15]

An unlawful gate built without a permit and without the required agency assessments and statements is at odds with the IBWC's fundamental purpose, treaty obligations, and rules all of which legally require the IBWC to protect the integrity of the Rio Grande, prevent flooding, and ensure easy access to IBWC diversion dams and other structures, including the American

---

[8] Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary, U.S.-Mex., Nov. 23, 1970, 23 U.S.T. 371 ("1970 Water Treaty"); Supplementary Protocol to the Chamizal Arbitration, U.S.-Mex., Dec. 5, 1910, 33 Stat. 2487 ("1910 Chamizal Protocol"); Convention for the Arbitration of the Chamizal Case, U.S.-Mex., June 24, 1910, 36 Stat. 2481 ("1910 Chamizal Convention"); Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, U.S.-Mex., Feb. 3, 1944, 59 Stat. 1219 ("1944 Water Treaty"); Convention to Avoid the Difficulties Occasioned by Changes in the Beds of the Rio Grande and Colorado Rivers, U.S.-Mex., Mar. 1, 1889, 26 Stat. 1512 ("1889 Water Convention").

[9] 22 U.S.C. §§ 277–277i.

[10] IBWC, "Minutes Between the United States and Mexican Sections of the IBWC," https://www.ibwc.gov/Treaties_Minutes/Minutes.html.

[11] 22 U.S.C. § 277e.

[12] *Id.*

[13] International Boundary and Water Commission, Reality and Asset Management Division, https://www.ibwc.gov/Permits_Licenses/boundary_realty.html.

[14] *Id.*

[15] IBWC, "Criteria for Construction Activities within the Limits of USIBWC Floodways," Volume IV Chapter 315 Handbook H315 (July 27, 2000), p. 20, https://www.ibwc.gov/Files/Construction_Criteria_Activities_w_Limits_USIBWC_Floodways_040219.pdf.

AMERICAN OVERSIGHT

Diversion Dam, which is blocked when the gate is closed. Because of where it is built, the gate may increase the risk of flooding and may negatively affect the Rio Grande serious concerns that the Mexican IBWC has raised. The IBWC may not unilaterally consider a permit application without resource agency statements addressing a number of serious defects in the gate's purpose and structure:

(1) **The gate serves no legitimate purpose that would justify a permit from the IBWC, whose authority is limited.** According to your office, the IBWC typically reviews and approves permits for utility firms wishing to extend their utility poles over federal land, and farmers wishing to use water for irrigation. These activities, which require easements or permits from the IBWC, are consistent with the utilities' and farmers' legitimate business purposes, delivering utilities and irrigating crops. Moreover, in considering permits for these legitimate activities, the IBWC must still assess whether the activity may undermine its flood prevention activities. Although we have not seen a copy of the permit application (we are currently requesting it under the Freedom of Information Act), it appears that the American Eagle Brick Company and WBW's interest in building the gate is exclusively to block people from crossing a federal road.[16] American Eagle Brick and WBW have no legal authority to block people from passing on a federal road and may not request a permit to do so. If the American Eagle Brick Company wishes to block people from entering its property, it must use its own resources to obtain a permit and erect a fence on the perimeter of its own land to accomplish that purpose. It may not take a federal road, which is unnecessary for this private purpose.

(2) **The gate implicates the First Amendment to the Constitution and the National Historic Preservation Act and several federal environmental laws—federal laws that the IBWC cannot unilaterally waive**. The IBWC may not waive the Constitution or its own rules in considering a permit application, nor can it ignore federal laws which require that the permit applicants obtain the requisite agency statements assessing compliance with federal historic preservation and environmental laws from the appropriate Historic Preservation officer, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers. The applicants must obtain these statements before the permit application is considered to be complete.[17] The IBWC must require WBW to supplement its request with these required agency determinations.

(3) **The IBWC has no authority to grant a permit for an unlawful gate *ex post facto*.** None of the IBWC's rules or federal law authorize the IBWC to exempt the gate from the permit process or to provide a permit for a gate that was built without complying with the agency review processes under the IBWC's own rules. If the IBWC violates its own rules and exempts the gate from other agencies' review processes, not only will it embolden

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[16] Brian Kolfage, @BrianKolfage, Twitter (June 15, 2019, 5:50 PM), https://twitter.com/BrianKolfage/status/1140059150040408064.

[17] IBWC, Reality and Asset Management Division, https://www.ibwc.gov/Permits_Licenses/boundary_realty.html.

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extremists to take federal property for private purposes and construct without permits, it will also expose the IBWC to legal liability and set a dangerous precedent.

II. The unlawful gate raises serious concerns under the First Amendment.

Monument One has significant binational historical and cultural significance. School children and teachers often visit the monument park on field trips. Families picnic, jog, recreate, and celebrate their bicultural identities in the park.[18] And for decades, people have gathered at the Monument to celebrate bicultural identity and unity.[19] These expressive activities are protected under the First Amendment. The Supreme Court and Courts of Appeals have consistently interpreted the First Amendment broadly to protect not only written and spoken words, but also other expressive activities and symbolic speech that communicate ideas, such as picketing and leafleting,[20] refusing to salute[21] or burning[22] the American flag, wearing black armbands,[23] engaging in a sit-in in a public reading room of a library,[24] and sharing food with unhoused people in a park.[25]

When it locked the gate for several days, WBW unilaterally locked border residents out of their own culture and history. WBW and American Eagle Brick have wrongly claimed on several occasions that they either own or control portions of the federal levee road and a federal easement. Just days ago, a private vigilante and WBW supporter who manages the American Eagle Brick Company threatened and harassed ACLU staffers who tried to visit Monument One.[26] The manager appears to have directed his employees to block the staffers from walking along the federal levee road easement under the railroad tracks, an area that is necessary to pass

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[18] Debbie Nathan and Jordyn Rozensky, "Private Wall Expands onto Federal Land, Blocking Access to Historic Site," *The Intercept* (June 11, 2019, 6:30 a.m.), https://theintercept.com/2019/06/11/private-border-wall-federal-land/.

[19] *See, e.g.,* "Border Park is Proposed," EL PASO HERALD-POST (May 25, 1938), p. 7; "Dignitaries From Mexico, U.S. Will Dedicate Park," EL PASO HERALD-POST (Dec. 7, 1972), p. 15; "Monument No. 1 Park Dedicated to 'Unity,'" EL PASO HERALD-POST (Dec. 8, 1972), p. 5; "Unveil Plaques," El Paso Times (Dec. 9, 1972), p. 9 (showing an image of "United States and Mexican federal and local authorities and representatives of civic and historical organizations of the two countries" dedicating "a Historical Park at International Boundary Monument No. 1"), p. 9; Leon Katz, "Boundary Monument worth Visiting," EL PASO TIMES (Feb. 12, 2001), p. 6.

[20] *See, e.g.*, *Carey v. Brown*, 447 U.S. 455 (1980); *Gregory v. Chicago*, 394 U.S. 111, 112 (1969); *Shuttlesworth v. Birmingham*, 394 U.S. 147, 152 (1969); *Thornhill v. Alabama*, 310 U.S. 88 (1940).

[21] *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 634 (1943).

[22] *Texas v. Johnson*, 491 U.S. 397 (1989).

[23] *Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503, 505 (1969).

[24] *Brown v. State of La.*, 383 U.S. 131 (1966).

[25] *Fort Lauderdale Food Not Bombs v. City of Fort Lauderdale*, 901 F.3d 1235, 1238 (11th Cir. 2018).

[26] ACLU of New Mexico, @aclunm (June 7, 2019, 4:00 pm), Twitter, https://twitter.com/ACLUNM/status/1137132269364162560.

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in order to reach Monument One. When the staffers arrived at the entrance to Monument One, they tried to open the large steel WBW gate and could not because it was locked.

Under the First Amendment, streets and parks "have immemorially been held in trust for the use of the public, and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions."[27] The Supreme Court recently observed that "a park is a traditional public forum for speeches and other transitory expressive acts[.]"[28] "In these quintessential public forums, the government may not prohibit all communicative activity."[29] While the government may impose "content-neutral restrictions on the time, place, or manner of speech in a public forum[,]" those restrictions must meet three criteria. "First, the regulations may not delegate overly broad licensing discretion to a government official. Second, the scheme must be narrowly tailored to serve a significant governmental interest. And third, it must leave open ample alternatives for communication."[30]

In speaking with your office, it is unclear how the IBWC or U.S. Customs and Border Protection ("CBP") will manage access to Monument One: this presents a serious problem under the First Amendment. The IBWC may not, for example, require that would-be visitors who wish to exercise their First Amendment rights at Monument One apply in advance for a permit to pass the gate that would almost certainly violate the first criterion ("overly broad licensing authority") under the time-place-manner analysis.

Second, the IBWC has vaguely claimed that "security concerns" now require the gate to be closed at "night[.]"[31] Given that the public has had free and unfettered access to Monument One since 1855, it is unclear why "security concerns" now require an unlawful gate to be closed on federal land at night. It is also unclear when a person may access Monument One to engage in protected First Amendment activities because IBWC has not informed the public about the hours when the gate will be open and Monument One will be accessible. Moreover, the applicants have openly and publicly claimed that private "guards and security" will be posted at the gate when it is open, raising concerns that they may continue to interfere with public access to Monument One.[32] The current uncertainty about public access raises serious concerns under the second criterion (that restrictions must be "narrowly tailored to serve a significant government interest").

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[27] *Hague v. CIO*, 307 U.S. 496, 515 (1939).

[28] *Pleasant Grove City, Utah v. Summum*, 555 U.S. 460, 464 (2009).

[29] *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 45 (1983).

[30] *Boardley v. U.S. Dep't of Interior*, 615 F.3d 508, 516 (D.C. Cir. 2010) (citing *Forsyth Cty., Ga. v. Nationalist Movement*, 505 U.S. 123, 130 (1992)).

[31] IBWC, "Private Gate on Federal Property to be Locked at Night" (June 11, 2019), https://www.ibwc.gov/Files/Press_Release_061119_2.pdf

[32] "Locked gate put in by We Build the Wall cut by international water panel," EL PASO TIMES (June 11, 2019, 3:32 p.m., updated June 12, 2019, 9:53 a.m.), https://www.elpasotimes.com/story/news/immigration/2019/06/11/ibwc-cuts-locked-gate-put-up-we-build-wall-sunland-park-nm/1425618001/

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Finally, when the gate is closed and locked, as it was for many days, despite the IBWC's demands that it remain open, there is no "alternative[] for communication." Monument One is a significant place for First Amendment activity because it celebrates the very bicultural identity that the gate attacks. The gate blocks access to Monument One from the United States. If the IBWC does not enforce its legal obligation to keep the gate open, it will prevent people from having access to Monument One. Celebrating one's bicultural identity across the Rio Grande in El Paso or on the federal levee road in front of the unlawful gate the two public areas that are closest to Monument One when the gate is closed are not appropriate alternatives to Monument One.

III. Section 106 of the National Historic Preservation Act requires federal agencies, including the IBWC, to undertake a detailed review process in which the Advisory Council on Historic Preservation, state and local government officials, and the public are entitled to meaningfully participate.

The IBWC has no unilateral authority under federal law to issue a permit for a private border gate on federal land that blocks U.S. public access to Monument One, which is on the National Register of Historic Places.[33] Under Section 106 of the National Historic Preservation Act, any "project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency" including activities "requiring a Federal permit, license, or approval" is an "undertaking[.]"[34] The permit application proposing a gate construction project that would block access to Monument One is an "undertaking" under Section 106. Because the gate is an undertaking, the IBWC has a legal obligation to "take into account the effect of the undertaking on any historic property" and "afford the [Advisory] Council [on Historic Preservation] a reasonable opportunity to comment with regard to the undertaking."[35] In other words, the IBWC may not unilaterally permit the gate construction without first consulting with the Advisory Council on Historic Preservation and allowing it an opportunity to review and comment on the proposed permit.

The New Mexico state historic preservation officer, representatives of Sunland Park, and members of the public are also all entitled to meaningfully participate in the Section 106 review process.[36] Specifically, under Section 106, the IBWC "shall . . . initiate consultation with the appropriate [state historic preservation or tribal historic preservation] officer or officers [SHPO/THPO]" and "should consult with the SHPO/THPO in a manner appropriate to the agency planning process for the undertaking and to the nature of the undertaking and its effects on historic properties."[37] Additionally, federal law entitles a "representative of a local government with jurisdiction over the area in which the effects of an undertaking may occur" to

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[33] International Boundary Marker No. 1, U.S. and Mexico, *National Register Digital Assets*, https://npgallery.nps.gov/AssetDetail/NRIS/74001195.

[34] 54 U.S.C. § 300320.

[35] *Id.* § 306108.

[36] 36 C.F.R. §§ 800.1–800.13 (regulations governing the Section 106 process).

[37] *Id.* § 800.3 (emphasis added).

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participate in the Section 106 process as a consulting party.[38] Finally, Section 106 requires the IBWC to provide notice and an opportunity for the public to comment because "[t]he views of the public are essential to informed Federal decisionmaking in the section 106 process."[39] Specifically, the IBWC "official shall seek and consider the views of the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties, the likely interest of the public in the effects on historic properties, confidentiality concerns of private individuals and businesses, and the relationship of the Federal involvement to the undertaking."[40] In short, Section 106 requires that the IBWC engage state and local government officials and the public in reviewing how the proposed permit, if granted, would affect Monument One.

Because the gate, when closed, prevents U.S. public access to Monument One, the IBWC should not grant the permit because it would fundamentally alter the character of, and would block public access to, Monument One. What is more, the permit applicants' conduct both in building the gate without a permit and in defying the IBWC's demands that the gate remain unlocked so as not to prevent access to Monument One indicates that the IBWC cannot trust that the applicants will abide by any requirements that the IBWC might impose in conditionally approving the permit. Under the NHPA, the IBWC cannot approve the permit.

IV. The Antideficiency Act may prohibit the IBWC or any other federal agency from accepting the gate as a donation or a gift.

The permit applicants have boasted that they have given or intend to give the gate keys to the U.S. Border Patrol.[41] We understand that the IBWC currently has the keys to the already constructed gate. If the IBWC or the Border Patrol accepts the wall or the gate as a gift or as a donation even tacitly, by accepting keys to take control over it the government will likely violate the Antideficiency Act.[42] The Antideficiency Act prohibits the government from accepting voluntary services for the United States. The purpose of the law is to prevent the U.S. government from spending money that Congress has not appropriated for it to spend. In essence, the law prevents executive agencies from making an end run around the constitutional separation of powers. Because Article I of the U.S. Constitution gives Congress the power of the purse, an executive agency like the IBWC or the Department of Homeland Security may not overstep its constitutional authority in accepting gifts or donations for construction projects that Congress did not fund through its appropriations process. To erect the gate on federal land, WBW put a

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[38] *Id.* § 800.2(c)(3).

[39] *Id.* § 800.2(d).

[40] *Id.*

[41] Aaron Martínez, "Privately funded wall built at El Paso: 'Why wouldn't we allow it?' land owner asks," EL PASO TIMES (May 27, 2019, 12:39 p.m., updated at 5:48 p.m.), https://www.elpasotimes.com/story/news/immigration/2019/05/27/privately-funded-border-wall-goes-up-near-el-paso-gofundme-money/1251156001/ (quoting former Kansas Secretary of State Kris Kobach, "We built the wall and then hand the keys to the Border Patrol and say 'Here. Happy Memorial Day.'")

[42] 31 U.S.C. § 1342.

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number of its employees and contractors to work for several days. Congress appropriated no federal money for the gate and the U.S. government did not compensate WBW for its labor in constructing the gate. By allowing the group to construct its gate on federal property, the IBWC is benefitting from unpaid, voluntary services, and appears to be violating the Antideficiency Act.[43]

V. Under the National Environmental Policy Act, the IBWC must evaluate the environmental, social, and economic impacts of the gate construction and consider reasonable alternatives.

Under the National Environmental Policy Act of 1969 ("NEPA"), the IBWC must evaluate the environmental, social, and economic impacts of the gate and consider reasonable alternatives to the gate itself including no action, or not permitting the gate whatsoever. As "our basic national charter for protection of the environment,"[44] NEPA's purpose is to "foster excellent action," and "is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment."[45] Specifically, NEPA requires federal agencies like the IBWC to prepare an environmental impact statement ("EIS") for all "major Federal actions significantly affecting the quality of the human environment."[46] Federal regulations implementing NEPA require the IBWC to evaluate the environmental, social, and economic impact of any major federal action it intends to take including issuing a permit for a gate on federal land as well as preferable alternatives to that action.[47] The IBWC has no authority to exempt a gate construction project on federal land from NEPA.[48]

Under Tenth Circuit law, when private entities propose major actions on federal land, the private entities' actions are subject to NEPA if federal approval is a prerequisite to taking that action. "[C]onstruction . . . activities" on federal land requiring permits are precisely the kind of major actions by nonfederal actors that are subject to NEPA.[49] The IBWC's own regulations align with

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[43] 31 U.S.C. § 1342 ("An officer or employee of the United States Government or of the District of Columbia government may not accept voluntary services for either government or employ personal services exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property.")

[44] 40 C.F.R. § 1500.1(a).

[45] *Id.* § 1500.1(c).

[46] 42 U.S.C. § 4332(C).

[47] *Id.*

[48] Operational Procedures for Implementing Section 102 of the NEPA, Other Laws Pertaining to Specifics Aspects of the Environment and Applicable Executive Orders (46 FR 44083, Sept. 2, 1981).

[49] *Sierra Club v. Hodel*, 848 F.2d 1068, 1089 (10th Cir. 1988), o*verruled on other grounds by Vill. of Los Ranchos De Albuquerque v. Marsh*, 956 F.2d 970 (10th Cir. 1992) (NEPA "regulations establish that major federal action encompasses not only actions by the federal government but also actions by nonfederal actors with effects that may be major and which are potentially subject to Federal control and responsibility. Nonfederal major federal action refers, inter alia, to activities regulated or approved by

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the Tenth Circuit's view that private construction projects on federal land implicate the agency's compliance with NEPA: "[a]ctions planned by a private applicant or non-federal entities prior to or concurrent with the initiation of the Section's studies, or involving an existing project shall be handled . . . in accordance with [Council on Environmental Quality] CEQ Regulations[.]"[50] The CEQ regulations mandate that IBWC do the following, among other requirements:

(1) "Apply NEPA early in the process."[51]
(2) Engage in an "early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action."[52]
(3) Prepare an environmental impact statement or assessment.[53]
(4) In preparing the EIS or EA (Environmental Assessment), consider a "range of alternatives[,]"[54] including "the alternative of no action."[55]
(5) In preparing the EIS or EA, discuss the purpose and need for the project.[56]
(6) Publish the draft environmental impact statement and solicit public comment.[57]
(7) Assess and consider the public's comments both individually and collectively and respond to the comments.[58]
(8) Circulate the final environmental impact statement.[59]

The gate implicates several potential environmental impacts, including but not limited to the surrounding communities' air and land quality, as well as economic conditions related to the Monument. Here, the IBWC's consideration of the permit application constitutes a federal agency action that is subject to NEPA compliance. At a bare minimum, then, the IBWC may not

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federal agencies, including approval of specific projects such as construction ... activities located in a defined geographic area. Such approval may occur through permit or other regulatory decision as well as federal and federally assisted activities. A leading commentator has observed: [T]he distinguishing feature of federal involvement is the ability to influence or control the outcome in material respects. The EIS process is supposed to inform the decision-maker. This presupposes he has judgment to exercise. Cases finding federal action emphasize authority to exercise discretion over the outcome.) (internal citations and quotation marks omitted).

[50] Operational Procedures for Implementing Section 102 of the NEPA, Other Laws Pertaining to Specifics Aspects of the Environment and Applicable Executive Orders (46 FR 44083, Sept. 2, 1981).

[51] 40 CFR § 1501.2.

[52] *Id.* § 1501.7

[53] *Id.* § 1501.4(b).

[54] *Id.* § 1505.1(e).

[55] *Id.* § 1502.14(d).

[56] *Id.* §§ 1502.13, 1508.9(b).

[57] *Id.* § 1503.1.

[58] *Id.* § 1503.4.

[59] *Id.* § 1502.19.

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approve the permit application before it completes an EA to evaluate the impacts of the project and determine whether a full-blown EIS is necessary, and a separate Finding of No Significant Impact ("FONSI"). However, because the project implicates several of the NEPA "significance factors" that govern when an EIS is necessary including, *e.g.*, the precedential nature of this project; the risk to meaningful access to Monument One; and many other threatened legal violations[60] it is apparent that the IBWC could not approve the permit application before it prepares an EIS.

VI. The gate raises serious concerns under the Endangered Species Act.

The gate and permit application raise serious concerns under the Endangered Species Act of 1973 ("ESA"). Numerous imperiled species are located near or around the gate, including the Mexican gray wolf that has been shown in the vicinity of the gate and the U.S.-Mexico border.

The ESA is the "most comprehensive legislation for the preservation of endangered species ever enacted by any nation."[61] The ESA's purpose is to conserve and protect endangered and threatened species and their ecosystems.[62] The primary mechanism by which the ESA achieves its purpose is by making it "unlawful for any person" to "take any [endangered or threatened] species within the United States" or to "cause to be committed" any "take[.]"[63] The ESA broadly defines the meaning of "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct."[64] The U.S. Supreme Court and the U.S. District Court for the District of New Mexico have likewise interpreted "take" "as broad as possible[,]" including "every conceivable way in which a person can 'take' or attempt to 'take' any fish or wildlife."[65] The ESA establishes broad liability both for people who directly take and for government employees and officials who permit others to take endangered or threatened species.[66]

Moreover, as a federal agency, IBWC has a separate ESA obligation to ensure that any activity it undertakes or approves is not likely to jeopardize any listed species or critical habitat.[67] To meet this requirement, IBWC must consult with the U.S. Fish and Wildlife Service ("FWS") and prepare a Biological Assessment to address species impact issues. At minimum, IBWC must

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[60] *See* 40 C.F.R. § 1508.27 (listing factors for determining whether an EIS must be prepared).

[61] *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon*, 515 U.S. 687, 698 (1995) (quoting *TVA v. Hill*, 437 U.S. 153, 180 (1978)).

[62] 16 U.S.C. § 1531(b)

[63] *Id.* § 1538(a)(1)(B), (g).

[64] *Id.* § 1532(19).

[65] *Middle Rio Grande Conservancy Dist. v. Babbitt*, 206 F. Supp. 2d 1156, 1174 (D.N.M. 2000) (quoting *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon*, 515 U.S. 687, 704 (1995)).

[66] 16 U.S.C. §§ 1532(13), 1540(g)(1)(A).

[67] *Id.* § 1536(a)(2).

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obtain FWS' concurrence that the project is not likely to adversely affect species. If any adverse effects may occur, IBWC must also obtain a full Biological Opinion from FWS detailing those effects and the steps that must be taken to mitigate them.[68] What IBWC may not do, however, is approve the permit application without complying with these critical processes designed to protect the Nation's endangered and threatened species.

Specifically, according to GPS telemetry data from wolf scientists, the Mexican gray wolf has been shown to have crossed the U.S.-Mexico border near the location of the gate.[69] The Mexican gray wolf is one of the most imperiled mammals in North America, and its survival depends on its ability to travel freely across the U.S.-Mexico border in order to mate with wolves in their non-natal population and thus increase the genetic diversity of the animals comprising both populations. The gate constitutes a physical obstruction to the Mexican gray wolf and its ability to cross the border and thus triggers the IBCW's consultation obligations under the ESA.

VII. The petition applicants likely violated the Clean Air Act and New Mexico's State Implementation Plan in failing to control fugitive dust while constructing the gate and the fence.

The permit applicants boast that they excavated "200,000 cubic yards" of earth in Sunland Park, Doña Ana County.[70] Their unlawful and hasty construction project likely violated New Mexico's State Implementation Plan ("SIP") under the federal Clean Air Act ("CAA") in failing to control fugitive dust. The fugitive dust rule specifically applies to construction and construction activities in Doña Ana and Luna Counties.[71]

The federal CAA is designed to preserve and improve the quality of ambient air in the United States in order to protect people's health and the environment. To accomplish the CAA's mandate, the Environmental Protection Agency ("EPA") promulgates National Ambient Air Quality Standards ("NAAQS").[72] The CAA requires each state, in turn, to establish its own SIP to comply with the NAAQS.[73] Three years ago, the EPA required "[a]ll states having areas with historically documented or known seasonal events" affecting ambient air quality "to develop a mitigation plan."[74] Historically documented or known seasonal events include the seasonal dust that comes with high winds in Doña Ana and Luna Counties. In response to the EPA's mandate

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[68] *Id.*

[69] Original data from Mexico Procuraduría Federal de Protección al Ambiente (PROFEPA), as relayed to the U.S. Fish and Wildlife Service on or about Jan. 27, 2017.

[70] We Build the Wall, "A Job Well Done With A Lot More To Come," YouTube (June 13, 2019), https://www.youtube.com/watch?time_continue=1&v=jWdOmVzBWLI.

[71] N.M. Code R. 20.2.23 ("Fugitive Dust Control") (2019), https://www.env.nm.gov/wp-content/uploads/2018/12/20.2.23-NMAC-1.pdf.

[72] 42 U.S.C. § 7409(a), (b).

[73] *Id.* § 7410(a)(1).

[74] 40 C.F.R. § 51.930(b)(1).

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under the CAA, the New Mexico Environment Department promulgated a fugitive dust rule and mitigation plan.[75] This rule prohibits people from "caus[ing] or allow[ing] visible emissions from fugitive dust sources that: A. pose a threat to public health; B. interfere with public welfare, including animal or plant injury or damage, visibility or the reasonable use of property."[76] The YouTube video of the fugitive dust alone raises serious questions about the applicants' compliance with the fugitive dust rule.[77] Additionally, under the rule, "[t]he owner or operator of a fugitive dust source shall develop and maintain a dust control plan."[78] It is not clear that the applicants and their supporters including the American Eagle Brick company have a dust control plan or are complying with it.

If the IBWC permits the gate, it would likely violate the CAA, specifically as implemented in New Mexico under the fugitive dust rule.

VIII. The applicants have likely violated the Clean Water Act in failing to obtain the requisite permit.

We understand that the IBWC is requiring the applicants to provide a stormwater runoff study. This is required under the Clean Water Act ("CWA"). But a study is not enough under the CWA. The CWA's fundamental purpose is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters."[79] To achieve its purpose, the CWA prohibits any person from discharging any pollutant from a point source into navigable waters, unless they receive a permit that authorizes them to do so.[80] The word "pollutant" "means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water."[81] Anyone who seeks to discharge any pollutant into navigable waters must apply for and comply with the terms and limits of a National Pollutant Discharge Elimination System ("NPDES") permit.[82] Failing to comply with the NPDES permit process is also a violation of the CWA.[83] The

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[75] N.M. Code R. 20.2.23 ("Fugitive Dust Control") (2019), https://www.env.nm.gov/wp-content/uploads/2018/12/20.2.23-NMAC-1.pdf.

[76] N.M. Code R. 20.2.23.109.

[77] We Build the Wall, "A Job Well Done With A Lot More To Come," YouTube (June 13, 2019), https://www.youtube.com/watch?time_continue=1&v=jWdOmVzBWLI.

[78] N.M. Code R. 20.2.23.112.

[79] 33 U.S.C. § 1251(a).

[80] *Id.* §§ 1311(a) ("the discharge of any pollutant by any person shall be unlawful"), 1342 (permits), 1362(12) (defining the discharge of any pollutant).

[81] *Id.* § 1362(6).

[82] Id. §§ 1311(a), 1342(a)(1)

[83] *Id.* § 122.41(a) ("Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action.").

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applicants have constructed a giant steel gate that is just feet away from the Rio Grande. It appears that the applicants have yet to conduct a stormwater runoff study, let alone obtain an NPDES permit. Given the proximity of the gate to the Rio Grande, the construction project raises serious questions about the applicants' compliance with the NPDES permit process and the CWA.

IX. The gate and fence construction's proximity to the American Smelting and Refining Company's El Paso Smelter Superfund site raises serious concerns under all of the environmental laws discussed in this letter.

Ten years ago this month, on June 5, 2009, the U.S. Bankruptcy Court for the Southern District of Texas approved a settlement providing for a $52 million trust to clean up the American Smelting and Refining Company ("ASARCO") in El Paso, Texas.[84] The Court approved the settlement under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA" or "Superfund")[85] and the Resource Conservation and Recovery Act ("RCRA").[86] The IBWC participated in the claims process for the ASARCO Superfund, specifically raising concerns about the cost of "the need to address metals-contaminated groundwater emanating from the former ASARCO El Paso smelter complex in connection with proposed construction projects on the American Canal, a man-made waterway connected to the Rio Grande River in El Paso, Texas."[87] The fund provides for "an allowed general unsecured claim of $19,000,000" for the U.S. government to ensure the remediation of the soil and address groundwater contamination.[88] The proximity of the ASARCO Superfund site to the large-scale construction project raises serious concerns about the movement of metals-contaminated soil. In considering the permit application, the IBWC must also consider serious, site-specific contamination that may stem from the ASARCO Superfund's contamination of soil and groundwater on IBWC-managed land.

IBWC Should Coordinate with Federal and State Agencies to Stop Unlawful Conduct and Require Remediation.

The applicants' unlawful conduct is breathtaking: twice, they have engaged in major construction projects in Sunland Park without first obtaining necessary permits under state and federal law. If the government continues to permit the applicants' conduct to go unchecked, it will set a dangerous precedent, emboldening the applicants and other extremist groups to take federal land for their own private purposes while violating a myriad of federal laws. The IBWC should coordinate with federal agencies, including the U.S. Attorney's Office for the District of New Mexico and the U.S. Department of Justice, to prevent the applicants from continuing to

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[84] *In re ASARCO LLC*, No. 05-21207, 2009 WL 8176641 (Bankr. S.D. Tex. June 5, 2009).

[85] 42 U.S.C. §§ 9601 *et seq.*

[86] 42 U.S.C. §§ 6901 *et seq.*

[87] *In re ASARCO LLC*, No. 05-21207, 2009 WL 8176641, at *34.

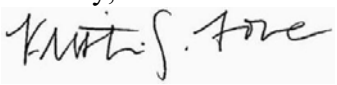
[88] *Id.*

AMERICAN OVERSIGHT

violate federal laws, prevent them from blocking access to Monument One, and require them to remove the gate and remediate the environment.

We are deeply concerned with the secrecy shrouding what should be a public permitting process. We would welcome the opportunity to discuss this matter further. Please contact us with any questions.

Sincerely,



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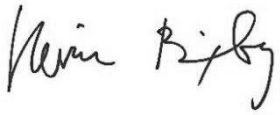

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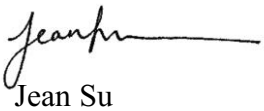

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Senator Udall

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Councilor Carolina Renteria, City of Sunland Park, NM District 4

AMERICAN OVERSIGHT

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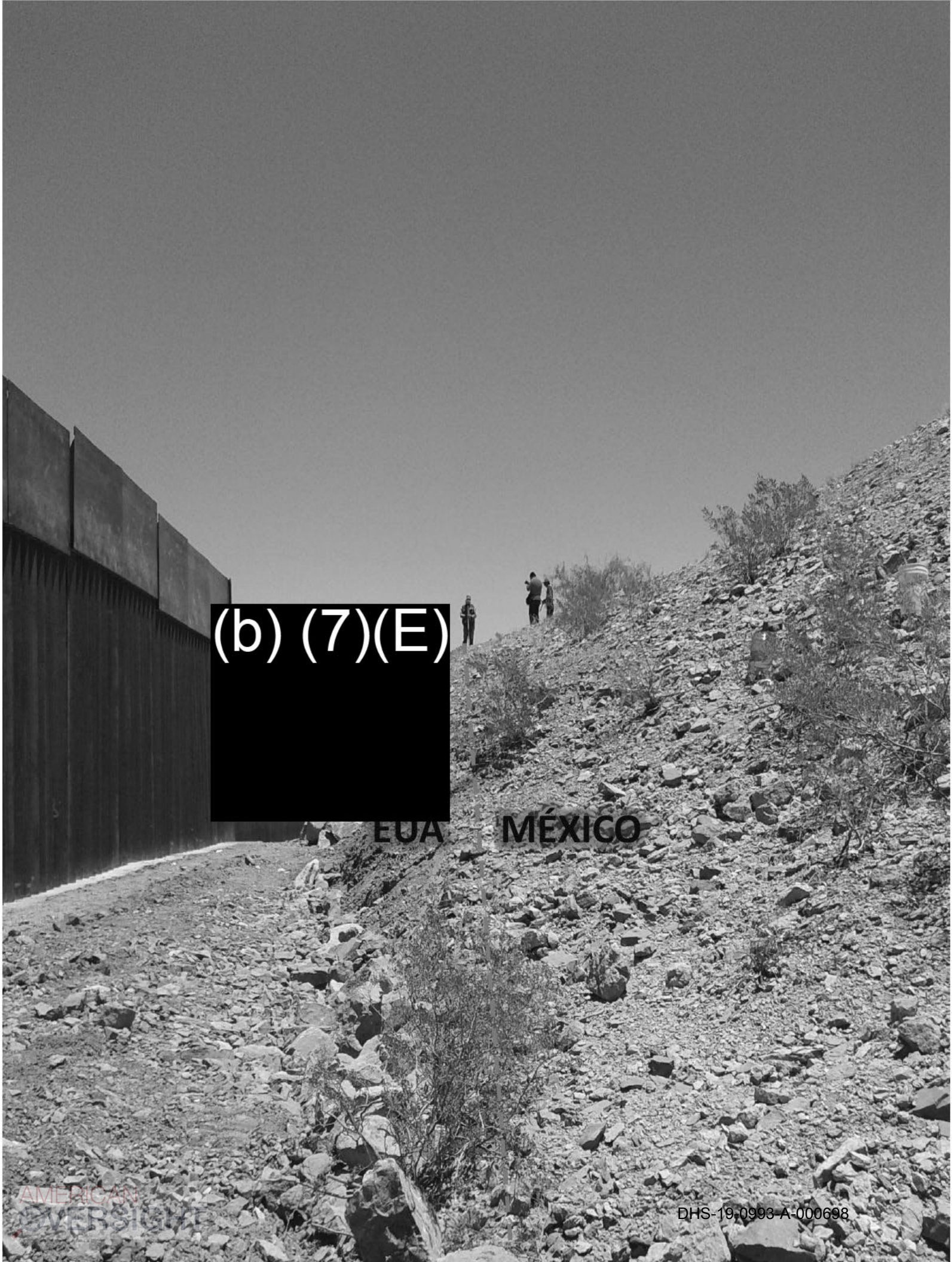

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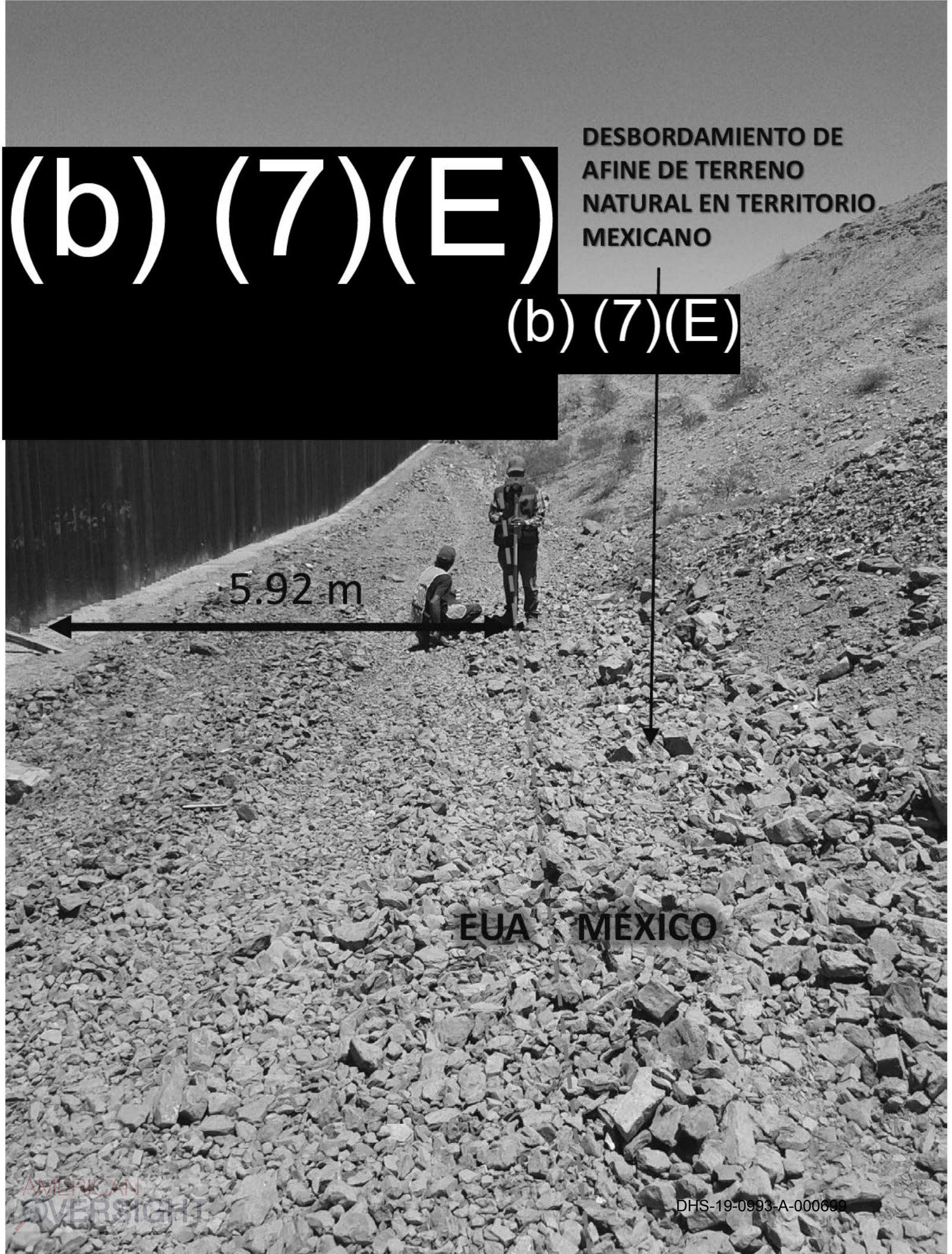

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CORTE DE TERRENO
NATURAL EN TERRITORIO (b) (7)(E)

(b) (7)(E)



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(b) (7)(E)



AMERICAN OVERSIGHT



DHS-19-0993-A-000702

DESBORDAMIENTO DE TALUD HACIA TERRITORIO MEXICANO

(b) (7)(E)

(b) (7)(E)



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DESBORDAMIENTO DE TALUD HACIA TERRITORIO MEXICANO

(b) (7)(E)



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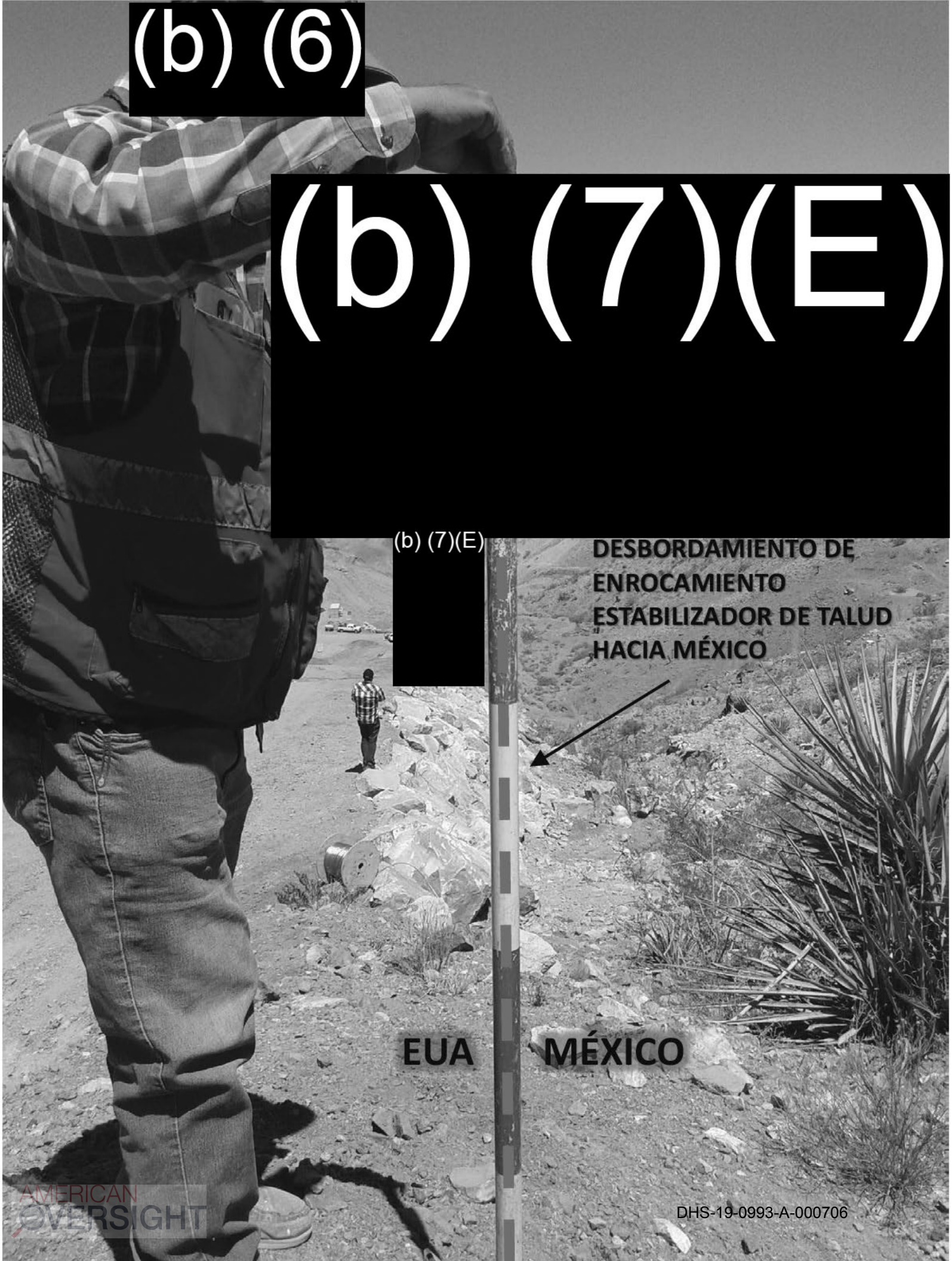
DESBORDAMIENTO DE ENROCAMIENTO ESTABILIZADOR DE TALUD HACIA MÉXICO

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

(b) (7)(E)



AMERICAN OVERSIGHT



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LÍNEA DIVISORIA INTERNACIONAL ENTRE MONUMENTOS (b) (7)(E)

Mon. (b) (7)(E)

(b) (7)(E)



Letrero Demarcador de la Línea Divisoria Internacional

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

INTERNATIONAL BOUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO UNITED STATES SECTION
USIBWC REAL PROPERTY ASSESSMENT
PROJECT: GO FUND ME FENCE
EOF: N/A — R/W FILE No. N/A
NEW MEXICO STATE PLANE CENTRAL
UPDATE BY: (b) (6) — JUNE 4, 2019

Review:

1. **Current proposal of gate locatio [redacted] creating safety and security problem. Agency does not have resources to properly handle increased illegal traffic crossing [redacted] Not placing a fence in the proposed area would provide less of a pathway to USIBWC infrastructure.**

    - ***Fisher Industries response:*** *Response Solutions that propose to reduce or remove a private property owner's right to fence or otherwise deny illegal access and provide protection to their own property are patently unfair and unacceptable.*

    - ***USIBWC response:*** *Concerns of directing the flow of illegal immigrants and unauthorized persons towar [redacted] of the privately funded/built gate are approximatel [redacted] These gates are for flood purposes an [redacted] Private entities do not have the right to erect gates on or obstruct access through public lands without authorization. Doing so may constitute a violation of federal laws, including: 43 U.S.C § 1061; 43 U.S.C. § 1063; 18 U.S.C. § 1361.*

2. **The trench that was dug to place the concrete slab needs to be backfilled and compacted. It is imperative that a smooth transition be made on the driving surface of the levee and top of concrete slab that was placed for the gate.**

    - ***Fisher Industries response****: This has been done. Thank you*

    - ***USIBWC response:*** *USIBWC will clear this action item pending land inspection and agency satisfaction of works by the contractor.*

3. **Consultation letters are required for any portion of the work that is within the limits of property owned by the U. S. Government. A Point of Contact for the USACE has been provided under a separate email and is [redacted] Las Cruces USAG [redacted]**

    - ***Fisher Industries response****: Our coordination was with the Department of Homeland Security to provide effective measures to prevent individuals from illegally entering the United States. It is our hope that the various agencies would work together to make that happen.*

    - ***USIBWC response:*** *Please provide written documentation demonstrating applicant's coordination with DHS regarding the proposed project and confirming that it is a DHS-sponsored project. In response to comment 1 above, applicant stated that the purpose of the gate was to protect private property – this answer to number 3 indicates that it serves a governmental purpose.*

      Non-governmental entities seeking permits from the USIBWC must coordinate with US Army Corps of Engineers (USACE) to make a determination of whether the project impacts jurisdictional waters and provide a letter from USACE that explains USACE's analysis of the proposed project and determination with regard to jurisdictional waters. This consultation is not incumbent on the USIBWC, but on the project proponent.

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4. **A Drainage Report is required to be submitted for the erection of the fence in this area. The report should include the grading plan that was implemented for this project. The Mexican Section of the IBWC has raised concerns that the grading will negatively impact the country of Mexico; cause erosion and divert stormwater to their side.**

    - ***Fisher Industries response:*** *A Drainage Report will be provided as requested. The runoff flows will not cause any abnormal erosion or significant negative impacts to the neighboring property in Mexico.*

    - ***USIBWC response:*** *Insufficient documentation was submitted. Please submit the following:*

        A. *Drainage design provided is for 10-year storm whereas USIBWC looks at 100-year storm event. Perform the calculations for the 100-year storm event.*

        B. *Time of concentrations for the basins are not shown; Clearly show how the storm duration was determined citing the appropriate formula.*

        C. *Runoff coefficients for some of the basins are smaller; please provide the reference from which these values are taken. Alternatively, City of El Paso, Texas Drainage Design Manual dated June 2008 can be utilized.*

        D. *As per attachment "We Build The Wall; initial Project at AEB attached as **"EXHIBIT C"**. Please provide the delineation of areas A through H.*

        E. *Provide a comparison of pre and post-project peak runoff values for each sub-basin.*

        F. *As per the attached photo Titled "**EXHIBIT A**", areas have been identified by CILA where construction fill has spilled over into Mexico. These areas can be identified as mounds in the soil profile. Please remove the fill.*

        G. *Any damage to the monument or USIBWC levees from runoff generated from the project area needs to be repaired by the proponent to the USIBWC's satisfaction.*

5. **As per the attached photo, areas have been identified by Mexican IBWC (GILA) where construction fill has spilled over into Mexico. These areas can be identified as mounds in the soil profile. Please remove the fill.**

    - ***Fisher Industries response***: *The photo does not accurately depict the international boundary or the placement of fill. The construction equipment and personnel were very careful to never enter into Mexico. If some minor amount of the rocky material rolled off the slope it is not meant as an intentional affront to our neighbor or as any form of trespass. Due to the terrain and past activities the materials in this area have been comingled in the past due to both natural and mechanical processes.*

    - ***USIBWC response:*** *The USIBWC has verified the location of the international boundary. Contractor must remove all fill that encroached into Mexico. Please see **"EXHIBIT A"***

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6. **Provide a general statement that at locations of construction, disturbances of soils where significant flow occur, rip rap or similar erosion protection will be provided.**

   - ***Fisher Industries response:*** *The drainage channels that will handle the larger flows are protected with rip rap and rock check dams. Detention basins were also installed to hold some of the rainfall on site.*

   - ***USIBWC response:*** *USIBWC will clear this action item pending land inspection and agency satisfaction of works by the contractor, please refer to comments # 4 for drainage comments.*

7. **Any future erosion related issues arising from the construction need to be addressed by the construction company.**

   - ***Fisher Industries response****: All of the grading and drainage has been completed and meets the standard accepted practice. However, that does not absolutely guarantee that erosion will never occur in the future.*

   - ***USIBWC response:*** *Ponding areas on private property shall be desilted regularly to meet the design capacity - Please coordinate with Engineering office. Please provide operation and maintain schedules of these ponds if any.*

8. ***Clear any obstructions in culvert for flow of water to continue to the culvert and within it.***

   - ***Fisher Industries response****: The culvert is clear of all obstructions at this time.*

   - ***USIBWC response:*** *USIBWC will clear this action item pending land inspection and agency satisfaction of works by the contractor.*

9. **Fence location shall be moved to the location as stated by Security Division.**

   - ***Fisher Industries response****: It is our understanding that the operational and control questions regarding the gate have been resolved in a manner which satisfies the need for access to Boundary Marke* (b) (7)(E)

   - ***USIBWC response:*** *USIBWC had requested a structure not be constructed without first seeking authorization and had requested that the structure be constructed at another location to avoi* (b) (7)(E) *. Once the unauthorized structure was built at the original location and not the location recommended by USIBWC, the USIBWC advised the contactor that: the gate should be motorized; gate openin* (b) (7)(E) *; the gate structure shall be on an easement, and power should be provided by the contractor; USIBWC shall have uninterrupted access through the gate. These items are not completed.*

10. **Coordination needed for USACE, NMED, NMSHPO, and USFWS (see Real Estate list). They must coordinate with those agencies and get clearances. This area has cultural features and other items such as contaminated soil (for metals) that probably have not been considered. The final documents should include a letter from each agency giving clearance to the project.**

    - ***Fisher Industries response****: It is our understanding that NEPA requirements have been varied to accommodate and expedite these bollard fence projects. However, Fisher has still maintained a sufficient focus on the protection of the environment and has taken all reasonable steps to adhere to the intent of these regulations. There were no Historic sites and Threatened and Endangered species were not at this location or otherwise placed at risk.*

    - ***USIBWC response:*** *Legislation in 1996 allows the DHS to waive various requirements, including NEPA requirements, when DHS is constructing border security structures. The DHS*

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issues a notice of each waiver for border security projects when it invokes the 1996 waiver and the notice is printed in the Federal Register. Please provide written documentation that demonstrates that DHS has issued a waiver for this project such that NEPA requirements are waived. Or, provide other citations to law or documents that allows "variation" from NEPA requirements that are applicable to a private project constructed on publicly-owned land.

Please provide your basis for your determination that there are no Historic sites and Threatened and Endangered species. This must include a written determination from the New Mexico State Historic Preservation Office (NMSHPO) (regarding historic sites) and Threatened and Endangered Species (US Fish & Wildlife Service - USFWS).

11. ESD wasn't at the meeting but they require design drawings and a hydraulic/hydrologic study of the project to confirm the drainage and BMP's that are being implemented.

- ***Fisher Industries response:*** Design drawings are being provided as requested.

- ***USIBWC response:*** *Insufficient documentation was submitted. Please provide hydraulic/hydrologic studies of the project. Engineering is unable to determine if drainage and BMP's are implemented.*

12. After reviewing the initial application; application does not include drainage reports or any flood related documentation indicating drainage. A hydraulic review could not be conducted without that information

- ***Fisher Industries response****: A drainage analysis has been provided. All flows which originate on the U.S, side are routed and detained in a series of basins and delivered to the original outlet culvert and then into the Rio Grande. This minimizes the flooding potential for any property in Mexico.*

- ***USIBWC response:*** *Insufficient documentation was submitted. Please provide proof of your response in connection to previous requests for all drainage reports.*

13. proponent application does not include any resource agency statements. The proponent must contact the following resource agencies and provide correspondence as part of their application:

A. Appropriate Historic Preservation officer(s) in order to find out if you need a cultural resources survey of the area.

- ***Fisher Industries response*****:** *There were no Historic sites. This area was extensively disturbed by recent mining activity.*

- ***USIBWC response:*** *No NMSHPO correspondence was provided. As previously requested, please provide proof of correspondence with this resource agency. This consultation is not incumbent on the USIBWC, but on the project proponent.*

B. United States Fish and Wildlife Service (FWS), to determine the impact of the project on threatened and endangered species, both animal and plant life.

- ***Fisher Industries response*****:** *There were no Threatened and Endangered species at this location.*

- ***USIBWC response:*** *No USFWS correspondence was provided. As previously requested, please provide proof of correspondence with this resource agency. This consultation is not incumbent on the USIBWC, but on the project proponent.*

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C. United States Army Corps of Engineers (USACE), to determine the effects of the proposed project on the waters of the U.S. (Wetlands, streams, and rivers) in the area

- ***Fisher Industries response****: A drainage analysis has been provided. All flows which originate on the U.S, side are routed and detained in a series of basins and delivered to the original outlet culvert and then into the Rio Grande. This Minimizes the flooding potential for any property in Mexico.*

- ***USIBWC response:*** *No USACE correspondence was provided. As previously requested, please provide proof of correspondence with this resource agency. This consultation is not incumbent on the USIBWC, but on the project proponent.*

General Comments:

1. In addition to the above, the USIBWC would like a maintenance plan for the structure including, types of scheduled maintenance by the permitee.

2. Please provide evidence of insurance, bond, or other source financing for the permittee's liability for damages or injuries caused by the gate.

ATTACHMENTS:

EXHIBIT A – Map of Mexican Encroachment. Protective Works Above AD CAD New Mexico Central 9.21
EXHIBIT B – Mexican IBWC photographs showing boundary lines.
EXHIBIT C – Attachment "We Build The Wall; initial Project at AEB

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(b)(7)(E)

(b)(7)(E)

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO
UNITED STATES SECTION

USIBWC REAL PROPERTY ASSESSMENT

PROJECT: GO FUND ME FENCE

EOF: N/A R/W FILE No. N/A

NEW MEXICO STATE PLANE CENTRAL

UPDATE BY: (b) (6) JUNE 4, 2019

"EXHIBIT A"

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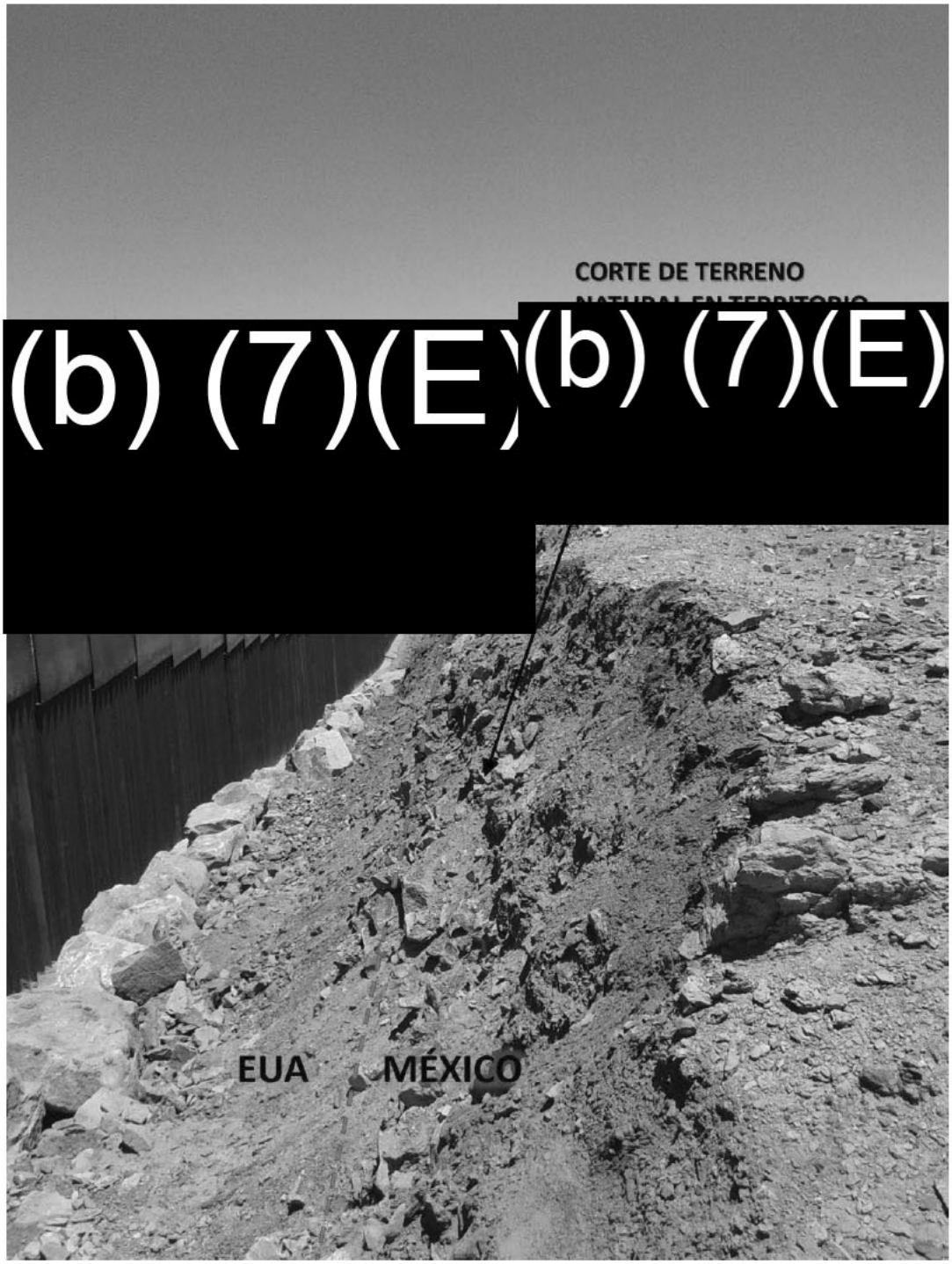
“EXHIBIT B”



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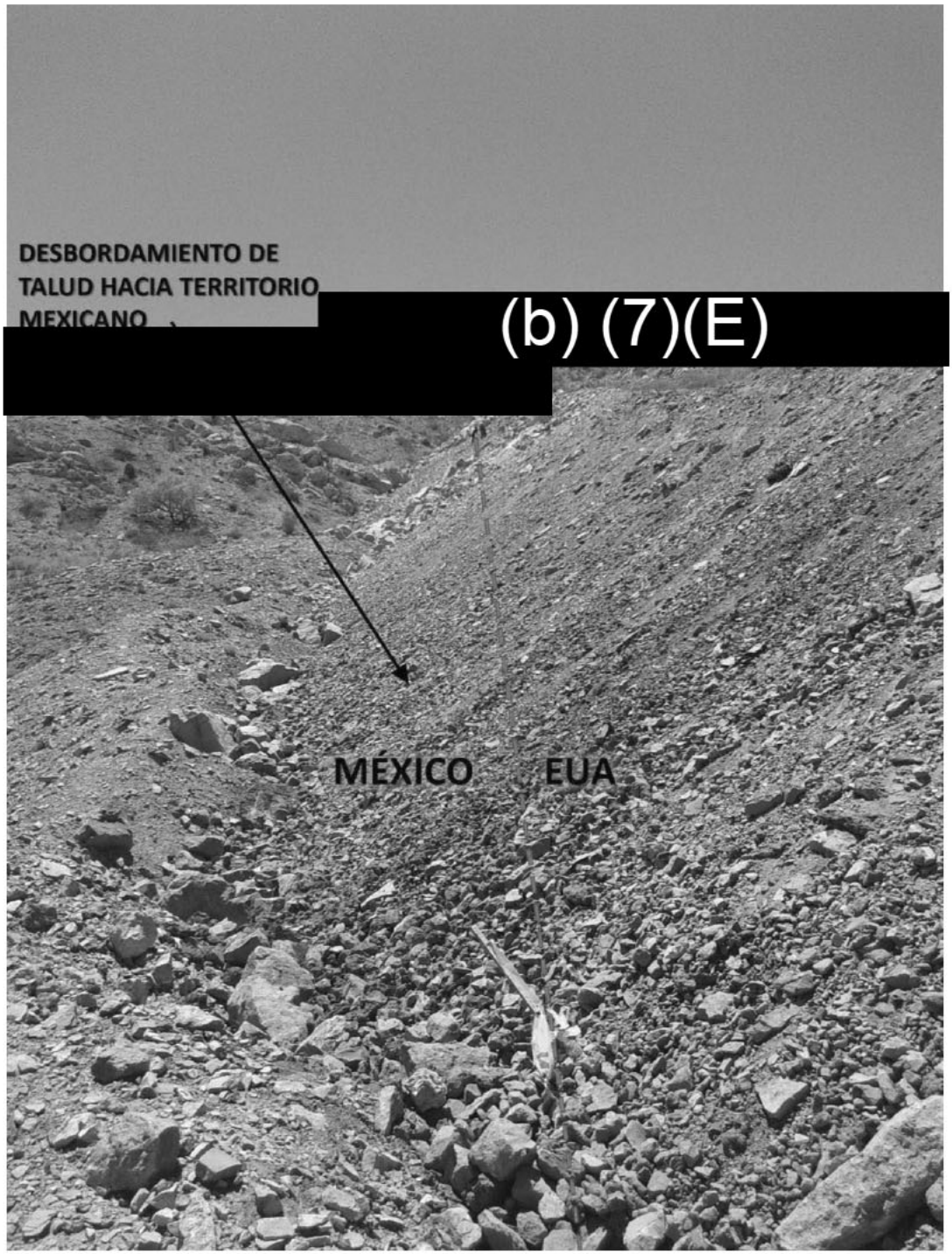

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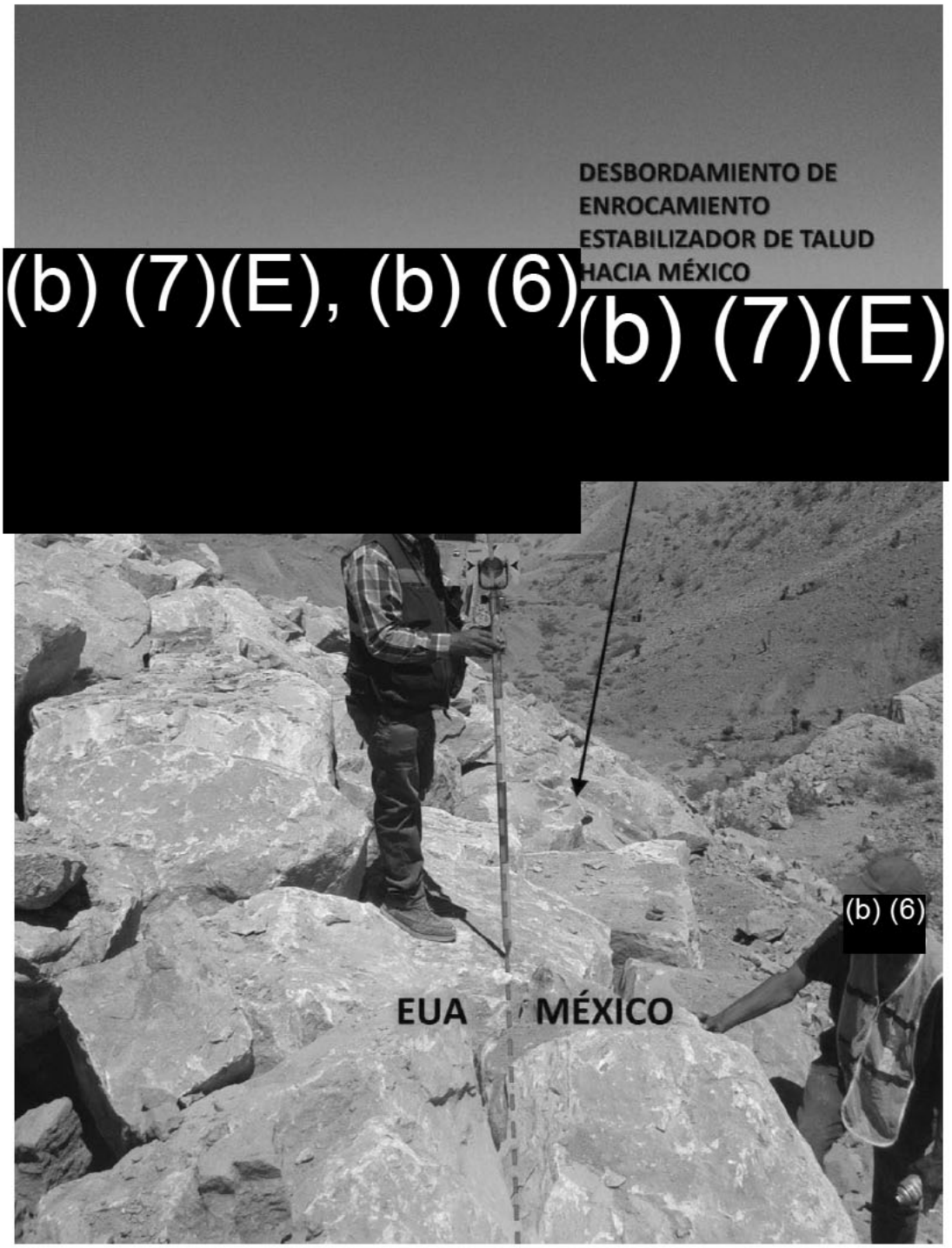

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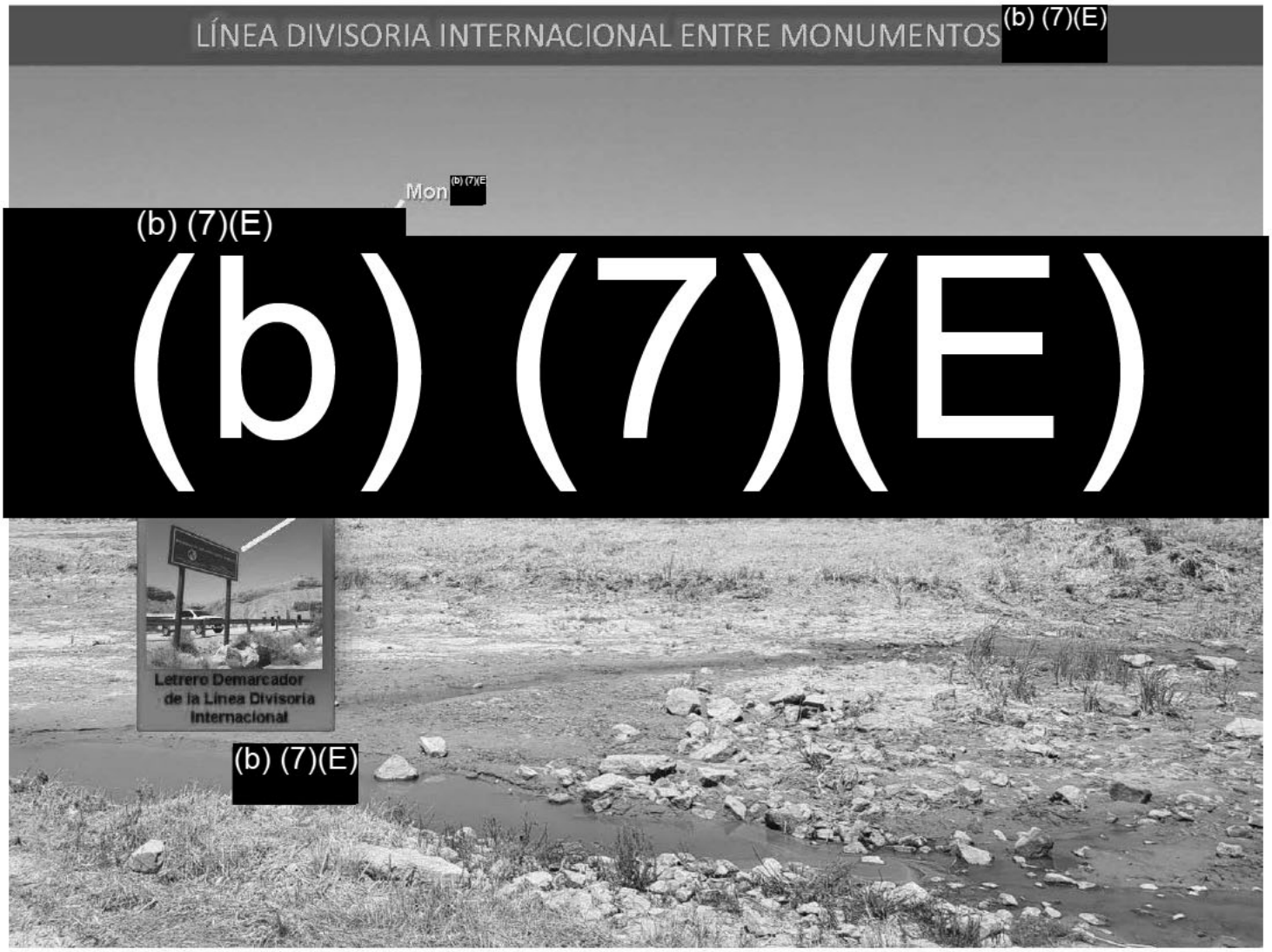

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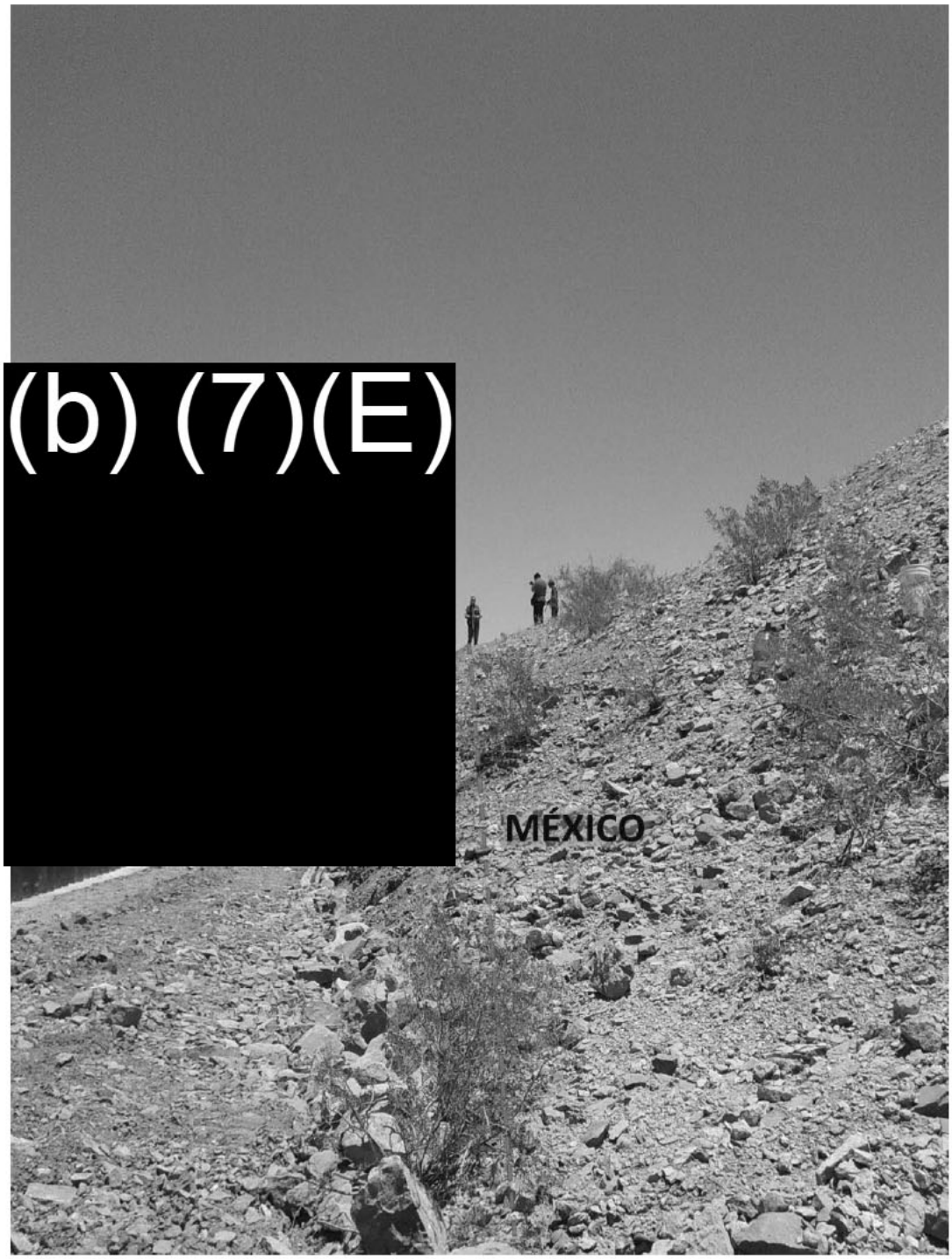

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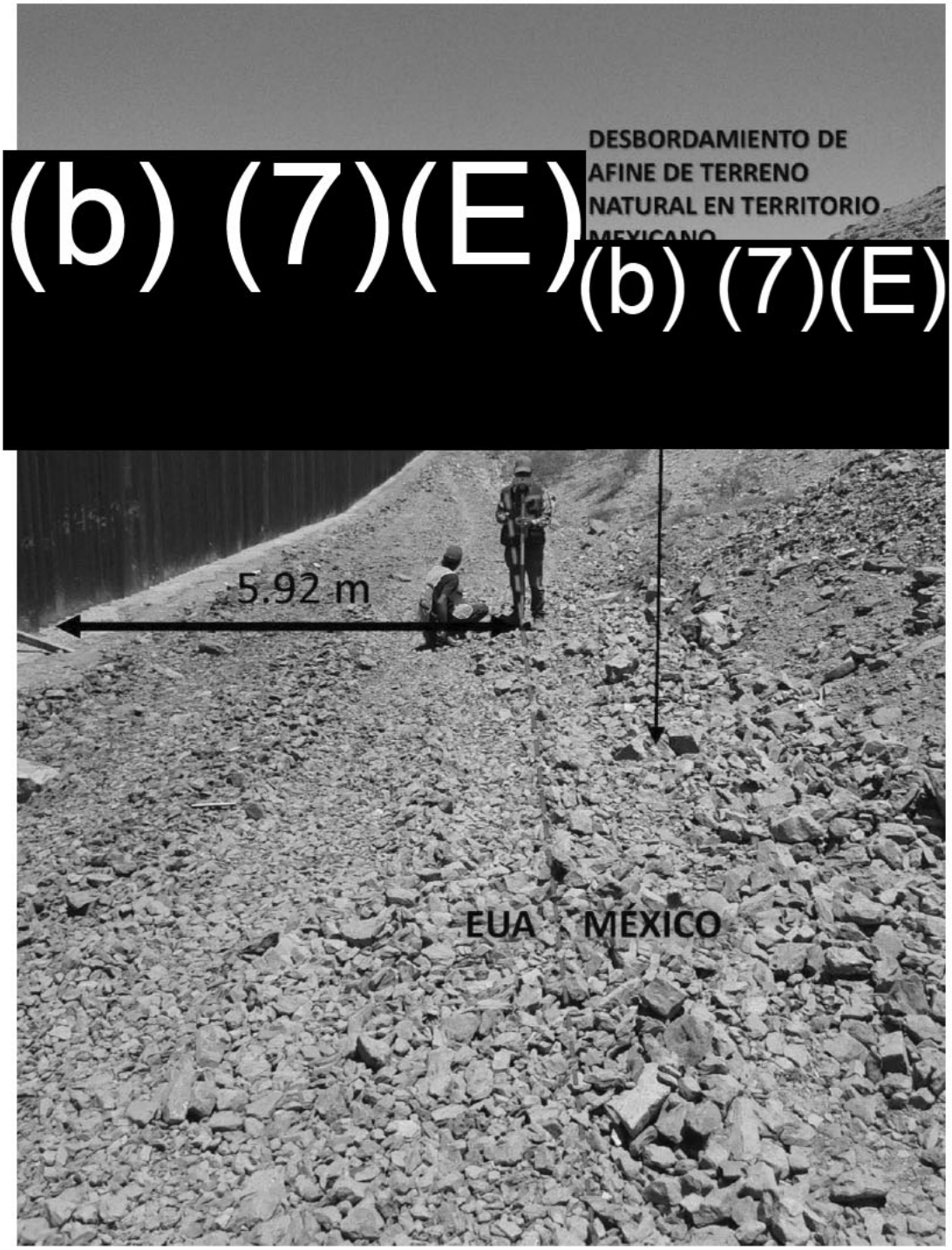

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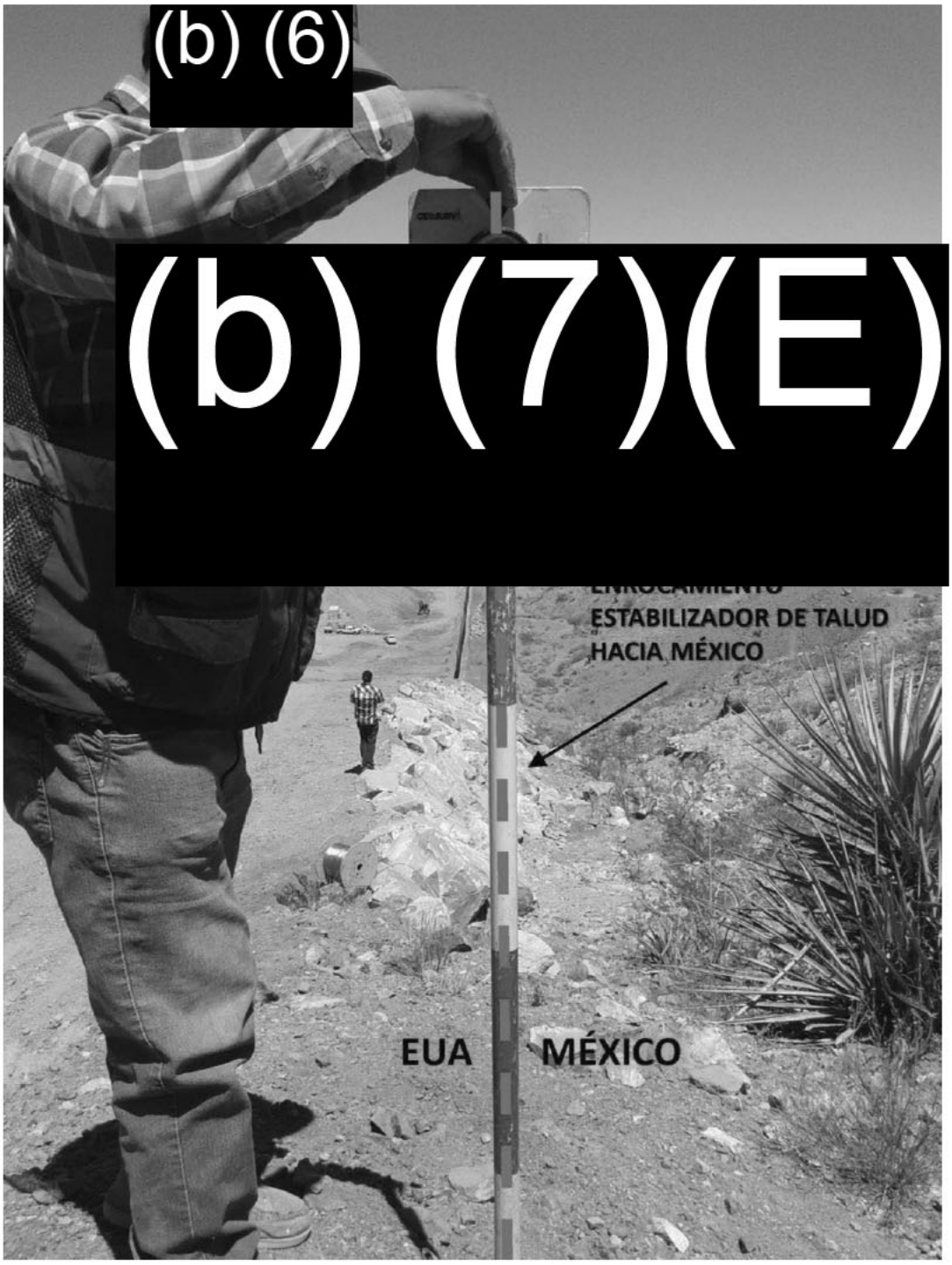

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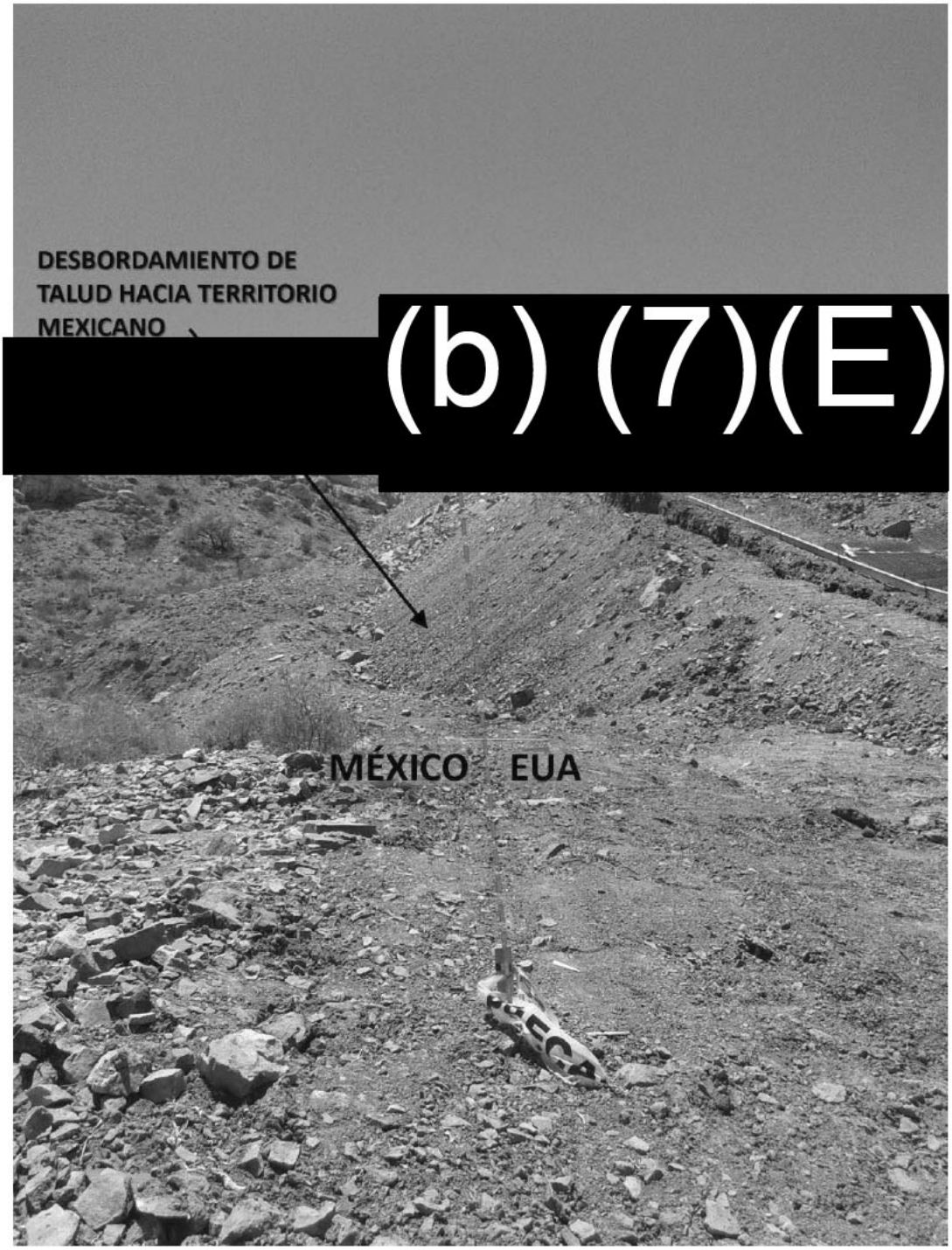

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"EXHIBIT C"

Fisher Industries
1302 W Drivers Way Tempe, AZ 85284-1048
(877) 706-9238 (480) 730-1033 Fax: (480) 730-1284 www.fisherind.com

Fisher Sand & Gravel Co.
Arizona Drilling & Blasting
Fisher Grading & Excavation
Fisher Ready Mix
Southwest Asphalt
Southwest Asphalt Paving
Fisher Sand & Gravel - New Mexico, Inc.
General Steel and Supply Company
Southwest Concrete Paving Co.

1hr event NMDOT Manual requires a 24-hr.

ATTACHMENT: We Build The Wall; Initial Project at AEB LETTER dated June 18, 2019

i = 1.55 inches/hour for the 10 year 60 minute event. Please see attached table from NOAA Atlas 14, Volume 1, Version 5.

Velocity over sand & gravel bottom (slope average >10%) is determined to be 5 ft./sec.

AEB Pit area	surface	C	A(ac.)	Q (cfs)	Q (cumulative)
A	rocky soil	0.2	1.8	0.588	0.588
B	rocky soil	0.2	2.9	0.899	1.487
C	concrete	0.8	0.6	0.744	2.231
D	rocky soil	0.2	2.5	0.775	3.006
E	rocky soil	0.2	2.7	0.837	3.843
F	concrete	0.8	0.6	0.744	4.587
G	rocky soil	0.2	2.6	0.806	5.393
H	rocky soil	0.2	1.9	0.589	5.982

The peak flow for this watershed is determined to be 5.98 cubic feet per second for the 10 year event. This flow rate will be handled by the channels which were constructed. Retention basins will also store a portion of the runoff and capture sediment on the property during larger events.

Registered Professional Engineer (Cert.) CERTIFICATE NO. 22186 GREG H. GENTSCH Date Signed 6/18/19 ARIZONA, U.S.A.

JUAN PAUL LOPEZ NEW MEXICO 22653 6/18/19 PROFESSIONAL ENGINEER

AMERICAN OVERSIGHT

Sent: Friday, July 26, 2019 8:55 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS (b)(6);(b)(7)(C) (CTR)
Subject: RE: FO (b)(6);(b)(7)(C) REVIEW: Border Wall Weekly (22-26 July)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 8:20 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS (b) (7)(E) (b)(6);(b)(7)(C)
Subject: FOR (b)(6);(b)(7)(C) REVIEW: Border Wall Weekly (22-26 July)
Importance: High

(b)(6);(b)(7)(C) For your review (b)(6);(b)(7)(C) updated based on the PMR but I do not have final confirmation fro (b)(6);(b)(7)(C) on content. I have 3 notes for him that I want to verify. All my comments are incorporated.

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

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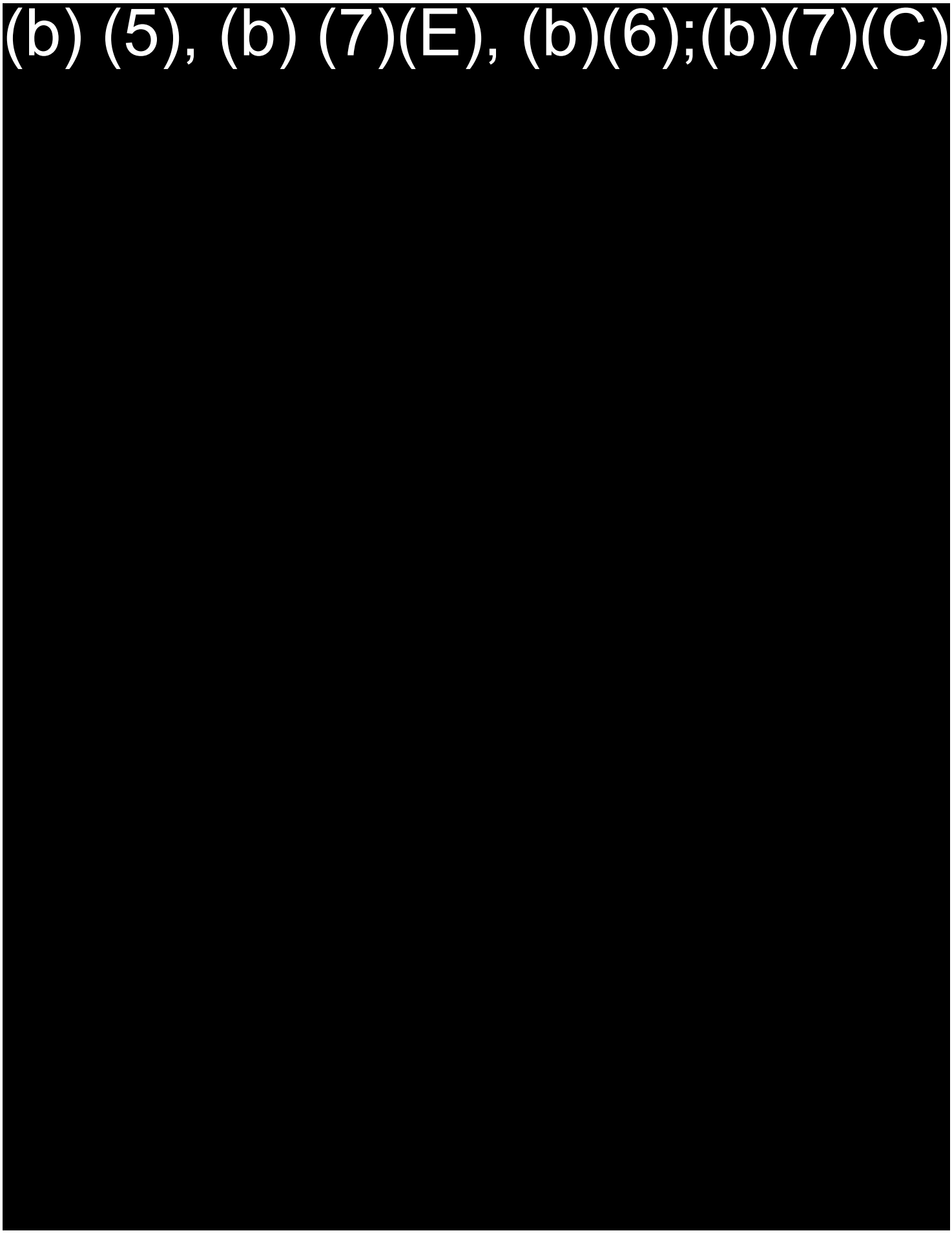

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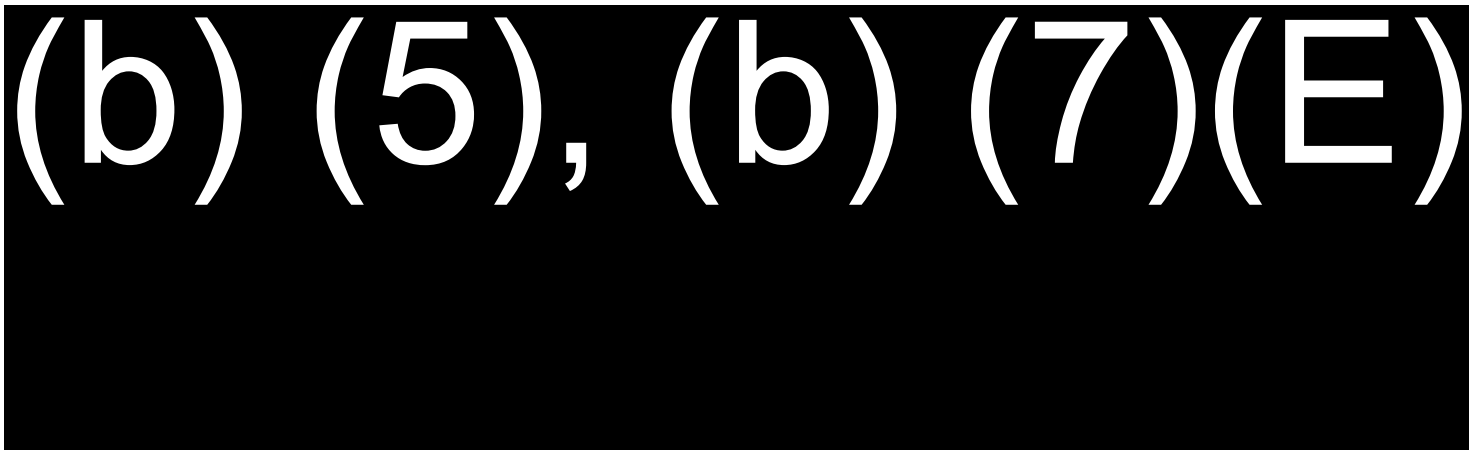
AMERICAN OVERSIGHT



WARNING: This document is ~~LAW ENFORCEMENT SENSITIVE~~ and is designated ~~FOR OFFICIAL USE ONLY (FOUO)~~. It contains information that may be exempt from public release under the Freedom of Information Act (5 USC 552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information, and is not to be released to the public or personnel who do not have a valid "need to know" without prior approval.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 9:04 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS (b)(6);(b)(7)(C) (CTR)
Subject: RE: FO (b)(6);(b)(7)(C) REVIEW: Border Wall Weekly (22-26 July)

See my comments/changes below.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 8:20 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b) (6), (b) (7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) BORDERWALLTASKS (b) (7)(E) (b)(6);(b)(7)(C)
Subject: FO (b) (6), (b) (7)(C) REVIEW: Border Wall Weekly (22-26 July)
Importance: High

(b)(6);(b)(7)(C) For your revie (b)(6);(b)(7)(C) updated based on the PMR but I do not have final confirmation fro (b)(6);(b)(7)(C) on content. I have 3 notes for him that I want to verify. All my comments are incorporated.

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

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

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

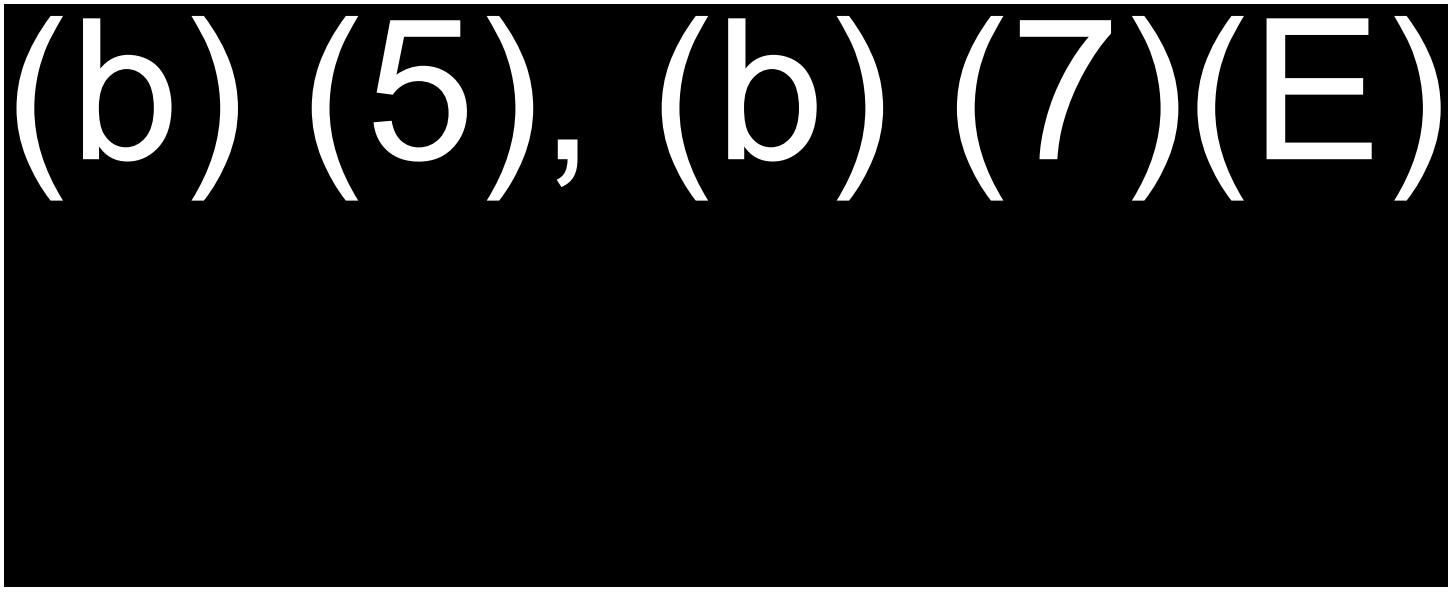
AMERICAN OVERSIGHT

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

AMERICAN OVERSIGHT

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

AMERICAN OVERSIGHT



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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:15 PM
To: 'RUYNARD R SINGLETO (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b)(7)(E) gap
Attachments: WBTW Letter to Act Sec McAleenan.docx; ATT00001.htm

Who has the lead on providing a response to this?

From: MARTIN, JERRY (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

FYSA (b)(6);(b)(7) must have made an impression...

Get Outlook for iOS

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To** (b)(6);(b)(7)(C)
> **Subject: Request for permission to close th (b)(7)(E) gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b)(7)(E) gap. Thank you.
>
> Kris Kobach

AMERICAN OVERSIGHT

Kris W. Kobach
General Counsel
P.O. Box 155
Lecompton, KS 66050

June 6, 2019

Kevin McAleenan
Acting Secretary
U.S. Department of Homeland Security
1300 Pennsylvania Ave., NW
Washington, DC 20229

Dear Acting Secretary McAleenan,

As you may be aware, We Build the Wall recently closed a half-mile gap in the metropolitan El Paso system of border barriers, blocking a heavy corridor of immigrant smuggling and drug smuggling. It was the first time that a substantial border barrier had ever been constructed on private land by a private organization. The project was at Monument One, in Sunland Park, New Mexico.

The new border barrier starts at the Rio Grande and continues 2,256 feet east, climbing 310 vertical feet up the east side of Mt. Cristo Rey. Like other border fence sections, it is an 18-foot high, steel bollard fence with 4-foot anti-climbing plates at the top. It is set in a 7-foot concrete footing. However it is superior to other fence sections in four respects: (1) it is constructed of all-weathering steel; (2) it is accompanied by a paved access road for the Border Patrol along its length; (3) it includes state-of-the art sensors that are an improvement over sensors elsewhere on the border; and (4) it includes stadium-quality LED lighting along its entire length. The fence was erected in approximately one week, and the entire project was completed in less than two-weeks.

I am writing to you now to request permission to construct a border barrier of the same quality to close a gap on the west side of Mt. Cristo Rey, at Anapra, New Mexico, approximately one mile west of the project that we just completed. The land that we

AMERICAN OVERSIGHT

would like to build the barrier on is owned by the United States (it is not merely an easement created by the Roosevelt Reservation). For some reason, when the U.S. government constructed the steel bollard fence near the Santa Theresa Station, the fence ended abruptly on the flat ground at the bottom of the west side of Mt. Cristo Rey, right next to a neighborhood on the Mexican side. This Anapra gap has become one of the worst trafficking corridors on the southern border. On April 30, 2019, the Border Patrol apprehended 424 migrants who had crossed through the Anapra gap – the largest-ever migrant group apprehended as of that date. It is essential to the security of the United States that this gap be closed. However, it is not covered in any of the existing projects planned by the United States government.

We Build the Wall is asking your permission to build a 3,000-foot-long, 18-foot-tall, state-of-the-art steel bollard border fence to close the Anapra gap. The proposed fence would commence where the old steel bollard fence ends (at 31.78394, -106.55834) and extend east to the eastern boundary of the U.S. government property (at 31.78394, -106.54870). It would climb approximately 340 vertical feet. Identical to the fence at Monument One, it would also include a concrete road along the north side of the barrier for the Border Patrol to use. There would be nothing blocking Border Patrol access along the border; indeed, the Border Patrol agents would enjoy the ability to drive vehicles where they never could before. If there are any modifications to the design that you would like us to make, we will make them.

And we would do it very quickly—we can mobilize the resources to begin the project within four weeks of receiving your approval, and we can complete the project in less than two weeks after that. The barrier would then be given to the U.S. Department of Homeland Security as a gift, courtesy of We Build the Wall. All that we require is your permission to begin work.

Please contact me as soon as possible if you have any questions or to grant us approval to begin. (b)(6);(b)(7)(C) of the Border Patrol has inspected the project we recently completed at Monument One and can attest to its quality. As you know, time is of the essence. This gap is used nightly to smuggle in hundreds of migrants and untold quantities of drugs. We stand ready to close the gap.

Yours sincerely,

Kris Kobach

Kris W. Kobach
c. 913-638-5567

AMERICAN OVERSIGHT

Sent: Friday, June 7, 2019 12:19 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b)(7)(E) gap

Stand by.

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:15 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C) >
Subject: FW: Request for permission to close th (b)(7)(E) gap

Who has the lead on providing a response to this?

From: MARTIN, JERRY (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

FYSA (b)(6);(b)(7)(C) must have made an impression...

Get Outlook for iOS <https://aka.ms/o0ukef>

_____

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

Team,

Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,

KM

Sent from my iPhone

AMERICAN OVERSIGHT

Begin forwarded message:

From: <kkobach@gmail.com <mailto:kkobach@gmail.com> >
Date: June 6, 2019 at 7:22:52 PM EDT
To [redacted] v <mailt [redacted] >
Subject: Request for permission to close th [redacted] gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th [redacted] gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: SINGLETON, RUYNARD R
Sent: Friday, June 7, 2019 12:20 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

10-4

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:19 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C) >
Subject: RE: Request for permission to close th (b) (7)(E) gap

Legal (b)(6);(b)(7)(C) have the heavy lift (b)(6);(b)(7)(C) and I just met with OCC.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

-----Original Message-----
From: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:17 PM
To (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b) (7)(E) gap

Who has the lead on the response?

-----Original Message-----
From: MARTIN, JERRY (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

FYSA (b)(6);(b)(7)(C) must have made an impression...

Get Outlook for iOS <https://aka.ms/o0ukef> _____

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you, KM

AMERICAN OVERSIGHT

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com <mailto:kkobach@gmail.com> >
Date: June 6, 2019 at 7:22:52 PM EDT
To: (b)(6);(b)(7)(C) <mailt (b)(6);(b)(7)(C) >
Subject: Request for permission to close th (b) (7)(E) gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b) (7)(E) gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: SINGLETON, RUYNARD R
Sent: Friday, June 7, 2019 12:21 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b)(7)(E) gap

SPAD has the lead.

Legal (b)(6);(b)(7)(C) have the heavy lif (b)(6);(b)(7)(C) just met with OCC.

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:15 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b)(7)(E) gap

Who has the lead on providing a response to this?

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

FYSA (b)(6);(b)(7)(C) must have made an impression...

Get Outlook for iOS <https://aka.ms/o0ukef>

_____

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b)(7)(E) gap

Team,

Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,

KM

AMERICAN OVERSIGHT

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com <mailto:kkobach@gmail.com> >
Date: June 6, 2019 at 7:22:52 PM EDT
To (b)(6);(b)(7)(C) <mailt (b)(6);(b)(7)(C) > >
Subject: Request for permission to close th (b) (7)(E) gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b) (7)(E) gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: SINGLETON, RUYNARD R
Sent: Friday, June 7, 2019 12:32 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

Good copy...

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:31 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

(b) (5) "

-----Original Message-----
From: SINGLETON, RUYNARD (b)(6);(b)(7)(C) >
Sent: Friday, June 7, 2019 12:21 PM
To (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

SPAD has the lead.

Legal (b)(6);(b)(7)(have the heavy lift (b)(6);(b)(7)(C) just met with OCC.

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:15 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b) (7)(E) gap

Who has the lead on providing a response to this?

From: MARTIN, JERRY (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

FYSA (b)(6);(b)(7)(C must have made an impression...

Get Outlook for iOS <https://aka.ms/o0ukef>

AMERICAN OVERSIGHT

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

Team,

Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,

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Sent from my iPhone

Begin forwarded message:

> From: <kkobach@gmail.com <mailto:kkobach@gmail.com> >
> Date: June 6, 2019 at 7:22:52 PM EDT
> To (b)(6);(b)(7)(C) <mailt (b)(6);(b)(7)(C) > >
> Subject: Request for permission to close th (b) (7)(E) gap
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> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b) (7)(E) gap. Thank you.
>
> Kris Kobach

AMERICAN OVERSIGHT

From: SINGLETON, RUYNARD R
Sent: Friday, June 7, 2019 12:33 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

Also, please put a few words in abou (b)(6);(b)(7)(C) not inspecting. Thanks.

-----Original Message-----
Fro (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 12:19 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C) >
Subject: RE: Request for permission to close th (b) (7)(E) gap

Legal (b)(6);(b)(7)(have the heavy lif (b)(6);(b)(7)(C) and I just met with OCC.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

-----Original Message-----
From: SINGLETON, RUYNARD (b)(6);(b)(7)(C) >
Sent: Friday, June 7, 2019 12:17 PM
To (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b) (7)(E) gap

Who has the lead on the response?

-----Original Message-----
From: MARTIN, JERRY (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:56 PM
To: SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

FYSA (b)(6);(b)(7)(C) must have made an impression...

Get Outlook for iOS <https://aka.ms/o0ukef> _____

From: MCALEENAN, KEVIN K
Sent: Thursday, June 6, 2019 7:47:43 PM
To: SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you, KM

AMERICAN OVERSIGHT

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com <mailto:kkobach@gmail.com> >
Date: June 6, 2019 at 7:22:52 PM EDT
To (b)(6);(b)(7)(C) <mailt (b)(6);(b)(7)(C) >
Subject: Request for permission to close th (b) (7)(E) gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th (b) (7)(E) gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, June 10, 2019 12:18 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Seeking comment on this video posted by Brian Kolfage of We Build the Wall. The video was posted on Twitter this Sunday.

Please copy me on any reply.

(b) (5)
. CBP did recently release video of armed smugglers escorting aliens to the border in Arziona.

From (b)(6);(b)(7)(C)
Sent: Monday, June 10, 2019 10:09 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Seeking comment on this video posted by Brian Kolfage of We Build the Wall. The video was posted on Twitter this Sunday.

Sent from my iPhone

Begin forwarded message:

From (b) (6)
Date: June 10, 2019 at 9:40:03 AM MDT
To (b)(6);(b)(7)(C) (b) (6)

Subject: Seeking comment on this video posted by Brian Kolfage of We Build the Wall. The video was posted on Twitter this Sunday.

HI (b)(6);(b)(7)(C)
Seeking comment on this video posted by Brian Kolfage of We Build the Wall. He claims the man in red is carrying a firearm in his shorts.

Is it unusual/not unusual for coyotes to come across the border leading groups of immigrants and then going back to Juarez?

Is it unusual for some of those coyotes to come across armed?

Thank you!

(b) (6

https://twitter.com/BrianKolfage/status/1137741032584622081

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From: (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 8:09 AM
To: (b) (6)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Border Wall Weekly (22-26 July)
Attachments: Border Wall Construction Photos Week of July 26, 2019.pdf; USBP Border Wall Card S1 072619.pdf

FYSA

(b)(6);(b)(7)(C)
GIS Analyst
Northwind Resource Consulting
Program Management Office Directorate
United States Border Patrol
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Saturday, July 27, 2019 10:00 AM
To (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

Cc: BORDERWALLTASKS (b) (7)(E) PMOD Taske (b) (7)(E)
Subject: Border Wall Weekly (22-26 July)

All,
Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.
Please note that RG (b) (7)(E) were NOT solicited by USACE yesterday and that is now anticipated f (b) (5)
Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details here: https://apnews.com/5d893d388c254c7fa83a1570112ae90e
Attached are the Border Wall card and updated photos.
Have a great weekend!
Thanks,
(b)(6);(b)(7

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

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FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
  - Package 1 [redacted] gates i (b) (7)(E) County Construction is on-going (b) (7)(E) gates. Construction completion is estimated for lat (b) (5) (Photos attached)
  - Packages 2 & 3 [redacted] gates i (b) (7)(E) County an [redacted] gates i (b) (7)(E) Award remains anticipated fo (b) (5)
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)
    - Appraisals complete: 0 of 43 (0%)
    - Offers-to-Sell Delivered: 0 of 43 (0%)
    - Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated fo (b) (5). (Photos attached)
  - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarded (b) (5) [redacted]
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)
- El Centr (b) (7)(E) Primary Replacemen (b) (7)(E)
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E) is anticipated to start i (b) (5).
- Rio Grande Valley Levee Wall (RGV [redacted]/ RGV (b) (7)(E)
  - RGV [redacted] USAC (b) (5) [redacted] USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)

AMERICAN OVERSIGHT

- Appraisals complete: 31 of 31 (100%) (only required for private tracts)
- Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
  - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)

- RG (b)(7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
  - ROE-S signed to date: 19 of 19 (100%)
  - Surveys complete: 19 of 19 (100%)
  - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Accepted Offers-to-Sell: 0 of 16 (0%)

- Rio Grande Valley Border Wall System (RG (b) (7)(E) i (b)(7)(E) County):
  - This project comprises the areas that require additional consultation wit (b)(7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5) which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
    - ROE-S signed to date: 136 of 155 (88%)
    - Surveys complete: 20 of 155 (13%)
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FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b) (7)(E)
  - The contract award remains anticipate (b) (5) Construction start is anticipated for (b) (5), assuming availability of real estate.
    - ROE-S signed to date: 81 of 95 (85%)

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- Surveys complete: 88 of 95 (92%)
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- Rio Grande Valley Border Wall System (RG (b) (7)(E)
  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for September.
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
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    - RG (b)(7)(E) Border Wall System (b) (7)(E)
      - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
      - ROE-S signed to date: 23 of 23 (100%)
      - Surveys complete: 0 of 23 (0%)
      - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
    - RG (b)(7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
      - ROE-S DTs filed: 4 (pending)
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      - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
    - RG (b)(7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
      - Surveys complete: 0 of 89 (0%)
      - Appraisals complete: 0 of 74 (0%) (only required for private tracts)

AMERICAN OVERSIGHT

        - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)
    - RG (b)(7)(E) Border Wall System (b) (7)(E)
        - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
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- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
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- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E), (b) (5)
    - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5).
    - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

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- The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

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***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel (b) (7)(E)):**
    - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.

AMERICAN OVERSIGHT

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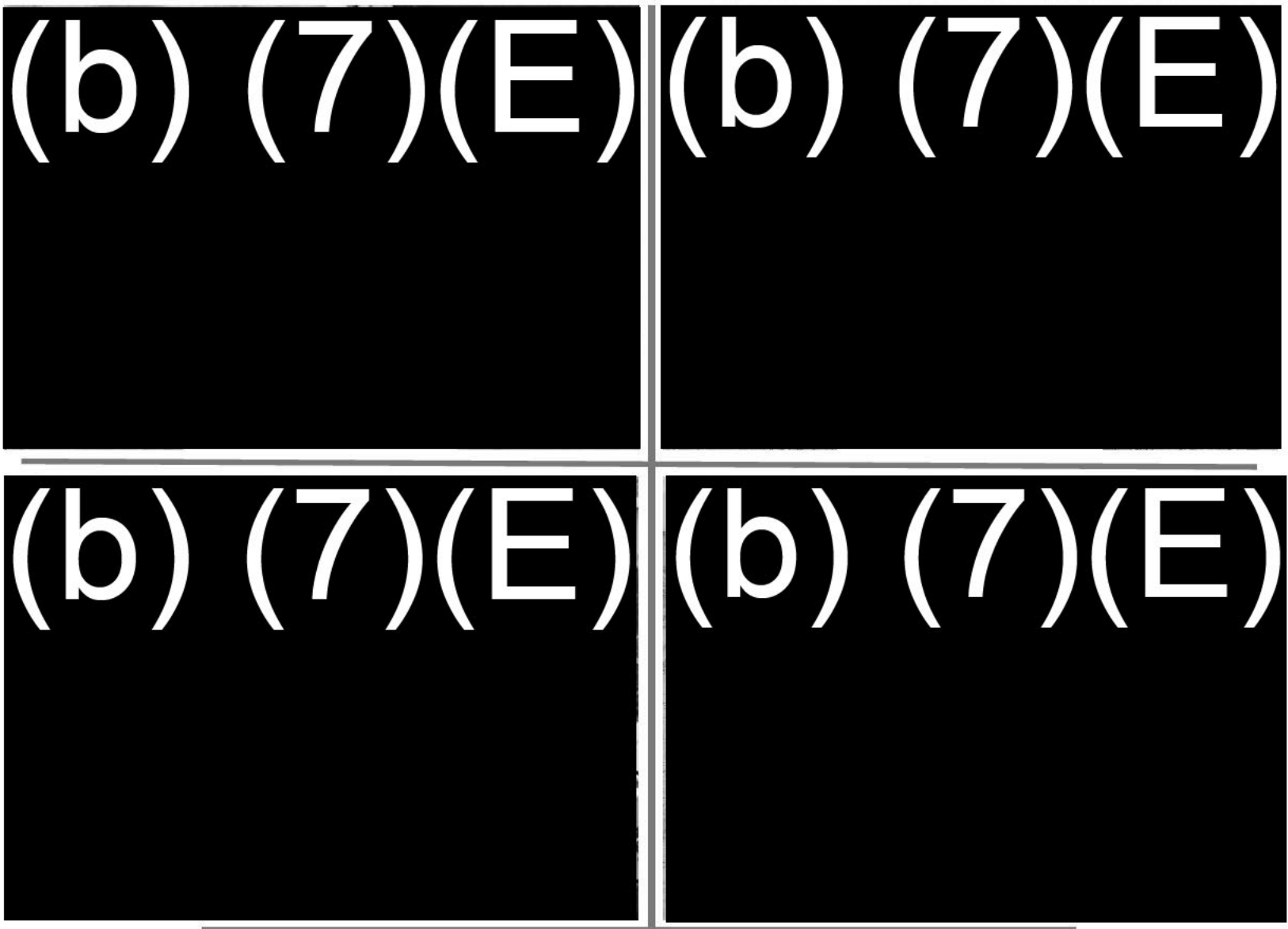
- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

WARNING: This document is ~~LAW ENFORCEMENT SENSITIVE~~ and is designated ~~FOR OFFICIAL USE ONLY (FOUO).~~ It contains information that may be exempt from public release under the Freedom of Information Act (5 USC 552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with Department of Homeland Security policy relating to FOUO information, and is not to be released to the public or personnel who do not have a valid "need to know" without prior approval.

AMERICAN OVERSIGHT



Construction of FY17 San Diego PRIMARY Border Wall Replacement project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



(b) (7)(E) Road – Site Safety Brief

Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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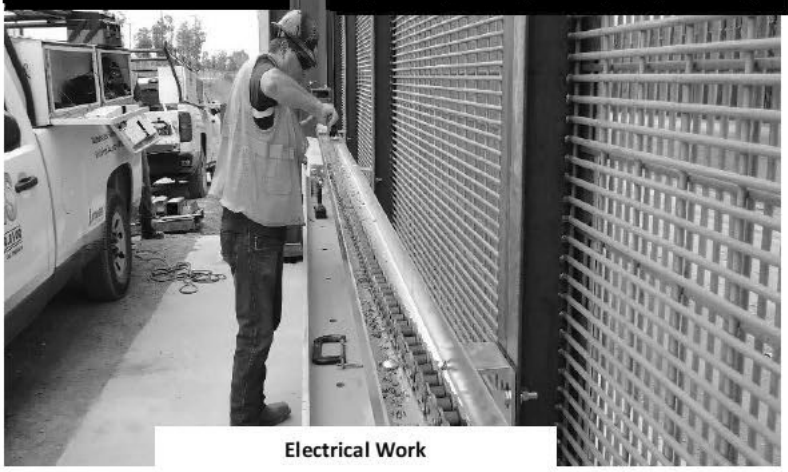
(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of (b) (7)(E) rimary Replacement Border Wall Project as of July 26, 2019

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Installed Panels



Panel Installation



Panel Installation



Panel Installation

Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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U.S. Customs and Border Protection

FY 2017 - 2019 Investment Plan

(b) (7)(E)

(b) (7)(E)

Overall Information

SW Border Overview*

Total Southwest Border: 1,954 mi

Existing Barrier: 654 mi

No Barrier: 1,300 mi

PW to Remain 221 mi | PW Replace 133 mi | VB Conversion 300 mi | Primary Border Wall System: 864 mi | Secondary/Enforcement Zone: 771 mi | Non Priority: 437 mi

*totals may differ slightly due to rounding

Funding (info as of July 3, 2019, updated monthly)

FY2017 (b) (7)(E) $341M

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$341M	$336.5M	$286.5M

FY2018 | Up to (b) (7)(E) $1.375B

Type	Barrier	Qty.	Enacted	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$1.375B	$1.29B	$827.3M

FY2019 | TBD Miles | ~$2B**

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$2B	$1.46B	$81.8M

= Change From Prior Week

**DHS Budget $1.375B, Treasury Forfeiture Funds (TFF) $601M

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7/26/19

Milestones

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY17 ENACTED BUDGET PROJECTS (To date, ~39.5/40 Miles & 99% Complete)

Project Milestone	Milestone Date	Status
(b) (7)(E)		

*Construction Start denotes the start of the contractor's Period of Performance (POP) Actual construction start dates are unavailable until Contract is awarded

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FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) – ARB Approved (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas

9/6/2918 – (b) (7)(E) ARB Approved (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) – Pending ARB Approval – (b) (7)(E) of Border Wall System in (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

Milestones

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

Real Estate

Project	Miles/# of Land Tracts***	Initial Land Ownership Determination	Appraisal/Valuation Complete	Real Estate Possession
FY18				
(b) (7)(E)				

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
***# of tracts may change as we proceed through the Real Estate Acquisition Process

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 8:42 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Border Wall Weekly (22-26 July)
Attachments: Border Wall Construction Photos Week of July 26, 2019.pdf; USBP Border Wall Card S1 072619.pdf

Gents, FYI…

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

(b)(6);(b)(7)(C)
Chief Engineer & Chief Risk Officer
U.S. Customs and Border Protection
Ofc: (b)(6);(b)(7)(C)
Cell
Email: (b)(6);(b)(7)(C)
Address: 1901 S. Bell Street
Arlington VA 20598

From (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 8:12 AM
To (b)(6);(b)(7)(C)
[redacted]
Subject: FW: Border Wall Weekly (22-26 July)

SA

(b)(6);(b)(7)(C)
Division Director
Acquisition Policy and Oversight (APO)
Office of Acquisition (OA/AGO)

(b)(6);(b)(7)(C) *(office)*
(cell)
(fax)

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

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Saturday, July 27, 2019 10:00 AM
To (b)(6);(b)(7)(C)

[redacted]

AMERICAN OVERSIGHT

[redacted]
Cc: BORDERWALLTASKS [redacted] PMOD Tasker [redacted]
Subject: Border Wall Weekly (22-26 July)

All,
Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.
Please note that RG [redacted] were NOT solicited by USACE yesterday and that is now anticipated fo [redacted]
Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details here: https://apnews.com/5d893d388c254c7fa83a1570112ae90e
Attached are the Border Wall card and updated photos.
Have a great weekend!
Thanks,
[redacted]

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
  - Package [redacted] gates i [redacted] County Construction is on-going a [redacted] gates. Construction completion is estimated for la [redacted]. (Photos attached)
  - Packages 2 & [redacted] gates i [redacted] County an [redacted] gates i [redacted] Award remains anticipated f [redacted]
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)
    - Appraisals complete: 0 of 43 (0%)
    - Offers-to-Sell Delivered: 0 of 43 (0%)
    - Accepted Offers-to-Sell: 0 of 43 (0%)

AMERICAN OVERSIGHT

FY 2018 Wall Program

- (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated fo (b) (5). (Photos attached)
  - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarded (b) (5)
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)
- El Centr (b) (7)(E) Primary Replacemen (b) (7)(E)
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E) is anticipated to start i (b) (5)
- Rio Grande Valley Levee Wall (RGV (b) (7)(E) / RGV (b) (7)(E)
  - RG (b) (7)(E) USAC (b) (5) USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)
    - Appraisals complete: 31 of 31 (100%) (only required for private tracts)
    - Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
      - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
    - Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)
  - RG (b) (7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
    - ROE-S signed to date: 19 of 19 (100%)
    - Surveys complete: 19 of 19 (100%)

AMERICAN OVERSIGHT

- Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
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FY 2019 Wall Program

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms

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- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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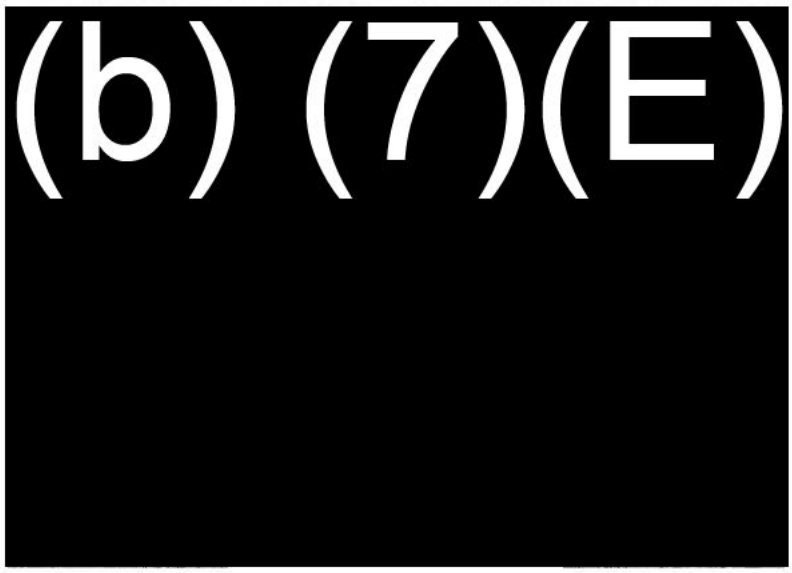
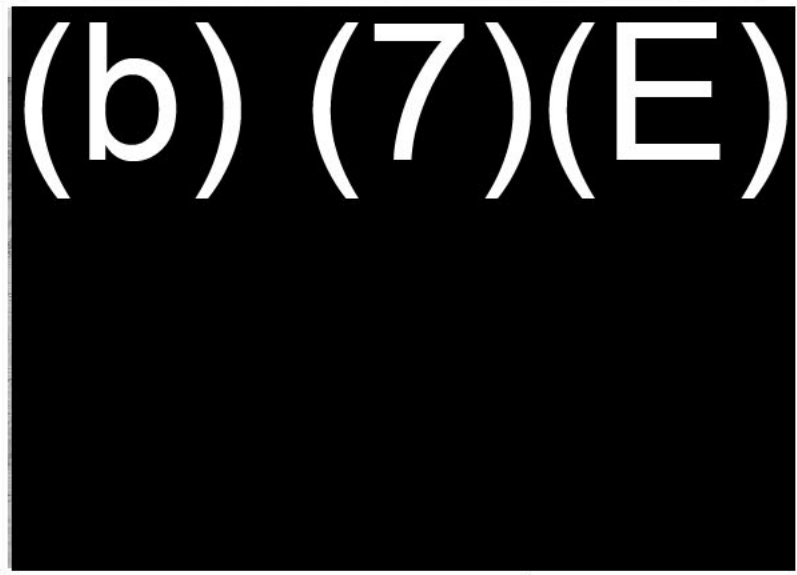
AMERICAN OVERSIGHT









Construction of FY17 San Diego PRIMARY Border Wall Replacement project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



(b) (7)(E) Road – Site Safety Brief

Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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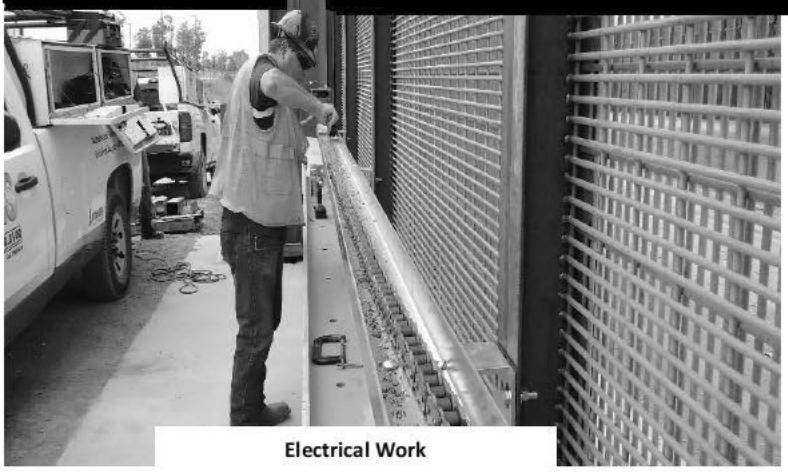
(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of (b) (7)(E) rimary Replacement Border Wall Project as of July 26, 2019

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Installed Panels



Panel Installation



Panel Installation



Panel Installation

Construction of (b) (7)(E) rimary Replacement Border Wall Project as of July 26, 2019

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U.S. Customs and Border Protection

FY 2017 - 2019 Investment Plan

(b) (7)(E)

(b) (7)(E)

Overall Information

SW Border Overview*

Total Southwest Border: 1,954 mi

Existing Barrier: 654 mi

No Barrier: 1,300 mi

PW to Remain 221 mi | PW Replace 133 mi | VB Conversion 300 mi | Primary Border Wall System: 864 mi | Secondary/Enforcement Zone: 771 mi | Non Priority: 437 mi

*totals may differ slightly due to rounding

Funding (info as of July 3, 2019, updated monthly)

FY2017 (b) (7)(E) $341M

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$341M	$336.5M	$286.5M

FY2018 | Up to (b) (7)(E) $1.375B

Type	Barrier	Qty.	Enacted	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$1.375B	$1.29B	$827.3M

FY2019 | TBD Miles | ~$2B**

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$2B	$1.46B	$81.8M

= Change From Prior Week

**DHS Budget $1.375B, Treasury Forfeiture Funds (TFF) $601M

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7/26/19

Milestones

FY17 ENACTED BUDGET PROJECTS (To date, ~39.5/40 Miles & 99% Complete)

Project Milestone	Milestone Date	Status
(b) (7)(E)		

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

*Construction Start denotes the start of the contractor's Period of Performance (POP) Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

Milestones

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) – ARB Approved (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas

9/6/2918 – (b) (7)(E) ARB Approved (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border, adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) – Pending ARB Approval – (b) (7)(E) of Border Wall System in (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

Real Estate

Project	Miles/# of Land Tracts***	Initial Land Ownership Determination	Appraisal/Valuation Complete	Real Estate Possession
FY18				
(b) (7)(E)				

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
***# of tracts may change as we proceed through the Real Estate Acquisition Process

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 9:08 AM
To: MARTIN, JERRY B
Subject: weekly wall email to chiefs
Attachments: FW Border Wall Weekly (22-26 July).oft

Attached for your use.

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

To: BP Field Chief (b) (7)(E) BP Field Deputie (b) (7)(E)
Cc: HASTINGS, BRIAN (b)(6);(b)(7)(C)
SINGLETON, RUYNARD (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: FW: Border Wall Weekly (22-26 July)
滥撕牫圯污滴彌牴捵楴湯倠澽潴彳敗步漠 畊徑㈠ゐ㈠ ⁶擊ヲ
単傰篾牯敷鬠慤莀罋牡彤 ┤た㪀Lδ⁶擊ヲ

Chiefs & Deputies,

As promised, below please find below and attached the Border Wall Weekly Report. Do not hesitate to reach out if you have questions or concerns.

VR,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O (b)(6);(b)(7)(C)
M

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

* San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
* RGV Gates (35 gates):
  - Package 1 (b)(7)(E) gates i (b) (7)(E) County Construction is on-going a (b) (7)(E) gates. Construction completion is estimated for lat (b) (5) (Photos attached)
  - Packages 2 & (b)(7) gates i (b) (7)(E) County an (b)(7) gates i (b) (7)(E) Award remains anticipated f (b) (5).
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)
    - Appraisals complete: 0 of 43 (0%)
    - Offers-to-Sell Delivered: 0 of 43 (0%)
    - Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

* (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated fo (b) (5). (Photos attached)
  - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarde (b) (5)

AMERICAN OVERSIGHT

(b) (5) .

* San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)

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  - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)

* El Centr (b) (7)(E) Primary Replacemen (b) (7)(E)
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E) is anticipated to start i (b) (5)

* Rio Grande Valley Levee Wall (RG (b) (7)(E) RGV (b) (7)(E)
  - RG (b) (7)(E) USAC (b) (5) USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)
    - Appraisals complete: 31 of 31 (100%) (only required for private tracts)
    - Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
      - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
    - Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)
  - RG (b) (7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
    - ROE-S signed to date: 19 of 19 (100%)
    - Surveys complete: 19 of 19 (100%)
    - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
    - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
    - Accepted Offers-to-Sell: 0 of 16 (0%)

AMERICAN OVERSIGHT

* Rio Grande Valley Border Wall System (RGV (b) (7)(E) i (b) (7)(E) County):

  - This project comprises the areas that require additional consultation wit (b) (7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in late (b) (5), which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.

    - ROE-S signed to date: 136 of 155 (88%)
    - Surveys complete: 20 of 155 (13%)
    - Appraisals complete: 0 of 152 (0%) (only required for private tracts)
    - Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
    - Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

* Rio Grande Valley Levee Wall (RGV (b) (7)(E)

  - The contract award remains anticipate (b) (5) Construction start is anticipated fo (b) (5), assuming availability of real estate.

    - ROE-S signed to date: 81 of 95 (85%)
    - Surveys complete: 88 of 95 (92%)
    - Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
    - Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
    - Accepted Offers-to-Sell: 0 of 85 (0%)

* Rio Grande Valley Border Wall System (RG (b) (7)(E)

  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for September.
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
  - This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.

* Rio Grande Valley Border Wall System (Remainin (b) (7)(E)

  - The RFP packages for the FY19 projects RG (b) (7)(E) nd RG (b) (7)(E) are anticipated to advertis (b) (5) and RG (b) (7)(E) is on track f (b) (5) USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
  - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.

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- RG [redacted] Border Wall System (b) (7)(E)
  - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
  - ROE-S signed to date: 23 of 23 (100%)
  - Surveys complete: 0 of 23 (0%)
  - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
- RG [redacted] Border Wall System (b) (7)(E)
  - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
  - ROE-S DTs filed: 4 (pending)
  - Surveys complete: 0 of 177 (0%)
  - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
- RG [redacted] Border Wall System (b) (7)(E)
  - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
  - Surveys complete: 0 of 89 (0%)
  - Appraisals complete: 0 of 74 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)
- RG [redacted] Border Wall System (b) (7)(E)
  - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
  - ROE-S DTs filed: 3 (pending)
  - Surveys complete: 16 of 145 (11%)
  - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)

- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
  - Construction is estimated to start in earl (b) (5) and complete by the end o (b) (5)

Treasury Forfeiture Funds (TFF)

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- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution of

(b) (7)(E)

- USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5).

- All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

Acquisition

* The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

* No update this week.

***We Build the Wall* Coordination**

* USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

* **284 Counter-Narcotics Funding (approximatel** (b) (7)(E)

  - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.

  - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.

  - The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.

* **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

* Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms

* Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410

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* Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/

* We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 10:23 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Border Wall Weekly (22-26 July)

Amazing.

(b)(6);(b)(7)(C)
(Contractor, ManTech Team)
Supporting the Chief Engineer, Office of Acquisition
U.S. Customs and Border Protection
.....
Cell: (b)(6);(b)(7)(C)
.....
1901 South Bell Street, Suit (b)(6);(b)(7)(C)
Arlington, Virginia 22202
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 8:42 AM
To (b)(6);(b)(7)(C)
Subject: FW: Border Wall Weekly (22-26 July)

Gents, FYI…

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

(b)(6);(b)(7)(C)
Chief Engineer & Chief Risk Officer
U.S. Customs and Border Protection
Ofc: (b)(6);(b)(7)(C)
Cell
Email: (b)(6);(b)(7)(C)
Address: 1901 S. Bell Street
Arlington VA 20598

From (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 8:12 AM
To: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

Subject: FW: Border Wall Weekly (22-26 July)

SA

(b)(6);(b)(7)(C)
Division Director
Acquisition Policy and Oversight (APO)
Office of Acquisition (OA/AGO)

(b)(6);(b)(7)(C) *(office)*
(cell)
(fax)

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

From (b)(6);(b)(7)(C)
Sent: Saturday, July 27, 2019 10:00 AM
To: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

[redacted]

Cc: BORDERWALLTASKS [redacted] (b) (7)(E) PMOD Tasker [redacted] (b) (7)(E)
Subject: Border Wall Weekly (22-26 July)

All,
Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.
Please note that RG [redacted] an [redacted] were NOT solicited by USACE yesterday and that is now anticipated fo [redacted] (b) (5)
Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details here: https://apnews.com/5d893d388c254c7fa83a1570112ae90e
Attached are the Border Wall card and updated photos.
Have a great weekend!
Thanks,
[redacted]

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):

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- ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)

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FY 2018 Wall Program

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    - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
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- Accepted Offers-to-Sell: 0 of 16 (0%)

- Rio Grande Valley Border Wall System (RGV (b) (7)(E) i (b)(7)(E) County):

o This project comprises the areas that require additional consultation wit (b)(7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5), which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.

- ROE-S signed to date: 136 of 155 (88%)
- Surveys complete: 20 of 155 (13%)
- Appraisals complete: 0 of 152 (0%) (only required for private tracts)
- Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
- Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b) (7)(E)

o The contract award remains anticipate (b) (5) Construction start is anticipated for (b) (5), assuming availability of real estate.

- ROE-S signed to date: 81 of 95 (85%)
- Surveys complete: 88 of 95 (92%)

AMERICAN OVERSIGHT

- Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
- Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
- Accepted Offers-to-Sell: 0 of 85 (0%)

- Rio Grande Valley Border Wall System (RGV (b) (7)(E)
  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for September.
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
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      - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
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    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
      - ROE-S DTs filed: 4 (pending)
      - Surveys complete: 0 of 177 (0%)
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      - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
      - Surveys complete: 0 of 89 (0%)
      - Appraisals complete: 0 of 74 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)

AMERICAN OVERSIGHT

- RGV (b)(7) Border Wall System (b) (7)(E)
  - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
  - ROE-S DTs filed: 3 (pending)
  - Surveys complete: 16 of 145 (11%)
  - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)

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Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E)
  - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5).
  - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

Acquisition

- The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel** (b) (7)(E)
  - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.
  - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.

AMERICAN OVERSIGHT

- The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.

- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, July 29, 2019 10:38 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Border Wall Weekly (22-26 July)
Attachments: Border Wall Construction Photos Week of July 26, 2019.pdf; USBP Border Wall Card S1 072619.pdf

Good morning All,

I (b)(6);(b)(7)(C) absence, I am sending out the Border Wall Weekly Activity Report for this week that was sent to DHS HQ and CBP leadership today. Specific to SDC is highlighted in yellow. In addition, attached are the Border Wall card and updated photos.

Please let me know if you have any questions or concerns.

Respectfully,

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

(b)(6);(b)(7)(C)
(A) Director of Logistics
U.S. Customs & Border Protection
San Diego Sector Border Patrol Headquarters
Mission Readiness Operations Division – Logistics
Cell (b)(6);(b)(7)(C)
Offic
(b)(6);(b)(7)(C)

>
Subject: Border Wall Weekly (22-26 July)

All,
Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.
Please note that RG (b) (7)(E) were NOT solicited by USACE yesterday and that is now anticipated fo (b) (5)
Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details here: https://apnews.com/5d893d388c254c7fa83a1570112ae90e
Attached are the Border Wall card and updated photos.
Have a great weekend!
Thanks,
(b)(6);(b)(7

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

AMERICAN OVERSIGHT

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
  - Package 1 [redacted] gates i [redacted] County Construction is on-going a [redacted] gates. Construction completion is estimated for lat [redacted]. (Photos attached)
  - Packages 2 & 3 [redacted] gates i [redacted] County an [redacted] gates i [redacted] Award remains anticipated for July 31.
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)
    - Appraisals complete: 0 of 43 (0%)
    - Offers-to-Sell Delivered: 0 of 43 (0%)
    - Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- [redacted] Primary Replacemen [redacted]
  - [redacted] more than last week), have been constructed as of July 24. Construction completion is estimated fo [redacted]. (Photos attached)
  - [redacted] are under contract. The remainin [redacted] have yet to be awarded [redacted]
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg [redacted] Primary Replacemen [redacted]
  - [redacted] more than last week), have been constructed as of July 24. Panel construction completion for is estimate [redacted] (Photos attached)
- El Centr [redacted] Primary Replacemen [redacted]
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio [redacted] is anticipated to start i [redacted].
- Rio Grande Valley Levee Wall (RG [redacted] / RGV [redacted]
  - RG [redacted] USAC [redacted] USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)

AMERICAN OVERSIGHT

- Appraisals complete: 31 of 31 (100%) (only required for private tracts)
- Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
  - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)

- RG (b)(7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
  - ROE-S signed to date: 19 of 19 (100%)
  - Surveys complete: 19 of 19 (100%)
  - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Accepted Offers-to-Sell: 0 of 16 (0%)

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  - This project comprises the areas that require additional consultation wit (b)(7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5) t, which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
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FY 2019 Wall Program

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  - The contract award remains anticipate (b) (5) Construction start is anticipated for (b) (5), assuming availability of real estate.
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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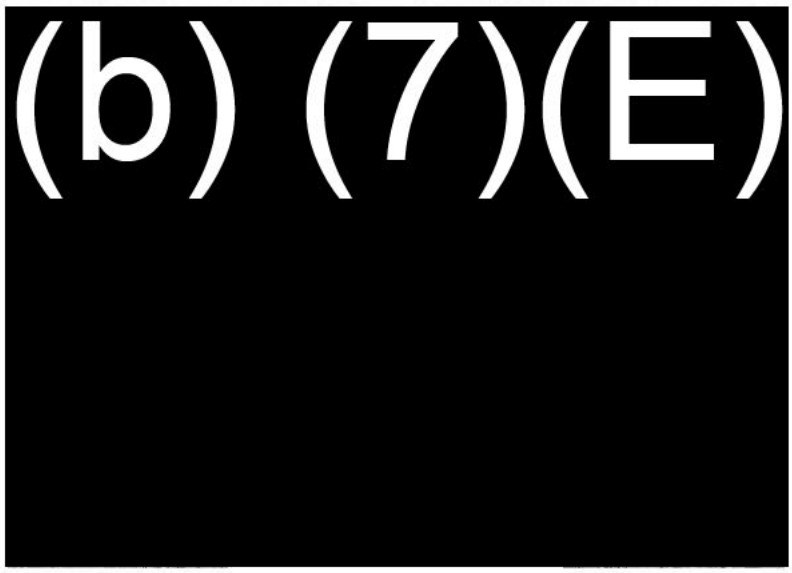

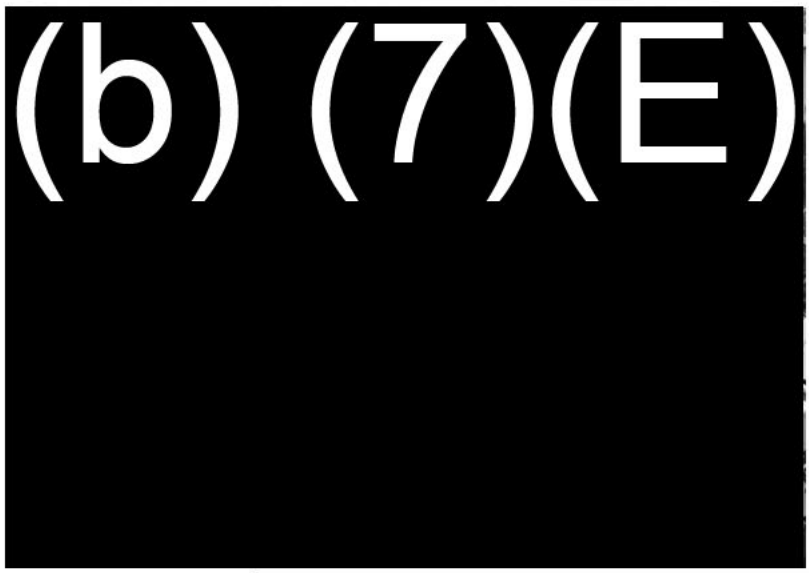

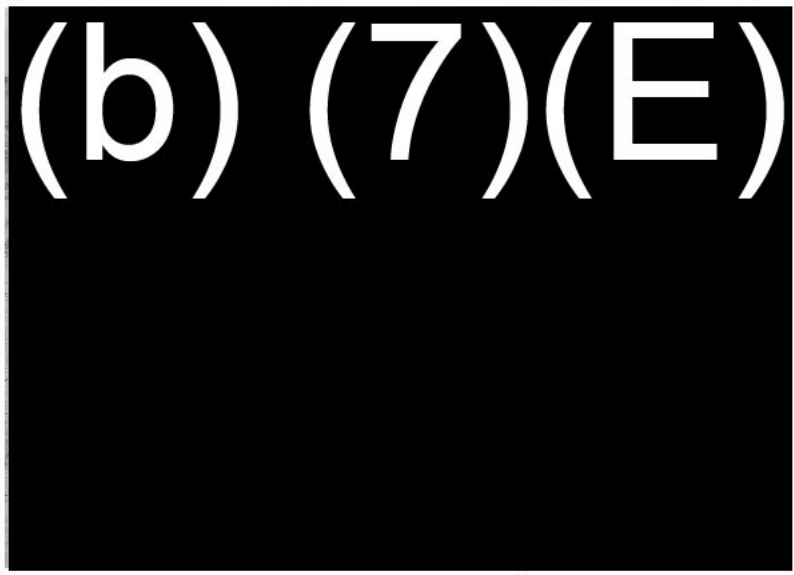

Construction of FY17 San Diego PRIMARY Border Wall Replacement project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



(b) (7)(E) Road – Site Safety Brief

Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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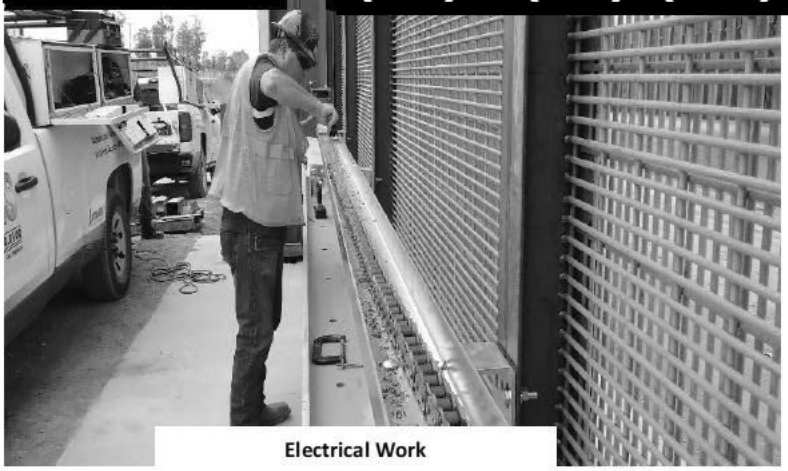
(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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Installed Panels



Panel Installation



Panel Installation



Panel Installation

Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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U.S. Customs and Border Protection

FY 2017 - 2019 Investment Plan

(b) (7)(E)

(b) (7)(E)

Overall Information

SW Border Overview*

Total Southwest Border: 1,954 mi

Existing Barrier: 654 mi

No Barrier: 1,300 mi

PW to Remain 221 mi | PW Replace 133 mi | VB Conversion 300 mi | Primary Border Wall System: 864 mi | Secondary/Enforcement Zone: 771 mi | Non Priority: 437 mi

*totals may differ slightly due to rounding

Funding (info as of July 3, 2019, updated monthly)

FY2017 (b) (7)(E) $341M

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$341M	$336.5M	$286.5M

FY2018 | Up to (b) (7)(E) $1.375B

Type	Barrier	Qty.	Enacted	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$1.375B	$1.29B	$827.3M

FY2019 | TBD Miles | ~$2B**

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$2B	$1.46B	$81.8M

= Change From Prior Week

**DHS Budget $1.375B, Treasury Forfeiture Funds (TFF) $601M

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7/26/19

Milestones

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY17 ENACTED BUDGET PROJECTS (To date, ~39.5/40 Miles & 99% Complete)

Project Milestone	Milestone Date	Status
(b) (7)(E)		

*Construction Start denotes the start of the contractor's Period of Performance (POP) Actual construction start dates are unavailable until Contract is awarded

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FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) – ARB Approved (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas

9/6/2918 – (b) (7)(E) ARB Approved (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) – Pending ARB Approval – (b) (7)(E) of Border Wall System in (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

Real Estate

Project	Miles/# of Land Tracts***	Initial Land Ownership Determination	Appraisal/Valuation Complete	Real Estate Possession
FY18				
(b) (7)(E)				

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
***# of tracts may change as we proceed through the Real Estate Acquisition Process

FOR OFFICIAL USE ONLY 7/26/19

NOTE: Subject to change based upon Acquisition Timelines
Milestones
= Change From Prior Week
= TBD
= 30+ Days Slip
= 1-30 Days Slip
= On Schedule
= Complete

AMERICAN OVERSIGHT

From: LOWRY, KIM M
Sent: Tuesday, July 30, 2019 9:08 AM
To: (b)(6);(b)(7)(C)
Subject: FW: UPDATE: Border Wall Weekly (22-26 July)
Attachments: 19A60.pdf; ATT00001.htm

From: LOWRY, KIM M
Sent: Saturday, July 27, 2019 3:33 PM
To (b)(6);(b)(7)(C)
Subject: Fwd: UPDATE: Border Wall Weekly (22-26 July)

Sent from my iPhone

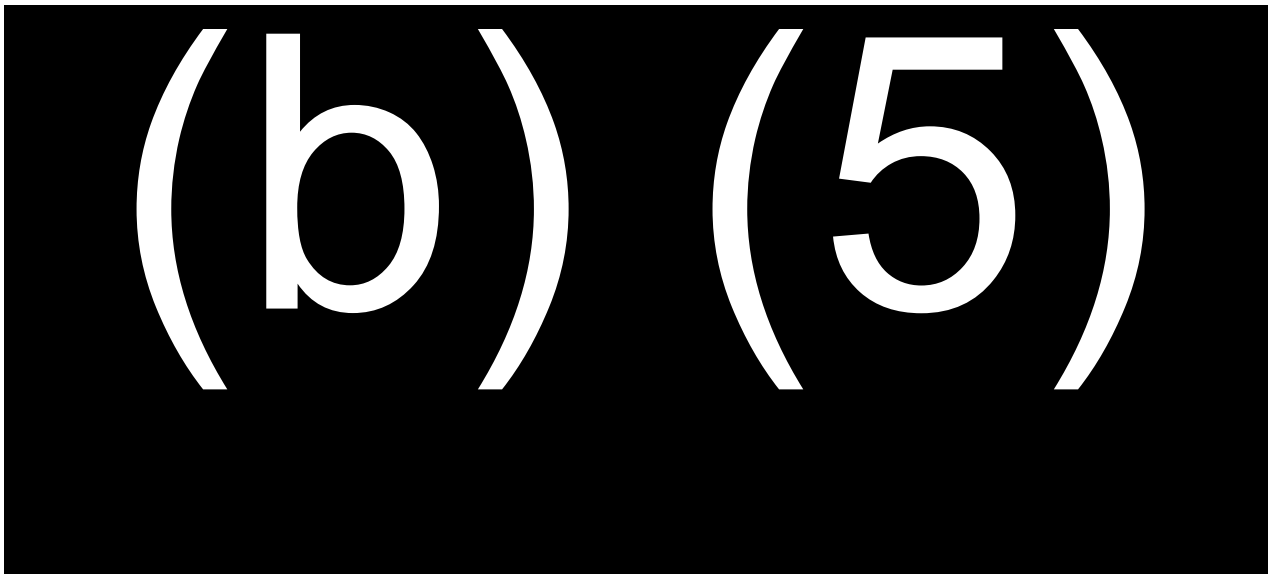
Begin forwarded message:

From: "HIGHSMITH, ANNMARIE (OCC) (b)(6);(b)(7)(C) >
Date: July 26, 2019 at 11:39:58 PM EDT
To (b)(6);(b)(7)(C) "MARTIN, JERRY B" (b)(6);(b)(7)(C), "Alles, Randolph (b) (6) "MORGAN, MARK A (b)(6);(b)(7)(C), "PEREZ, ROBERT E" (b)(6);(b)(7)(C) >
Cc: "PROVOST, CARLA (USBP) (b)(6);(b)(7)(C), "LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C), "HASTINGS, BRIAN S" (b)(6);(b)(7)(C) (b) (6) "Blume, Allen (b) (6), (b) (6) (b) (6) > (b)(6);(b)(7)(C) , "FRIEL, MICHAEL J" (b)(6);(b)(7)(C), "MEEHAN, ANDREW C" (b)(6);(b)(7)(C) >, "LOWRY, KIM M (b)(6);(b)(7)(C) "HUFFMAN, BENJAMINE C (b)(6);(b)(7)(C) (b) (6) "FRIEL, MICHAEL J" (b)(6);(b)(7)(C)
Subject: RE: UPDATE: Border Wall Weekly (22-26 July)

Good evening, all:

Good news for a Friday night! (b) (5)

AMERICAN OVERSIGHT



As always, please let us know if you would like to discuss or have any questions.

--AM

From (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 7:25 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C); Alles, Randolph (b) (6); MORGAN, MARK A (b)(6);(b)(7)(C) PEREZ, ROBERT (b)(6);(b)(7)(C)
Cc: PROVOST, CARLA (USBP (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C); HASTINGS, BRIAN S (b)(6);(b)(7)(C) > (b) (6) Blume, Alle (b) (6) (b) (6) (b)(6);(b)(7)(C); FRIEL, MICHAEL J (b)(6);(b)(7)(C) >; MEEHAN, ANDREW C (b)(6);(b)(7)(C) LOWRY, KIM M (b)(6);(b)(7)(C) HIGHSMITH, ANNMARIE (OCC) (b)(6);(b)(7)(C) HUFFMAN, BENJAMINE C (b)(6);(b)(7)(C) (b) (6); FRIEL, MICHAEL J (b)(6);(b)(7)(C)
Subject: UPDATE: Border Wall Weekly (22-26 July)

Good evening – We've had a late breaking development on the DoD Counterdrug/284 program. According to media reports, SCOTUS has stayed the injunction. We will stay connected with Counsel's office on the specifics of the ruling and the impacts it may have to turning construction efforts back on. Assuming no further obstacles, DoD expect (b) (5) (b) (5). We will continue to update as this develops.

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https://www.cnn.com/2019/07/26/politics/supreme-court-pentagon-border-wall-construction/index.html

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, July 26, 2019 2:06 PM
To: Alles, Randolph (b) (6); MORGAN, MARK A (b)(6);(b)(7)(C); PEREZ, ROBERT (b)(6);(b)(7)(C)
Cc: PROVOST, CARLA (USBP (b)(6);(b)(7)(C); LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C); HASTINGS, BRIAN S (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b) (6); Blume, Alle (b) (6); (b) (6) (b)(6);(b)(7)(C); FRIEL, MICHAEL J (b)(6);(b)(7)(C) MEEHAN, ANDREW C (b)(6);(b)(7)(C) LOWRY, KIM M (b)(6);(b)(7)(C) HIGHSMITH, ANNMARIE (OCC) (b)(6);(b)(7)(C) HUFFMAN, BENJAMINE C (b)(6);(b)(7)(C) (b) (6) FRIEL, MICHAEL J (b)(6);(b)(7)(C)
Subject: Border Wall Weekly (22-26 July)

DUSM Alles, Commissioner, Deputy Commissioner,

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
  - Package 1 (b)(7) gates i (b) (7)(E) County Construction is on-going a (b) (7)(E) gates. Construction completion is estimated for lat (b) (5). (Photos attached)
  - Packages 2 & 3 (b) gates i (b) (7)(E) County an (b) (7)(E) gates i (b) (7)(E) Award remains anticipated fo (b) (5)

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- ROE-S signed to date: 30 of 43 (70%)
- Surveys complete: 32 of 43 (74%)
- Appraisals complete: 0 of 43 (0%)
- Offers-to-Sell Delivered: 0 of 43 (0%)
- Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated fo (b) (5). (Photos attached)
  - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarded (b) (5)
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg (b) (7)(E) Primary Replacemen (b) (7)(E)
  - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) (Photos attached)
- El Centr (b) (7)(E) Primary Replacemen (b) (7)(E)
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E) is anticipated to start i (b) (5).
- Rio Grande Valley Levee Wall (RG (b) (7)(E) / RGV (b) (7)(E)
  - RG (b) (7)(E) USAC (b) (5) USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)
    - Appraisals complete: 31 of 31 (100%) (only required for private tracts)
    - Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
      - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the

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property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.

- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)

- RG (b)(7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.
  - ROE-S signed to date: 19 of 19 (100%)
  - Surveys complete: 19 of 19 (100%)
  - Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
  - Accepted Offers-to-Sell: 0 of 16 (0%)

- Rio Grande Valley Border Wall System (RGV (b)(7)(E) i (b)(7)(E) County):
  - This project comprises the areas that require additional consultation wit (b)(7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b)(5) which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
    - ROE-S signed to date: 136 of 155 (88%)
    - Surveys complete: 20 of 155 (13%)
    - Appraisals complete: 0 of 152 (0%) (only required for private tracts)
    - Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
    - Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b)(7)(E)
  - The contract award remains anticipate (b)(5) Construction start is anticipated fo (b)(5), assuming availability of real estate.
    - ROE-S signed to date: 81 of 95 (85%)
    - Surveys complete: 88 of 95 (92%)
    - Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)

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- Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
- Accepted Offers-to-Sell: 0 of 85 (0%)

- Rio Grande Valley Border Wall System (RGV (b) (7)(E))
  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated fo (b) (5) .
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
  - This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.
- Rio Grande Valley Border Wall System (Remainin (b) (7)(E)
  - The RFP packages for the FY19 projects RG (b) (7)(E) and RG (b) (7)(E) are anticipated to advertis (b) (5) and RG (b) (7)(E) is on track fo (b) (5) USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
  - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
      - ROE-S signed to date: 23 of 23 (100%)
      - Surveys complete: 0 of 23 (0%)
      - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
      - ROE-S DTs filed: 4 (pending)
      - Surveys complete: 0 of 177 (0%)
      - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
      - Surveys complete: 0 of 89 (0%)
      - Appraisals complete: 0 of 74 (0%) (only required for private tracts)

AMERICAN OVERSIGHT

        - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)
    - RG (b)(7)(E) Border Wall System (b) (7)(E)
        - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
        - ROE-S DTs filed: 3 (pending)
        - Surveys complete: 16 of 145 (11%)
        - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
        - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)

- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
    - Construction is estimated to start in earl (b) (5) and complete by the end of (b) (5)

Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E)
    - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5)
    - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

Acquisition

- The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel (b) (7)(E)**
    - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any

AMERICAN OVERSIGHT

action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.

  - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.
  - The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.

- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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VR

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC

AMERICAN OVERSIGHT

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

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SUPREME COURT OF THE UNITED STATES

No. 19A60

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. *v.* SIERRA CLUB, ET AL.

ON APPLICATION FOR STAY

[July 26, 2019]

The application for stay presented to JUSTICE KAGAN and by her referred to the Court is granted. Among the reasons is that the Government has made a sufficient showing at this stage that the plaintiffs have no cause of action to obtain review of the Acting Secretary's compliance with Section 8005. The District Court's June 28, 2019 order granting a permanent injunction is stayed pending disposition of the Government's appeal in the United States Court of Appeals for the Ninth Circuit and disposition of the Government's petition for a writ of certiorari, if such writ is timely sought. Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate when the Court enters its judgment.

JUSTICE GINSBURG, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application.

JUSTICE BREYER, concurring in part and dissenting in part from grant of stay.

To warrant this stay, the Government must show not just (1) a reasonable probability that the Court will grant certiorari and (2) a fair prospect that the Court will reverse, but also (3) "'a likelihood that irreparable harm will result from the denial of a stay.'" *Maryland* v. *King*, 567 U. S. 1301, 1302 (2012) (ROBERTS, C. J., in chambers). This case raises novel and important questions about the ability of private

AMERICAN OVERSIGHT

parties to enforce Congress' appropriations power. I would express no other view now on the merits of those questions.

Before granting a stay, however, we must still assess the competing claims of harm and balance the equities. *Barnes* v. *E-Systems, Inc. Group Hospital Medical & Surgical Ins. Plan*, 501 U. S. 1301, 1305 (1991) (Scalia, J., in chambers). This Court may, and sometimes does, "tailor a stay so that it operates with respect to only 'some portion of the proceeding.'" *Trump* v. *International Refugee Assistance Project*, 582 U. S. , (2017) (*per curiam*) (slip op., at 10) (quoting *Nken* v. *Holder*, 556 U. S. 418, 428 (2009)). In my view, this is an appropriate case to do so.

If we grant the stay, the Government may begin construction of a border barrier that would cause irreparable harm to the environment and to respondents, according to both respondents and the District Court. The Government's only response to this claim of irreparable harm is that, if respondents ultimately prevail, the border barrier may be taken down (with what funding, the Government does not say). But this is little comfort because it is not just the barrier, but the construction itself (and presumably its later destruction) that contributes to respondents' injury.

If we instead deny the stay, however, it is the Government that may be irreparably harmed. The Government has represented that, if it is unable to finalize the contracts by September 30, then the funds at issue will be returned to the Treasury and the injunction will have operated, in effect, as a final judgment. Respondents suggest a court could still award the Government relief after an appropriation lapses, though that proposition has yet to be endorsed by this Court.

But there is a straightforward way to avoid harm to both the Government and respondents while allowing the litigation to proceed. Allowing the Government to finalize the contracts at issue, but not to begin construction, would alleviate the most pressing harm claimed by the Government

AMERICAN OVERSIGHT

without risking irreparable harm to respondents. Respondents do not suggest that they will be harmed by finalization of the contracts alone, and there is reason to believe they would not be. See, *e.g.*, 36 Opinion of Office of Legal Counsel 11 (2012) (noting that, because of the Anti-Deficiency Act, "the government [is] legally incapable of incurring a contractual obligation to pay more money than Congress had appropriated"), online at https://www.justice.gov/file/20596/download (as last visited July 26, 2019); see also *Leiter* v. *United States*, 271 U. S. 204, 206–207 (1926); *Sutton* v. *United States*, 256 U. S. 575, 580–581 (1921); *Hooe* v. *United States*, 218 U. S. 322, 332–334 (1910); *Bradley* v. *United States*, 98 U. S. 104, 116–117 (1878).

I can therefore find no justification for granting the stay in full, as the majority does. I would grant the Government's application to stay the injunction only to the extent that the injunction prevents the Government from finalizing the contracts or taking other preparatory administrative action, but leave it in place insofar as it precludes the Government from disbursing those funds or beginning construction. I accordingly would grant the stay in part and deny it in part.

AMERICAN OVERSIGHT

Subject: WBTW Meeting
Location: Commissioner's Small Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER (b) (7)(E)

Required Attendees: MARTIN, JERRY B; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) kkobach@gmail.com (b)(6);(b)(7)(C) (b) (6)

Please do NOT forward this invitation, should you require assistance with this invitation please conta (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Attendees:

Deputy Commissioner Robert E. Perez

Chief Jerry “Brian” Martin

Ruynard Singleton

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

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

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

Kris Kobach

(b) (6)

(b) (6)

AMERICAN OVERSIGHT

Subject: WBTW Meeting
Location: Commissioner's Large Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER
(b) (7)(E)

Required Attendees: CBP DEPUTY COMMISSIONER SCHEDULER; MARTIN, JERRY B; SINGLETON, RUYNARD R; (b)(6);(b)(7)(C)
kkobach@gmail.com (b)(6);(b)(7)(C)

Optional Attendees: DCC10A-RMB-COMMISSIONER-CN-RM

Please do NOT forward this invitation, should you require assistance with this invitation please contac (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry “Brian” Martin
Ruynard Singleton
(b)(6);(b)(7)(C)
Kris Kobach
(b) (6)

AMERICAN OVERSIGHT

Subject: WBTW Meeting
Location: Commissioner's Large Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER
(b) (7)(E)

Required Attendees: MARTIN, JERRY B; SINGLETON, RUYNARD R (b)(6);(b)(7)(C)
kkobach@gmail.com (b)(6);(b)(7)(C)

Please do NOT forward this invitation, should you require assistance with this invitation please contac (b)(6);(b)(7)(C) a (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

Attendees:

Deputy Commissioner Robert E. Perez

Chief Jerry “Brian” Martin

Ruynard Singleton

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

Kris Kobach

AMERICAN OVERSIGHT

Subject: WBTW Meeting
Location: Ronald Reagan Building, 1300 Pennsylvania Ave NW Washington DC 20004

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER
(b) (7)(E)

Please do NOT forward this invitation, should you require assistance with this invitation please contac (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) o (b)(6);(b)(7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry “Brian” Martin
Ruynard Singleton
(b)(6);(b)(7)(C)
Kris Kobach

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, July 30, 2019 1:17 PM
To: (b)(6);(b)(7)(C)
Subject: FW: Border Wall Weekly (22-26 July)
Attachments: Border Wall Construction Photos Week of July 26, 2019.pdf; USBP Border Wall Card S1 072619.pdf

Top of your inbox.

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

From (b)(6);(b)(7)(C)
Sent: Saturday, July 27, 2019 10:00 AM
To: (b)(6);(b)(7)(C)

[redacted]

AMERICAN OVERSIGHT

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

Cc: BORDERWALLTASKS (b) (7)(E) PMOD Taskers (b) (7)(E)
Subject: Border Wall Weekly (22-26 July)

All,
Below is the Border Wall Weekly update that was sent yesterday to DHS HQ and CBP leadership.
Please note that RG (b) (7)(E) were NOT solicited by USACE yesterday and that is now anticipated fo (b) (5)
Also, as you all are likely aware, the 284 stay has been lifted by the Supreme Court. Details here: https://apnews.com/5d893d388c254c7fa83a1570112ae90e
Attached are the Border Wall card and updated photos.
Have a great weekend!
Thanks,
(b)(6);(b)(7

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):

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- ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)

- RGV Gates (35 gates):
  - Package 1 [redacted] gates i [redacted] County Construction is on-going a [redacted] gates. Construction completion is estimated for lat [redacted] (Photos attached)
  - Packages 2 & [redacted] gates i [redacted] County an [redacted] gates i [redacted] Award remains anticipated fo [redacted]
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)
    - Appraisals complete: 0 of 43 (0%)
    - Offers-to-Sell Delivered: 0 of 43 (0%)
    - Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- [redacted] Primary Replacemen [redacted]
  - [redacted] more than last week), have been constructed as of July 24. Construction completion is estimated fo [redacted]. (Photos attached)
  - [redacted] are under contract. The remainin [redacted] have yet to be awarded [redacted]
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg [redacted] Primary Replacemen [redacted]
  - [redacted] more than last week), have been constructed as of July 24. Panel construction completion for is estimate [redacted] (Photos attached)
- El Centr [redacted] Primary Replacemen [redacted]
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio [redacted] is anticipated to start i [redacted].
- Rio Grande Valley Levee Wall (RG [redacted] / RGV [redacted]
  - RG [redacted] USAC [redacted] USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)
    - Appraisals complete: 31 of 31 (100%) (only required for private tracts)

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- Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
    - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
- Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)

o RG (b)(7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.

- ROE-S signed to date: 19 of 19 (100%)
- Surveys complete: 19 of 19 (100%)
- Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
- Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
- Accepted Offers-to-Sell: 0 of 16 (0%)

- Rio Grande Valley Border Wall System (RGV (b) (7)(E) i (b)(7)(E) County):

o This project comprises the areas that require additional consultation wit (b)(7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5) which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.

- ROE-S signed to date: 136 of 155 (88%)
- Surveys complete: 20 of 155 (13%)
- Appraisals complete: 0 of 152 (0%) (only required for private tracts)
- Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
- Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (RGV (b) (7)(E)

o The contract award remains anticipate (b) (5) Construction start is anticipated for November, assuming availability of real estate.

- ROE-S signed to date: 81 of 95 (85%)
- Surveys complete: 88 of 95 (92%)

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- Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
- Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
- Accepted Offers-to-Sell: 0 of 85 (0%)

- Rio Grande Valley Border Wall System (RGV (b) (7)(E))
  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated fo (b) (5)
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.
  - This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.
- Rio Grande Valley Border Wall System (Remainin (b) (7)(E))
  - The RFP packages for the FY19 projects RG (b) (7)(E) and RG (b) (7)(E) are anticipated to advertis (b) (5) and RG (b) (7)(E) is on track fo (b) (5) USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
  - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action plan which the GAO appears to have accepted which should resolve the protest within 30-60 days.
      - ROE-S signed to date: 23 of 23 (100%)
      - Surveys complete: 0 of 23 (0%)
      - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
      - ROE-S DTs filed: 4 (pending)
      - Surveys complete: 0 of 177 (0%)
      - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
      - Surveys complete: 0 of 89 (0%)
      - Appraisals complete: 0 of 74 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)

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- RGV (b)(7) Border Wall System (b) (7)(E)
  - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
  - ROE-S DTs filed: 3 (pending)
  - Surveys complete: 16 of 145 (11%)
  - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
  - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)

- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.
  - Construction is estimated to start in earl (b) (5) and complete by the en (b) (5).

Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E)
  - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5)
  - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

Acquisition

- The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel** (b) (7)(E)
  - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.
  - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.

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- The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.

- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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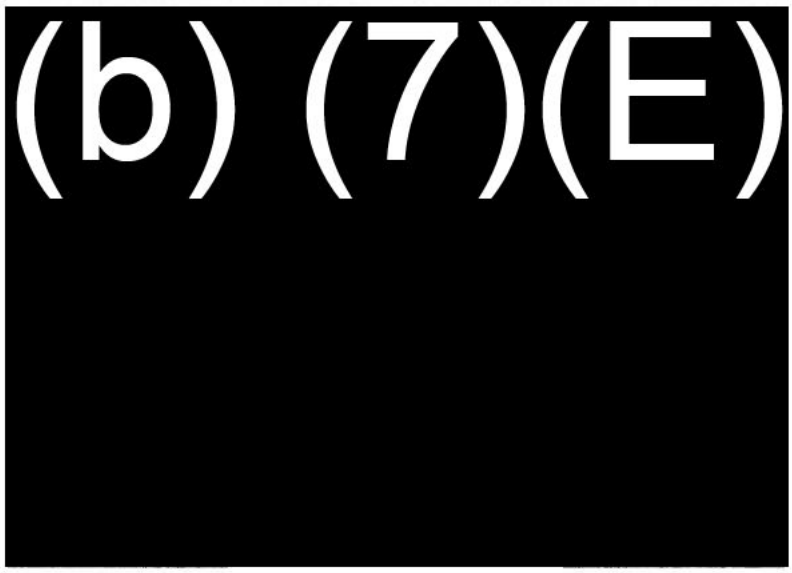



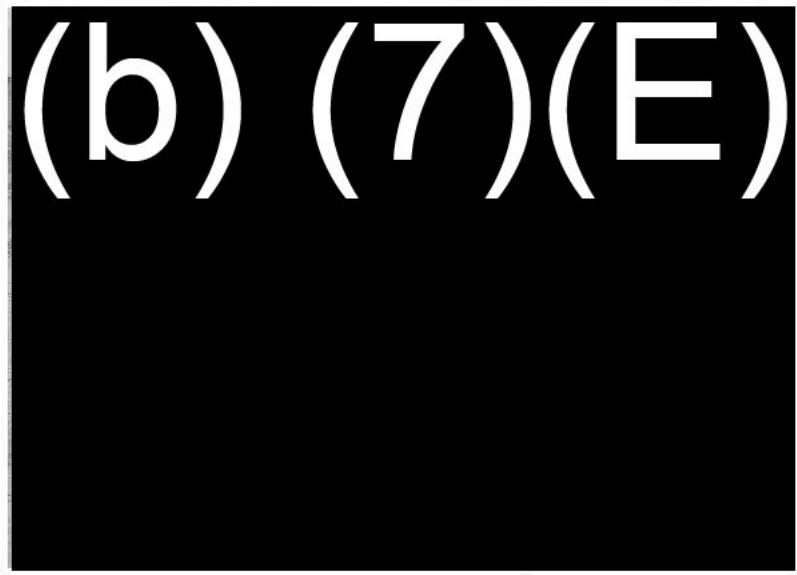

Construction of FY17 San Diego PRIMARY Border Wall Replacement project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



(b) (7)(E) Road – Site Safety Brief

Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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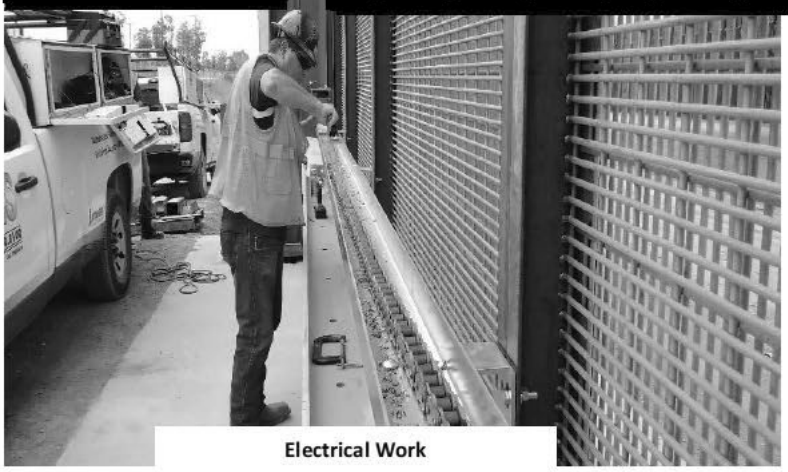
(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of (b) (7)(E) rimary Replacement Border Wall Project as of July 26, 2019

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Installed Panels



Panel Installation



Panel Installation



Panel Installation

Construction of (b) (7)(E) rimary Replacement Border Wall Project as of July 26, 2019

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U.S. Customs and Border Protection

FY 2017 - 2019 Investment Plan

(b) (7)(E)

(b) (7)(E)

Overall Information

SW Border Overview*

Total Southwest Border: 1,954 mi

- Existing Barrier: 654 mi
- No Barrier: 1,300 mi

Existing Barrier: 654 mi
- PW to Remain 221 mi
- PW Replace 133 mi
- VB Conversion 300 mi

No Barrier: 1,300 mi
- Primary Border Wall System: 864 mi
- Secondary/Enforcement Zone: 771 mi
- Non Priority: 437 mi

*totals may differ slightly due to rounding

Funding (info as of July 3, 2019, updated monthly)

FY2017 (b) (7)(E) $341M	Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)						
			TOTAL	$341M	$336.5M	$286.5M

FY2018 | Up to (b) (7)(E) $1.375B	Type	Barrier	Qty.	Enacted	CBP Obligated	USACE Obligated
(b) (7)(E)						
			TOTAL	$1.375B	$1.29B	$827.3M

FY2019 | TBD Miles | ~$2B**	Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)						
			TOTAL	$2B	$1.46B	$81.8M

= Change From Prior Week

**DHS Budget $1.375B, Treasury Forfeiture Funds (TFF) $601M

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7/26/19

FY17 ENACTED BUDGET PROJECTS (To date, ~39.5/40 Miles & 99% Complete)

Project Milestone	Milestone Date	Status
(b) (7)(E)		

Milestones

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week
= TBD
= 30+ Days Slip
= 1-30 Days Slip
= On Schedule
= Complete

*Construction Start denotes the start of the contractor's Period of Performance (POP) Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

Milestones

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) – ARB Approved (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas

9/6/2918 – (b) (7)(E) – ARB Approved (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border, adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) – Pending ARB Approval – (b) (7)(E) of Border Wall System in (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

Real Estate

Project	Miles/# of Land Tracts***	Initial Land Ownership Determination	Appraisal/Valuation Complete	Real Estate Possession
FY18				
(b) (7)(E)				

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
***# of tracts may change as we proceed through the Real Estate Acquisition Process

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, July 30, 2019 5:23 PM
To: AS1KKM
Cc: (b) (6) (b)(6);(b)(7)(C) PROVOST, CARLA (USBP); LUCK, SCOTT A (USBP)
Subject: Senator Cramer Background Paper
Attachments: Senator Cramer Border Wall Paper v (b)(6); 071119.docx

Sir This paper was prepped a few weeks ago. It's not perfectly up to date, but given the short time frame, it's close.

Best,
(b)(6);(b)(7)(C

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) cbp.dhs.gov

AMERICAN OVERSIGHT

ACTING SECRETARY MEETING WITH U.S. SENATOR KEVIN CRAMER (R-ND)
BORDER WALL UPDATE
July 11, 2019

OVERVIEW:

- **Senator Cramer has engaged on multiple occasions through letters, phone calls and meetings with U.S. Customs and Border Protection (CBP) regarding the Border Wall acquisition process and construction in 2019.**
- Senator Cramer (and Senator Hoeven (R-ND)) has assisted with setting up meetings between CBP and Fisher Industries, a company with North Dakota ties, to discuss the border barrier construction.
- Senator Cramer's letters have expressed concerns over DHS's partnership with the U.S. Army Corps of Engineers (USACE) regarding the completion of border wall construction on time and budget as well as the overall acquisition process. Senator Cramer has suggested that DHS contract directly with private industry.
- CBP has both responded in writing to Senator Cramer (and Senator Hoeven) to explain the process, has had phone calls and also an in person briefing with U.S. Border Patrol (USBP) senior leaders on May 15, 2019.
- The message to Senator Cramer has remained consistent and is as follows:
  - CBP, in partnership with USACE, manages all procurement actions for the construction of the border wall program through competitive bids by utilizing vehicles such as Multiple Award Task Order Contracts (MATOCs) and pre-qualified sources lists.
  - The USACE posts acquisition opportunities through Federal Business Opportunities (FedBizOpps.gov) and then administers the contracts on behalf of CBP.
  - CBP recommends that all contractors interested in bidding on Border Wall contracts reach out to the USACE Southwestern Division Interagency and International Services (IIS) located in Fort Worth, Texas to discuss their acquisition process in more detail and continue to monitor FedBizOpps.gov for future opportunities.
  - Border wall construction today continues to move exceptionally quickly for large, Federal construction projects.

***WE BUILD THE WALL*:**

- *We Build the Wall*, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.
  - This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
  - *We Build the Wall* has expressed interest in "handing over the keys" to this border wall system to CBP.
- *We Build the Wall* is now seeking permission from DHS to construct additional border wall system east o (b) (7)(E) still in Sunland Park, New Mexico on land in which the company appears to believe the U.S. Government has a real estate interest.
- On July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the *We Build the Wall.*

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- USBP sent a team out to Sundland Park, New Mexico to inspect the completed segment on July 8.

BACKGROUND:

- As of July 3, 2019, ~39.5 (99%) of the FY17 replacement wall (~40 total miles) and ~10.6 miles (13%) of the FY18 new and replacement wall (~76-80 total miles) has been constructed. Approximately 50 additional miles are currently under construction, with many more miles anticipated for award by the end of the Fiscal Year.
- CBP has received approximately $3.7B for border barriers, funded through a combination of FY17, 18 and 19 Appropriations and the Treasury Forfeiture fund. These funds are expected to support execution of 205 miles of border wall system. Border wall system includes a combination of infrastructure such as wall, all-weather roads, lighting, enforcement cameras and other related technology.

February 17, 2019: CBP received a letter from Senator Cramer asking about border wall construction to include acquisition, service provider and cost. CBP responded.

March 4, 2019: Senator Cramer sent another letter on the similar topic and CBP responded.

May 13, 2019: Senator Cramer's staff reached out to OMB with some questions to which OMB responded with the following:

Q1: In regards to money the Army Corps is receiving for border wall, what % is going to construction and what % is going to administrative costs?
A1: Costs for construction vs. administrative activities vary by border barrier project. We recommend that you engage with DHS/CBP or USACE for project-specific cost information.

Q2: How much wall has already been built (the Corps told him something like 32 miles and he doesn't think that's right)?
A2: As of May 10, CBP and USACE have collaborated to construct 41.2 miles of border barriers during the current administration.

- Using FY17 DHS Appropriations: 39.5 miles of replacement barriers in San Diego, El Centro, and El Paso Sectors.
- Using FY18 DHS Appropriations: 1.7 miles of new barriers in San Diego Sector.

Q3: Are there any statutory limits on DHS's ability to contract directly with a private company?
A3: OMB is not aware of any statutory limitations specifically constraining DHS's ability to contract with private companies on border barrier projects.

May 15, 2019: Senator Cramer and staff received a Wall Program Update from USBP senior leaders.

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May 24, 2019: Cramer told a North Dakota radio station that President Trump has asked him to audit the entire process of how federal border wall projects are awarded. "We're going to do an entire audit," Cramer said. "I've asked for the entire bid process, and all of the bid numbers."

March 26, 2019: Mornings With Maria (FBN) – Sen. Kevin Cramer (Border Wall)
http://mms.tveyes.com/transcript.asp?StationID_2025&DateTime_3/26/2019%207:23:32%20AM&playclip_true&pbc_search%3a%2b

MARIA BARTIROMO: welcome back. the border wall battle continues. the pentagon is directing $1 billion in funds for 57 miles of border wall in support of president trump's national emergency declaration. this as a new migrant caravan is reportedly formed. it is headed for the southern border this morning. joining me right now is senator kevin kramer. it's good to have you on the program this morning. expecting in terms of this caravan headed to the border once again? president trump's plans, he said to me last week the wall is being built.

SEN. KEVIN CRAMER: well, i trust that he means it. i hope that he's right. i'd like to see a little bit more action, frankly, from the builders of the wall. i'd like to see more trenches being built and more wall being put into place. there's a lot of planning. there's a lot of designing and there's a lot of contracting but i want to see real action. north dakota, if you task the contractor with putting up a wall, they start working on it tomorrow. i'm a little anxious about the actual process of building. but he's right, and i think the case is being made for him.

BARTIROMO: you have called on the department of homeland security to fire the pentagon officials who are overseeing the border project and i stead hire private sector companies. tell me, senator, why that would be a big difference, what are why are you looking for private sector companies to take on this work?

SEN. CRAMER: the private sector doesn't seem to be as hampered by the bureaucracy that the corps of engineers is. the corps of engineers is made up of engineers. they're bound by the bureaucracy that involves lots of planning, lots of bidding, lots of oversight. but they don't build anything. i think vertically integrated companies who know how to build things and have the means to do it are much better than the bureaucracy. on top of everything else, the corps of engineers is a division of the army which adds another mass of bureaucracy to the process. when i look at the history of the corps of engineers and the project of border security, i don't see a lot of action. we've appropriated a lot of money.

Issues Likely to be Raised
Q1: Why does CBP insist on using the U.S. Army Corps of Engineers and not do its own acquisition?
A1:

- The USACE is CBP's preferred partner in executing border barriers for various reasons.
- The USACE provides acquisition, construction oversight and real estate expertise.
- The USACE has experienced personnel to support and accomplish the complex acquisition and contract administration required for large-scale construction through competitively bid contracts.

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- Additionally, the USACE is one of a few agencies with delegated authority to approve title, which is critical to our acquisition of real estate.
- Lastly, the USACE has experience and subject matter expertise to rapidly execute construction projects of this magnitude, as evidenced by the 2008 and 2009 construction. We are also witnessing their commitment to expeditious construction today.
- As the USACE competitively bids border wall projects on behalf of CBP, we encourage all companies that are interested in constructing border wall to bid on opportunities solicited by the USACE.

Staff Responsible (b)(6);(b)(7)(C) Deputy Executive Director, SPAD, U.S. Border Patrol, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, February 1, 2019 3:10 PM
To: (b)(6);(b)(7)(C)
Subject: RE: border issues

Sir,

We had a congressional delegation in RGV the last two days. The ride along portion began in the Brownsville area and took the levee west. They did not go into the brush on that section of the your. In the evening, Chie (b)(6);(b)(7)(C) took the congressmen to (b) (7)(E) as is typical during these ride alongs.

Of note, a Breitbart reporter took a member of Congress t (b) (7)(E) early in the afternoon of Jan. 31st without our knowledge. The reporter, Brandon Darby, knows he cannot enter private or USFWS property without a Border Patrol agent. Agents in the area called USFWS Officers to inform them of the incident.

Thank you,

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

(A)Special Operations Supervisor

Communications Branch

RGV Sector HQ

O (b)(6);(b)(7)(C) <t (b)(6);(b)(7)(C) >

C (b)(6);(b)(7)(C) <tel: (b)(6);(b)(7)(C) >

From (b)(6);(b)(7)(C)
Sent: Friday, February 1, 2019 1:53 PM
To: RGV Comms Supervisors <RGVCommsSupervisors@

AMERICAN OVERSIGHT

From: (b) (6)
Sent: Friday, May 24, 2019 9:57 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) MARTIN, JERRY B
Subject: FW: SPOT REPORT: Washington Post article ref: Fisher

Sure you all saw this one. It does talk about the El Paso work...

+++
* 'He always brings them up': Trump tries to steer border wall deal to North Dakota firm
https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html
Washington Post

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

In phone calls, White House meetings and conversations aboard Air Force One during the past several months, Trump has aggressively pushed Dickinson, N.D.-based Fisher Industries to Department of Homeland Security leaders and Lt. Gen. Todd Semonite, the commanding general of the Army Corps, according to the administration officials, who spoke on the condition of anonymity. The push for a specific company has alarmed military commanders and DHS officials.

Semonite was summoned to the White House again Thursday, after the president's aides told Pentagon officials - including Gen. Mark Milley, the commander of the U.S. Army - that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project - and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

"The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals," said Sarah Sanders, White House press secretary. "He wants to make sure we get the job done under budget and ahead of schedule."

Fisher's CEO, Tommy Fisher, has gone on conservative television and radio, claiming that his company could build more than 200 miles of barrier in less than a year. And he has courted Washington directly, meeting in congressional offices and inviting officials to the southwest desert to see barrier prototypes.

Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit organization that includes prominent conservatives who support the president - its associates and advisory board include former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas Secretary of State Kris Kobach - has guided an effort to build portions of the border barrier on private land with private funds.

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The first section is expected to be unveiled soon. Fisher-branded equipment and workers were visible this week preparing the site outside El Paso, within feet of the International Boundary Monument No. 1, placed in 1855 at the beginning of the effort to delineate the Mexico border. The stretch is the only area in the region without a barrier, in part because it crosses rugged terrain.

Scott Sleight, an attorney for Fisher, said in a statement Thursday that Fisher Industries is committed to working with the federal government to secure the border and has developed a patent-pending installation system that allows the company to build fencing "faster than any contractor using common construction methods."

"Fisher has invited officials of many agencies and members of Congress to demonstrate what we believe are vastly superior construction methods and capabilities," Sleight said. "Consistent with the goals President Trump has also outlined, Fisher's goal is to, as expeditiously as possible, provide the best quality border protection at the best price for the American people at our Nation's border."

Jared Kushner, the president's son-in-law, has joined in the campaign for Fisher, along with Sen. Kevin Cramer (R-N.D.), an ardent promoter of the company and the recipient of thousands of dollars in campaign contributions from Fisher and his family members, according to campaign finance records. Cramer, in an interview Thursday, said the Trump administration has shown a great deal of interest in his constituent's company.

"He always brings them up," Cramer said, noting that he spoke with Trump about Fisher twice - once in February, and again on Thursday. Each time, Trump said he wanted Fisher to build some of the barrier, Cramer said.

Cramer said Trump likes Fisher because he had seen him on television advocating for his version of the barrier: "He's been very aggressive on TV," Cramer said, of the CEO.

"You know who else watches Fox News?" Cramer said.

Trump's repeated attempts to influence the Army Corps's contracting decisions show the degree to which the president is willing to insert himself into what is normally a staid legal and regulatory process designed to protect the U.S. government from accusations of favoritism. It also shows how a private company can appeal to the president using well-placed publicity and personal connections to his allies - and the president's willingness to dive into the minutiae of specific projects.

But Trump's personal intervention risks the perception of improper influence on decades-old procurement rules that require government agencies to seek competitive bids, free of political interference.

A senior White House official explained Trump's advocacy for Fisher by saying the president was told the company was cheaper than others and could build the wall faster. The official said that Trump would prefer another company if he learned they could do the work cheaper and faster than Fisher has promised.

The official said Trump had not told Semonite he must award the contract to the company but had repeatedly brought up Fisher as an option because he sees the process as too expensive and too slow. Trump wants to see hundreds of miles of border barrier completed within the next two years.

Trump has taken an intense interest in the border barrier project, expressing frustration with the pace of progress on a structure he views as key to his reelection campaign. Several administration officials have said the president requires frequent briefings from his staff, and has given specific but shifting instructions to Semonite and DHS leaders on his preferred tastes and design specifications.

Most recently, the president has insisted the structure be painted black and topped with pointed spikes, while grumbling to aides that Army Corps contracting process is holding back his ambitions. At the White House meeting Thursday, he said he doesn't like the current design for the wall's gates, suggesting that instead of the hydraulic sliding

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gate design, the Army Corps should consider an alternative, according to an administration official: "Why not French doors?" the president asked.

Trump also dismissed concerns about cost increases and maintenance needs associated with applying paint to the structure, insisting the barrier should be black, the administration official said. He also wants the flat steel panels removed from the upper part of the fence, which he considers unsightly, preferring sharpened tips at the end of the steel bollards.

The Department of Homeland Security did not respond to requests for comment.

The Army Corps, with a reputation for rectitude, discipline and impartiality, is the designated contracting authority for the border barrier project, developing specifications, awarding contracts and ensuring legal and regulatory compliance.

"The U.S. Army Corps of Engineers goes to great lengths to ensure the integrity of our contracting process," said Raini W. Brunson, a spokesperson for the Army Corps, who referred questions about Trump's conversations with Semonite to the White House.

The president ordered the reassignment of defense funds to the barrier project after Democrats denied his request for $5 billion. Instead, the agreement to end the government shutdown included $1.4 billion for the barrier. Since then, with Trump promising to build 400 miles of fencing by next year, the Pentagon has pledged to provide at least $2.5 billion more.

Fisher was one of the six companies that built border wall prototypes outside San Diego in 2017, but the company's concrete design did not afford the see-through visibility that Homeland Security officials wanted. While many of the companies declined to discuss their prototypes with reporters, Tommy Fisher was an eager booster for his plan, criticizing the steel bollard design and professing that a more expensive concrete version would be better.

When Fisher began promoting a steel version of the barrier that he said could be installed faster and cheaper, the Army Corps said the design did not meet their requirements and lacked regulatory approvals.

"The system he is proposing does not meet the operational requirements of U.S. Customs and Border Protection," an official said. DHS officials also told the Army Corps in March that Fisher's work on a barrier project in San Diego came in late and over budget.

Fisher has alleged improprieties with the border wall procurement process and sued the government on April 25.

Fisher this week told radio listeners in North Dakota that he was using private donations to build a section of border wall to show off his superior construction methods, which involve using heavy equipment to hold multiple steel panels in place as they are anchored into the ground. He said he knows Trump will be impressed.

"The Corps said it couldn't be done, but now the Border Patrol has seen it," Fisher said, of his construction project, in an interview Wednesday on "The Flag," a show on North Dakota's WZFG News. "They've been out each day and the proof's in the pudding, and after that it's going to open up a whole new narrative about how border security should be handled, who should construct it, and the border agents will finally get what they deserve. And we'll prove it in a half mile stretch where they said it couldn't be done."

Collecting private donations, a group called We Build the Wall has raised $22 million for the cause. The group has announced a raffle for a "wall reveal ceremony" it said will be attended by its "MAGA All Star board of advisers." "Witness history made on completion of the first privately funded section of the border wall!" it reads. Cramer said Fisher is working with We Build the Wall. The group did not respond to a request for comment.

Trump has repeatedly brought up Fisher after hearing about the company in early 2019, administration officials said.

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In an earlier meeting with military and DHS officials in the Oval Office, Trump said the government was getting ripped off by current contractors - and that Fisher could do it for less than half the price, and with concrete. "The president got very spun up about it," said one person with direct knowledge of the meeting.

Officials from the Army Corps and DHS then met with Kushner several times to explain why Fisher wasn't the best deal. Kushner was intimately interested in the cost of the wall and why other companies were being chosen over Fisher, administration officials said. Trump repeatedly told advisers that Fisher should be the company, administration officials said, and he has remained focused on the cost of the wall and how slow its progress has been.

Army Corps of Engineers officials evaluated Fisher's proposal and said they didn't meet the requirements of the project - and that their proposal was cheaper because it wasn't as high quality, or as sophisticated, in their view.
Finally, officials, including then-DHS Secretary Kirstjen Nielsen, went into the Oval Office this spring and explained that Fisher could bid, but that the company's proposal needed to change.

Nielsen and Semonite separately explained that the president could not just pick a company. Nielsen did not respond to a request for comment.

Trump remained frustrated, saying that Fisher said they could build it cheaper and faster. "He said these other guys were full of s---," the official said.

Fisher was added to a pool of competitors after the Army Corps came under pressure from the White House, administration officials said.

On Tuesday, after Semonite was called to a meeting with Cramer on Capitol Hill, the senator posted a photograph of the encounter to Twitter, saying he had "discussed border wall construction" with Army Corps leaders.

Cramer said he was glad the president is so involved in the process. Cramer said he was elected to cut through Washington's entrenched bureaucracy.

"Good for him. It's why he is the president of the United States. He knows a thing or two about building big projects," Cramer said. This is why he's president."

Cramer said he has long known the Fisher family and that he is not advocating for the company because its ownership has donated money to his campaigns.

"I was doing it before they were a financial contributor," he said. "For no other reason than the fact that he's a constituent of mine."

Cramer said he had gone down to the border to see Fisher's "show and tell" demonstration. The senator said he has discussed the company with Semonite, Acting Defense Secretary Patrick Shanahan, White House chief of staff Mick Mulvaney, and others.

Tommy Fisher and his wife gave more than $10,000 - the maximum allowable contributions - to Cramer in 2018 as he ran for Senate, campaign finance records show. Fisher was Cramer's special guest at Trump's State of the Union speech in February, and the CEO said he shook the president's hand afterward.

Trump backed Cramer last year in his campaign to unseat Democrat Heidi Heitkamp. During his Senate run, Cramer appeared in a social media video at Fisher headquarters in North Dakota, driving an excavator.

"Here at Fisher Industries in Dickinson, N.D. I tested just how easy it is install a panel of wall myself," Cramer wrote on Twitter.

AMERICAN OVERSIGHT

(b) (6)
U.S. Army Corps of Engineers
Social Media Program Manager (CEPA)
(b) (6)
http://linkedin.com/in (b) (6)

Join our online communities - http://about.me/USACEHQ

Southern Border Related Correspondence: This information is For Official Use Only. The contents of this email, including any attachments, must not be disclosed, directly or indirectly, to any person not authorized by the agency to receive such information. Unauthorized disclosure of such information may subject the individual making the release to civil and criminal penalties. See, e.g., 18 U.S.C. § 641; 5 C.F.R. § 2635.703.

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 1, 2019 1:28 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Private Border Wall in El Paso

Brian Kolfage, a disabled Vet who started the Go Fund Me account for a border wall, has a Go Fund site where these projects are listed. It say's the estimated cost was 6-8 million, with a final cost TBD.

(b) (6), (b) (7)(C) PROJECT 1 : Sunland Park, New Mexico

STATUS: COMPLETE

COST: Estimated $6-$8 MILLION - FINAL COST TBD

https://www.gofundme.com/TheTrumpWall.

(b) (6), (b) (7)(C)
Foreign Opns Cel (b) (7)(E)
US Border Patrol Special Operations Group
DHS-Customs & Border Protection
Bldg 11169 SSG Sims Road
Biggs Army Airfield, El Paso, Texas 79916
(b) (6), (b) (7)(C) SOG HQ switchboard
desk
gov't mobile
(b) (6), (b) (7)(C) **cell**
(b) (6), (b) (7)(C) STE (secure voice)
NIPR: (b) (6), (b) (7)(C)
HSDN: (b) (6), (b) (7)(C)

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From (b)(6);(b)(7)(C)
Sent: Thursday, August 1, 2019 11:06 AM
To (b)(6);(b)(7)(C)
Subject: RE: Private Border Wall in El Paso

That's impressive. Any idea what the cost was

From (b)(6);(b)(7)(C)
Sent: Thursday, August 1, 2019 11:57 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Private Border Wall in El Paso

(b)(6);(b)(7)(C) sent me this link.

Fisher Border Wall El Paso, TX Extended Cut Version

On April 29th, 2019, Fisher Sand & Gravel Co. was contacted by We Build the Wall to construct a half mile of fence in Sunland Park, New Mexico. The location was deemed "Unbuildable" by government agencies due to the harsh construction conditions. In just over one month of being notified of this project, Fisher procured and fabricated the bollard fence panels and finished all construction within two weeks.

https://www.youtube.com/watch?v=aaihuiT24Vg

(b)(6);(b)(7)(C)
Foreign Opns Cel (b) (7)(E)
US Border Patrol Special Operations Group
DHS-Customs & Border Protection
Bldg 11169 SSG Sims Road
Biggs Army Airfield, El Paso, Texas 79916
(b)(6);(b)(7)(C) SOG HQ switchboard
desk
gov't mobile
(b)(6);(b)(7)(C) **cell**
(b)(6);(b)(7)(C) STE (secure voice)
NIPR: (b)(6);(b)(7)(C)
HSDN: (b)(6);(b)(7)(C)

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 4:12 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: Texas Minutemen Meeting

Respectfully,

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

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

((b)(6);(b)(7)(C)
(
Sent from my iPhone

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: December 12, 2018 at 2:47:28 PM CST
To (b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

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

Good afternoon. Below is what I sent t (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C) >
Cc (b)(6);(b)(7)(C)

Subject: Texas Minutemen Meeting

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

AMERICAN OVERSIGHT

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landowne (b) (6) and Texas Minutemen founde (b) (6) stopped by the station. (b) (6) property is located o (b) (7)(E), (b) (6) approximatel (b) (7)(E), (b) (6) and an additiona (b) (7)(E), (b) (6) The portion o (b) (7)(E), (b) (6) leading up t (b) (6) property is considered a county road. Additionally, the entrance t (b) (6) property has a sign titled (b) (7)(E), (b) (6)

(b) (6) informed me that he contacte (b) (6) due to recently viewing an illegal alien alon (b) and a subsequent event when he had a satellite phone stolen, which he attributed to an illegal alien (b) (6) mentioned that he was once a Marshall in Wise County, Texas, and that he was also a Vietnam Veteran. Whe (b) (6) mentioned that he was from Wise County (b) (6) seemed surprised and mentioned that he lives in Wise County. This demonstrated to me they were not very familiar with one another.

(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood an (b) (6) stated that they will be in static positions and would advise of any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

Both men were cordial and respectful.

(b) (6) an (b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

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

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) dhs.gov

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, January 25, 2019 5:30 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Re: Texas Minutemen Meeting

Yes Sir I am tracking

Thank You Respectfully,

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

(b)(6);(b)(7)(C)
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

(O (b)(6);(b)(7)(C)
(C
Sent from my iPhone

On Jan 25, 2019, at 4:26 PM (b)(6);(b)(7)(C) wrote:

> (b) (7)(E)
> We will discuss Monday and I'll engage HQ. The quad will be helpful.
>
> (b)(6);(b)(7)(C)
> (b) (6), (b) (7)(C)
> Big Bend Sector
> United States Border Patrol
> (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
>
> Begin forwarded message:
>
> **From** (b)(6);(b)(7)(C)
> **Date:** January 25, 2019 at 3:22:09 PM MST
> **To** (b)(6);(b)(7)(C)
> **Cc:** " (b)(6);(b)(7)(C)
> **Subject: RE: Texas Minutemen Meeting**
>
> (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Good afternoon. [redacted] and I just finished up a visit fro [redacted] founder of the Texas Minutemen, and another gentlemen by the name o [redacted] is a volunteer that came in from Florida.

At this time they only have permission to be on the land owned b [redacted] which is approximately 185 acres. They did confirm that David A. Clarke is attempting to make it to the area next Tuesday and may be flying into Midland. [redacted] stated they plan to have Sheriff Hughes provide a tour for Mr. Clarke, but also asked if Border Patrol could provide a tour. I informed them I would route that through our chain of command. In addition to Mr. Clarke [redacted] stated they are making contact with other people that support their cause and bring as much attention to the area as they can.

The entire conversation was good.

Thank you.
[redacted]

From [redacted]
Sent: Friday, January 25, 2019 2:55 PM
To [redacted]>
Cc: [redacted]
[redacted]>
Subject: Re: Texas Minutemen Meeting

[redacted]

Thank You. Please ensure the rules of engagement are reiterated at musters. Also, notify us of any contact or issues.

Thank You Respectfully,

[redacted]

[redacted]
(A) Division Chief
Law Enforcement Operations Division
Big Bend Sector

([redacted]
(
Sent from my iPhone

On Jan 25, 2019, at 12:54 PM [redacted] wrote:

AMERICAN OVERSIGHT

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

Good afternoon. I received a call fro (b) (6) the Terrell County landowner that will be allowing the Texas Minutemen to patrol his property. He informed me he there are currently three members of the Texas Minutemen at his ranch and that they are anticipating approximately 10 more in a week or so. (b) (6) also informed me that former Milwaukee county Sheriff, David A. Clarke will be in the area next week to meet with him as well as the Sheriff. (b) (6) asked if we could provide him with maps of the area to provide to the Minutemen. I told him we didn't generate those here and I would have to send the request up the chain, but I didn't believe it would be possible (b) (6) and the Texas Militia also plan to start a GoFundMe page asking for support for fuel and what not.

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Wednesday, December 12, 2018 2:47 PM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: FW: Texas Minutemen Meeting

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

Good afternoon. Below is what I sent t (b)(6);(b)(7)(C) regarding the meeting. Will this work or do you want me to put it in another format?

Thank you.
(b)(6);(b)(7)(

From (b)(6);(b)(7)(C)
Sent: Friday, December 7, 2018 1:49 PM
To: (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Texas Minutemen Meeting

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

Good afternoon. This morning at approximately 10:45 A.M., Terrell County landowne (b) (6) and Texas Minutemen founde (b) (6) stopped by the station. (b) (6) property is located o (b) approximatel (b) (7)(E), (b) (6) and an additional (b) (7)(E), (b) (6) The portion o (b) (7)(E), (b) (6) leading up t (b) (6) property is considered a county road. Additionally, the entrance t (b) (6) property has a sign titled (b) (7)(E), (b) (6)

AMERICAN OVERSIGHT

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(b) (6) introduced himself and spoke of his past border activities in Arizona, New Mexico and Texas (b) (6) informed me he had approximately 20 individuals interested in coming to Terrell County and they planned to be here the second week in January. Additionally (b) (6) stated that he will vet all volunteers in order to keep the "Rambos" out.

I informed both gentlemen the best thing they can do is be our eyes and ears when they are out and the importance of communication with us if they encountered anyone as well as for officer safety. I explained the liabilities they could face when interacting with anyone they encounter. I also encouraged them to allow us to execute any law enforcement action. Both gentlemen acknowledged that they understood an (b) (6) stated that they will be in static positions and would advise of any activity. Before leaving I asked that they contact me before they return to the area, which they agreed to do.

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(b) (6) an (b) (6) were planning to visit the Sheriff after leaving my office.

I will be provide the above information to the Sheriff Hughes as well as local TPWD Game Wardens and DPS Troopers.

Thank you.

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

(b) (6), (b) (7)(C)
United States Border Patrol
(b) (6), (b) (7)(C)
Sanderson, Texas
Office (b) (6), (b) (7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:23 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Border Wall News

I think I've fully reached the point where absolutely nothing would surprise me when it comes to the wall stuff.

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Roo (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax:
Email (b)(6);(b)(7)(C)

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Fro (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:22 PM
T (b)(6);(b)(7)(C)
Subject: Re: Border Wall News

That is unbelievable.

Sent from my iPhone

On May 24, 2019, at 9:25 AM (b)(6);(b)(7)(C) wrote:

(b) (5)

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Roo (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax:
Email (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

AMERICAN OVERSIGHT

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Fro (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 9:57 AM
To (b)(6);(b)(7)(C)
Subject: Border Wall News

(b) (5)
https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html?utm_term_.7b1ec6efde70

‘He always brings them up’: Trump tries to steer border wall deal to North Dakota firm

Josh Dawsey



Fisher Industries workers prepare land on private property in Sunland Park, New Mexico, near El Paso, on Wednesday, feet from where International Boundary Monument No. 1 sits in the foreground. (Jordyn Rozensky and Justin Hamel/for The Washington Post)

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

In phone calls, White House meetings and conversations aboard Air Force One during the past several months, Trump has aggressively pushed Dickinson, N.D.-based Fisher Industries to Department of Homeland Security leaders and Lt. Gen. Todd Semonite, the commanding general of the Army Corps, according to the administration officials, who spoke on the condition of anonymity to discuss sensitive internal discussions. The push for a specific company has alarmed military commanders and DHS officials.

Semonite was summoned to the White House again Thursday, after the president’s aides told Pentagon officials — including Gen. Mark Milley, the

AMERICAN OVERSIGHT

Army's chief of staff — that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Keep Reading

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project — and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

"The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals," White House press secretary Sarah Sanders said in an email. "He wants to make sure we get the job done under budget and ahead of schedule."

Fisher's chief executive, Tommy Fisher, has gone on conservative television and radio, claiming that his company could build more than 200 miles of barrier in less than a year. And he has courted Washington directly, meeting in congressional offices and inviting officials to the Southwest desert to see barrier prototypes.



Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit that includes prominent conservatives who support the president — its associates and advisory board include former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas secretary of state Kris Kobach — has guided an effort to build portions of the border barrier on private land with private funds.

The first section is expected to be unveiled soon. Fisher-branded equipment and workers were visible this week preparing the site outside El Paso, within feet of the International Boundary Monument No. 1, placed in 1855 at the beginning of the effort to delineate the Mexican border. The stretch, part of which is on

AMERICAN OVERSIGHT

private land owned by a brick company, is the only area in the region without a barrier, in part because it crosses rugged terrain.

Scott Sleight, an attorney for Fisher, said in a statement Thursday that Fisher Industries is committed to working with the federal government to secure the border and has developed a patent-pending installation system that allows the company to build fencing "faster than any contractor using common construction methods."

"Fisher has invited officials of many agencies and members of Congress to demonstrate what we believe are vastly superior construction methods and capabilities," Sleight said. "Consistent with the goals President Trump has also outlined, Fisher's goal is to, as expeditiously as possible, provide the best quality border protection at the best price for the American people at our Nation's border."



Fisher Industries works on the grounds of American Eagle Brick Co., along the U.S.-Mexico border. (Jordyn Rozensky and Justin Hamel/for The Washington Post)

Jared Kushner, the president's son-in-law, has joined in the campaign for Fisher Industries, along with Sen. Kevin Cramer (R-N.D.), an ardent promoter of the company and the recipient of thousands of dollars in campaign contributions from Fisher and his family members, according to campaign finance records. Cramer, in an interview Thursday, said the Trump administration has shown a great deal of interest in his constituent's company.

"He always brings them up," Cramer said, noting that he spoke with Trump about Fisher twice — once in February and again on Thursday. Each time, Trump said he wanted Fisher to build some of the barrier, Cramer said.

Cramer said Trump likes Fisher because he had seen him on television advocating for his version of the barrier: "He's been very aggressive on TV," Cramer said of the CEO.

"You know who else watches Fox News?" Cramer asked.

AMERICAN OVERSIGHT

Tommy Fisher, president of Fisher Industries, has made repeated appearances in conservative media insisting he can build the wall faster and for less money. (The Washington Post)

Trump's repeated attempts to influence the Army Corps' contracting decisions show the degree to which the president is willing to insert himself into what is normally a staid legal and regulatory process designed to protect the U.S. government from accusations of favoritism. They also show how a private company can appeal to the president using well-placed publicity and personal connections to his allies — and the president's willingness to dive into the minutiae of specific projects.

But Trump's personal intervention risks the perception of improper influence on decades-old procurement rules that require government agencies to seek competitive bids, free of political interference.

A senior White House official explained Trump's advocacy for Fisher Industries by saying the president was told the company was cheaper than others and could build the wall faster. The official said that Trump would prefer another company if he learned it could do the work cheaper and faster than Fisher has promised.

The official said Trump had not told Semonite he must award the contract to the company but had repeatedly brought up Fisher Industries as an option because he sees the process as too expensive and too slow. Trump wants to see hundreds of miles of border barrier completed within the next two years.

Trump has taken an intense interest in the border barrier project, expressing frustration with the pace of progress on a structure he views as key to his reelection campaign. Several administration officials have said the president requires frequent briefings from his staff and has given specific but shifting instructions to Semonite and DHS leaders on his preferred tastes and design specifications.

Most recently, the president has insisted the structure be painted black and topped with spikes, while grumbling to aides that the Army Corps contracting process is holding back his ambitions. At the White House meeting Thursday, he said he doesn't like the current design for the wall's gates, suggesting that instead of the hydraulic sliding gate design, the Army Corps should consider an

AMERICAN OVERSIGHT

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Trump also dismissed concerns about cost increases and maintenance needs associated with applying paint to the structure, insisting the barrier be black, the administration official said. He also wants the flat steel panels removed from the upper part of the fence, which he considers unsightly, preferring sharpened tips at the end of the steel bollards.

The Department of Homeland Security did not respond to requests for comment.

The Army Corps, with a reputation for rectitude, discipline and impartiality, is the designated contracting authority for the border barrier project, developing specifications, awarding contracts and ensuring legal and regulatory compliance.



Lt. Gen. Todd Semonite, chief of engineers and the commanding general of the U.S. Army Corps of Engineers. (Monica King/U.S. Army)

“The U.S. Army Corps of Engineers goes to great lengths to ensure the integrity of our contracting process,” said Raini W. Brunson, a spokesperson for the Army Corps, who referred questions about Trump’s conversations with Semonite to the White House.

The president ordered the reassignment of defense funds to the barrier project after Democrats denied his request for $5 billion. Instead, the agreement to end the government shutdown included $1.4 billion for the barrier. Since then, with Trump promising to build 400 miles of fencing by next year, the Pentagon has pledged to provide at least $2.5 billion more.

Fisher Industries was one of the six companies that built border wall prototypes outside San Diego in 2017, but the company’s concrete design did not afford the see-through visibility that DHS officials wanted. While many of the companies declined to discuss their prototypes with reporters, Tommy Fisher was an eager booster for his plan, criticizing the steel bollard design and professing that a more expensive concrete version would be better.

AMERICAN OVERSIGHT

When Fisher began promoting a steel version of the barrier that he said could be installed faster and cheaper, the Army Corps said the design did not meet its requirements and lacked regulatory approvals.

"The system he is proposing does not meet the operational requirements of U.S. Customs and Border Protection," an official said. DHS officials also told the Army Corps in March that Fisher's work on a barrier project in San Diego came in late and over budget.

Fisher Industries has alleged improprieties with the border wall procurement process and sued the government on April 25.



President Trump steps off Air Force One with then-Senate candidate Kevin Cramer, center, and Sen. John Hoeven (R-N.D.) for a campaign rally in June 2018, in Fargo, N.D. (Evan Vucci/AP)

Fisher this week told radio listeners in North Dakota that he was using private donations to build a section of border wall to show off his superior construction methods, which involve using heavy equipment to hold steel panels in place as they are anchored into the ground. He said he knows Trump will be impressed.

"The Corps said it couldn't be done, but now the Border Patrol has seen it," Fisher said of his construction project in an interview Wednesday on "The Flag," a show on North Dakota's WZFG News. "They've been out each day, and the proof's in the pudding, and after that, it's going to open up a whole new narrative about how border security should be handled, who should construct it, and the border agents will finally get what they deserve. And we'll prove it in a half-mile stretch where they said it couldn't be done."

Collecting private donations, We Build the Wall has raised $22 million for the cause. The group has announced a raffle for a "wall reveal ceremony" it said will be attended by its "MAGA All Star board of advisors."

"Witness history made on completion of the first privately funded section of the border wall!" it says. Cramer said Fisher is working with We Build the Wall. The group did not respond to a request for comment.

Trump has repeatedly brought up Fisher Industries after hearing about the company in early 2019, administration officials said.

AMERICAN OVERSIGHT

In an earlier meeting with military and DHS officials in the Oval Office, Trump said that the government was getting ripped off by current contractors — and that Fisher could do it for less than half the price and with concrete. “The president got very spun up about it,” said one person with direct knowledge of the meeting.

Officials from the Army Corps and DHS then met with Kushner several times to explain why Fisher wasn’t the best deal. Kushner was intimately interested in the cost of the wall and why other companies were being chosen over Fisher, administration officials said. Trump repeatedly told advisers that Fisher should be the company, administration officials said, and he has remained focused on the cost of the wall and how slow its progress has been.



Excavators work on land that abuts the Mexican border in Sunland Park, N.M., where private money is being used to build border barriers on private land. (Jordyn Rozensky and Justin Hamel/For The Washington Post)

Army Corps of Engineers officials evaluated Fisher’s proposal and said that it didn’t meet the requirements of the project — and that the proposal was cheaper because it wasn’t as high-quality, or as sophisticated, in their view.

Finally, officials, including then-DHS Secretary Kirstjen Nielsen, went into the Oval Office this spring and explained that Fisher could bid but that the company’s proposal needed to change.

Nielsen and Semonite separately explained that the president could not just pick a company. Nielsen did not respond to a request for comment.

Trump remained frustrated, saying that Fisher said it could build the barrier cheaper and faster. “He said these other guys were full of s---,” an official said.

Fisher was added to a pool of competitors after the Army Corps came under pressure from the White House, administration officials said.

On Tuesday, after Semonite was called to a meeting with Cramer on Capitol Hill, the senator posted a photograph of the encounter to Twitter, saying he had “discussed border wall construction” with Army Corps leaders.

Cramer said he was glad the president is so involved in the process. Trump was elected to cut through Washington’s entrenched bureaucracy, he said.

AMERICAN OVERSIGHT

“Good for him. It’s why he is the president of the United States. He knows a thing or two about building big projects,” Cramer said. “This is why he’s president.”

Cramer said that he has long known the Fisher family and that he is not advocating for the company because its ownership has donated money to his campaigns.

“I was doing it before they were a financial contributor,” he said. “For no other reason than the fact that he’s a constituent of mine.”

Cramer said he had gone down to the border to see Fisher’s “show and tell” demonstration. The senator said he has discussed the company with Semonite, acting defense secretary Patrick Shanahan, White House acting chief of staff Mick Mulvaney and others.

Tommy Fisher and his wife gave more than $10,000 — the maximum allowable contribution — to Cramer in 2018 as he ran for Senate, campaign finance records show. Fisher was Cramer’s guest at Trump’s State of the Union speech in February, and the CEO said he shook the president’s hand afterward.

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“Here at Fisher Industries in Dickinson ND, I tested just how easy it is install a panel of wall myself,” Cramer wrote on Twitter.



The grounds of American Eagle Brick Co., in Sunland Park, N.M. (Jordyn Rozensky and Justin Hamel/For The Washington Post)

Sent from my iPhone

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, May 24, 2019 1:27 PM
To: (b) (6))
Subject: RE: SPOT REPORT: Washington Post article ref: Fisher

yep

(b)(6);(b)(7)(C)
Wall Program Portfolio Manager
USBP Program Management Office Directorate U.S. Border Patrol Washington D.C.
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

-----Original Message-----
From (b) (6)
Sent: Friday, May 24, 2019 9:57 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
MARTIN, JERRY (b)(6);(b)(7)(C)
Subject: FW: SPOT REPORT: Washington Post article ref: Fisher

Sure you all saw this one. It does talk about the El Paso work...

+++
* 'He always brings them up': Trump tries to steer border wall deal to North Dakota firm
https://www.washingtonpost.com/immigration/he-always-brings-them-up-trump-tries-to-steer-border-wall-deal-to-north-dakota-firm/2019/05/23/92d3858c-7b30-11e9-8bb7-0fc796cf2ec0_story.html
Washington Post

President Trump has personally and repeatedly urged the head of the U.S. Army Corps of Engineers to award a border wall contract to a North Dakota construction firm whose top executive is a GOP donor and frequent guest on Fox News, according to four administration officials.

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Semonite was summoned to the White House again Thursday, after the president's aides told Pentagon officials - including Gen. Mark Milley, the commander of the U.S. Army - that the president wanted to discuss the border barrier. According to an administration official with knowledge of the Oval Office meeting, Trump immediately brought up Fisher, a company that sued the U.S. government last month after the Army Corps did not accept its bid to install barriers along the southern border, a contract potentially worth billions of dollars.

Trump has latched on to the company's public claims that a new weathered steel design and innovative construction method would vastly speed up the project - and deliver it at far less cost to taxpayers. White House officials said Trump wants to go with the best and most cost-effective option to build the wall quickly.

AMERICAN OVERSIGHT

"The President is one of the country's most successful builders and knows better than anyone how to negotiate the best deals," said Sarah Sanders, White House press secretary. "He wants to make sure we get the job done under budget and ahead of schedule."

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Even as Trump pushes for his firm, Fisher already has started building a section of fencing in Sunland Park, N.M. We Build the Wall, a nonprofit organization that includes prominent conservatives who support the president - its associates and advisory board include former White House adviser Stephen K. Bannon, Blackwater USA founder Erik Prince, ex-congressman Tom Tancredo and former Kansas Secretary of State Kris Kobach - has guided an effort to build portions of the border barrier on private land with private funds.

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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(b) (6)
U.S. Army Corps of Engineers
Social Media Program Manager (CEPA)
(b) (6)
http://linkedin.com/in (b) (6)

Join our online communities - http://about.me/USACEHQ

Southern Border Related Correspondence: This information is For Official Use Only. The contents of this email, including any attachments, must not be disclosed, directly or indirectly, to any person not authorized by the agency to receive such information. Unauthorized disclosure of such information may subject the individual making the release to civil and criminal penalties. See, e.g., 18 U.S.C. § 641; 5 C.F.R. § 2635.703.

AMERICAN OVERSIGHT

Sent: Wednesday, June 12, 2019 2:13 PM
To: AS1KKM; MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

We have a paper we're sending up today.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KK (b) (7)(E)
Sent: Wednesday, June 12, 2019 2:11 PM
To (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C) SANDERS, JOHN (b)(6);(b)(7)(C); PEREZ, ROBERT (b)(6);(b)(7)(C); PROVOST, CARLA (USBP (b)(6);(b)(7)(C) MARTIN, JERRY (b)(6);(b)(7)(C)
Cc: Flanagan, Patrick (b) (6) PETERLIN, MEGHANN (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b) (7)(E) gap

(b) (5)

From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:

(b) (5)

The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b) (6), (b) (7

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: MCALEENAN, KEVIN [redacted]
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN [redacted]; PEREZ, ROBERT [redacted]; PROVOST, CARLA (USBP [redacted] MARTIN, JERRY [redacted]
Subject: Fwd: Request for permission to close th [redacted] gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,
KM

Sent from my iPhone

Begin forwarded message:

> **From:** <kkobach@gmail.com>
> **Date:** June 6, 2019 at 7:22:52 PM EDT
> **To** [redacted]
> **Subject: Request for permission to close th [redacted] gap**
>
> Acting Sec. McAleenan,
>
> Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th [redacted] gap. Thank you.
>
> Kris Kobach

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
Sent: Wednesday, June 12, 2019 2:56 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Request for permission to close th (b) (7)(E) gap

Roger that!

From (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:55 PM
To: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
Subject: FW: Request for permission to close th (b) (7)(E) gap

We will need to talk about this tomorrow at close out. It will probably keep until then.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KKM (b) (7)(E)
Sent: Wednesday, June 12, 2019 2:26 PM
To (b)(6);(b)(7)(C)
Cc: Flanagan, Patric (b) (6) >; PETERLIN, MEGHANN (b)(6);(b)(7)(C) SANDERS, JOHN (b)(6);(b)(7)(C) ; MARTIN, JERRY (b)(6);(b)(7)(C) PROVOST, CARLA (USBP (b)(6);(b)(7)(C) PEREZ, ROBERT E (b)(6);(b)(7)(C) MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b) (7)(E) gap

Can the next step be CBP hosting a meeting or telcon with this group to talk through their vision and see if there is any path forward? I will get you a POC?

From (b)(6);(b)(7)(C)
Sent: Wednesday, June 12, 2019 2:18:17 PM
To: AS1KKM
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K; SANDERS, JOHN P; MARTIN, JERRY B; PROVOST, CARLA (USBP); PEREZ, ROBERT E; MCALEENAN, KEVIN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

Attached is our working paper that covers both the recently completed and the proposed project from the letter you shared. On the proposed project (b) (5) . For the project that was already constructed (b) (5)

We are prepared to talk through questions at your convenience.

Best,
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: AS1KK (b) (7)(E) >
Sent: Wednesday, June 12, 2019 2:11 PM
To (b)(6);(b)(7)(C) MCALEENAN, KEVIN (b)(6);(b)(7)(C) SANDERS, JOHN (b)(6);(b)(7)(C) >; PEREZ, ROBERT (b)(6);(b)(7)(C) >; PROVOST, CARLA (USBP (b)(6);(b)(7)(C) V>; MARTIN, JERRY (b)(6);(b)(7)(C) >
Cc: Flanagan, Patric (b) (6) ; PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: Re: Request for permission to close th (b) (7)(E) gap

(b) (5) ?

From (b)(6);(b)(7)(C)
Sent: Friday, June 7, 2019 2:10:29 PM
To: MCALEENAN, KEVIN K; SANDERS, JOHN P; PEREZ, ROBERT E; PROVOST, CARLA (USBP); MARTIN, JERRY B
Cc: Flanagan, Patrick; PETERLIN, MEGHANN K
Subject: RE: Request for permission to close th (b) (7)(E) gap

Sir – In follow up to our communication last night, we have met with counsel and spoken with our environmental & engineering SMEs. They are assembling some background information to help inform any response to this request to include:

(b) (5)

The team expects to complete this work by Monday. We will also provide a background paper on the prior projects Fisher completed in El Paso at that time.

Best,
(b)(6);(b)(7)(

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: MCALEENAN, KEVIN K (b)(6);(b)(7)(C)
Sent: Thursday, June 6, 2019 7:48 PM
To: SANDERS, JOHN P (b)(6);(b)(7)(C) ; PEREZ, ROBERT (b)(6);(b)(7)(C) >; PROVOST, CARLA (USBP (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Request for permission to close th (b) (7)(E) gap

Team,
Would appreciate your assessment of this communication, and would also like the details on the prior project referenced. Thank you,

AMERICAN OVERSIGHT

KM

Sent from my iPhone

Begin forwarded message:

From: <kkobach@gmail.com>
Date: June 6, 2019 at 7:22:52 PM EDT
To: [redacted]>
Subject: Request for permission to close th [redacted] gap

Acting Sec. McAleenan,

Please find attached a letter from We Build the Wall seeking permission to construct bollard fencing that would close th [redacted] gap. Thank you.

Kris Kobach

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 9:47 AM
To: (b)(6);(b)(7)(C)
Subject: FW (b) (6) -Media Presence
Attachments: image1.jpeg; ATT00001.htm; State of the Border Roundtable.docx; ATT00002.htm

(b)(6);(b)(7)(C)
Special Operations Supervisor
Communications Branch
RGV Sector HQ
O (b)(6);(b)(7)(C)
C

From (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 8:45 AM
To: (b)(6);(b)(7)(C)
>
Subject (b) (6) -Media Presence

Good morning D (b)(6);(b)(7)(C),
MCS encountered Congressman Chip Roy overnight in the field (Notification Below) with several congressional aides and a BRANDON Darby of Breitbart.

This was not coordinated through OCA or our office.

A reporter with Breitbart also just showed up at MCS and requested to be included in the briefing this morning, to which I declined as it was not coordinated with our office nor OPA. (Pic attached)
I will follow your lead on allowing the Reporter to become apart of the tour.

I've also added a document which highlights a Roundtable Discussion that the Congressman are hosting this afternoon here in McAllen at 2pm. Chie (b)(6);(b)(7)(C) may be invited to attend. ICE HSI ASA (b)(6);(b)(7)(C) has been invited to attend.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

State of the Border Roundtable
August 5th, 2019

Congressmen Chip Roy, Andy Biggs, and Michael Cloud will hold a roundtable discussion with border and immigration officials in Edinburg, Texas following a border tour of the Rio Grande Valley sector and visits to Customs and Border Patrol facilities in McAllen, Texas. The roundtable will be held at the National Border Patrol Council's office in Edinburg and they will be joined by representatives from CBP and U.S. Immigration and Customs Enforcement (ICE), as well as members of the press.

When: August 5th from 2:00 – 4:00 PM
Where: 4279 Crosspoint Blvd, Edinburg, TX, 78539
Who:

1. Congressman Chip Roy – represents the 21st Congressional District of Texas. He serves on the Budget, Oversight, and Veterans Affairs committees and is the Ranking Member of the Oversight Subcommittee on Civil Rights and Civil Liberties. Roy's district stretches from south Austin through the hill country to downtown San Antonio.
2. Congressman Andy Biggs – an Arizona native currently serving his second term as the U.S. Representative for the 5th District of Arizona. Biggs is the Co-Chair of the Border Security Caucus and is a member of the House Judiciary and Science, Space, and Technology committees.
3. Congressman Michael Cloud – represents the 27th District of Texas and serves on the Oversight and Science, Space, and Technology committees.
(b)(6);(b)(7)(C) – Vice President at-large of the National Border Patrol Council. He previously served as President of NBPC Local 2455, based in Laredo.
5. (b) (6) – a retired Captain from the Texas Department of Public Safety's Intelligence and Counterterrorism Division, where he managed the daily operations of the Texas Rangers, Border Security Operations Center.
6. Brandon Darby – director of Breitbart's Border and Cartel Chronicles project. Previously, Darby was an organizer in both Louisiana and Texas and served as a campaign strategist for President Trump.
7. (b)(6);(b)(7)(C) – Assistant Special Agent in Charge with Homeland Security Investigation (b)(6);(b)(7)(C) oversees all operational and administrative activities for HSI for Hidalgo and Starr Counties.

Purpose: There is an escalating crisis at our border that continues to be underfunded and largely ignored by elected officials. Though some progress has been made, the Department of Homeland Security is still overwhelmed in the face of an influx of migrants attempting to illegally enter the country and a lack of badly needed resources, personnel, and facilities. Due to Congress' failure to close loopholes in existing law, cartels are exploiting our broken system to exploit vulnerable women and children every day. We hope to continue to shed light on the efforts of the men and women of DHS to keep our nation secure and look forward to working with experts and officials to propose policy changes to address the impact of drug cartels and traffickers who have seized operational control of our nation's border.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, August 5, 2019 9:49 AM
To: (b)(6);(b)(7)(C)
Subject: Fwd (b) (6) -Media Presence
Attachments: image1.jpeg; ATT00001.htm; State of the Border Roundtable.docx; ATT00002.htm

(b)(6);(b)(7)(C)
(A)Operations Officer
Adjutant to CPA Rodolfo Karisch
U.S. Border Patrol RGV Sector
4400 S. Expressway 281
Edinburg, Texas 78542
Office (b)(6);(b)(7)(C)
Mobil
Email (b)(6);(b)(7)(C)

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: August 5, 2019 at 8:45:18 AM CDT
To: "(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject (b) (6) **-Media Presence**

Good morning D (b)(6);(b)(7)(C)
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AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
Sent: Monday, August 5, 2019 10:32 AM
To: (b) (6), (b) (7)(C)
Subject: Fwd (b) (6) -Media Presence
Attachments: image1.jpeg; ATT00001.htm; State of the Border Roundtable.docx; ATT00002.htm

FYSA Chief.

Respectfully,

(b)(6);(b)(7)(C)
(A) Operations Officer
Adjutant to DCP (b)(6);(b)(7)(C)
U.S. Border Patrol Rio Grande Valley Sector
(b)(6);(b)(7)(C)(O)
(C)
(b)(6);(b)(7)(C)

"So do not fear, for I am with you; do not be dismayed, for I am your God. I will strengthen you and help you; I will uphold you with my righteous right hand." - Isaiah 41:10

Begin forwarded message:

From: (b)(6);(b)(7)(C)
Date: August 5, 2019 at 8:45:18 AM CDT
To: "(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject (b) (6) **-Media Presence**

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:19 PM
To: FRIEL, MICHAEL J
Cc: PETERLIN, MEGHANN K (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

Thank you!

From: FRIEL, MICHAEL (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:14 PM
To (b)(6);(b)(7)(C)
Cc: PETERLIN, MEGHANN (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

CBP doesn't have a statement on this private venture at this time.

However, do to comments in news reports that CBP has engaged the organization, we're seeking feedback from USBP's wall team on a potential response.

Will keep you posted.

Mike

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:00 PM
To: FRIEL, MICHAEL (b)(6);(b)(7)(C)
Cc: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: FW: Query from CNN

Hey Mike,

I just saw this story air on Fox.

Are you aware of an any approved statements that we are speaking to on the GoFundMe segment of the fence?

See below for more details.

Thanks,
(b)(6);(b)(7)(C)

From (b) (6) (b) (6)
Sent: Tuesday, May 28, 2019 11:04 AM
To: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

AMERICAN OVERSIGHT

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b) (6)
Sent: Tuesday, May 28, 2019 12:39 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b) (6), (b) (7)(C) (b)(6);(b)(7)(C)
Subject: Re: Query from CNN

Thank (b) (6), (b) (7)(C). If anyone else has further info please share and I'll do the same.

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

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:26:22 AM
To (b) (6)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

(b) (6)

All we have been saying is:

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. Thank you.

I don't have answers to questions related to any CBP, DHS or POTUS approvals/coordination sorry. Copying some HQ personnel to see if they have anything further.

From (b) (6)
Sent: Tuesday, May 28, 2019 9:21 AM
To (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

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

We got a similar request from the Daily Mail yesterday. Should I just send her your way?

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:09 AM
To (b) (6) (b) (6) (b) (6) cnn.com>; Media Inquiry (b) (6) >
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov> (b) (6) (b) (6) turner.com>
Subject: RE: Query from CNN

AMERICAN OVERSIGHT

We have been communicating with CNN [redacted] on this matter.

From [redacted]
Sent: Tuesday, May 28, 2019 9:03 AM
To [redacted] cnn.com>; Media Inquir [redacted]
Cc: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Subject: RE: Query from CNN

[redacted] understood. Will get back to you on this.

Thanks!

From [redacted] cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To [redacted] Media Inquir [redacted]
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thank [redacted] One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

[redacted]
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp [redacted]
[redacted] cnn.com

From [redacted]
Sent: Tuesday, May 28, 2019 10:46 AM
To [redacted] Media Inquiry
Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From [redacted] cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquir [redacted]
Subject: Query from CNN

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

AMERICAN OVERSIGHT

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: PETERLIN, MEGHANN K
Sent: Tuesday, May 28, 2019 1:13 PM
To: (b)(6);(b)(7)(C)
Subject: Re: Query from CNN

Please and thank you!

Meghann K. Peterlin
(b)(6);(b)(7)(C) (C)

On May 28, 2019, at 1:12 PM (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) wrote:

> Meghann, do you mind if I send Mikes message t (b) (6)?
>
> **From:** FRIEL, MICHAEL (b)(6);(b)(7)(C) >
> **Sent:** Tuesday, May 28, 2019 12:14 PM
> **To** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Cc:** PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Subject:** RE: Query from CNN
>
> CBP doesn't have a statement on this private venture at this time.
>
> However, do to comments in news reports that CBP has engaged the organization, we're seeking feedback from USBP's wall team on a potential response.
>
> Will keep you posted.
>
> Mike
>
> **From** (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> **Sent:** Tuesday, May 28, 2019 12:00 PM
> **To:** FRIEL, MICHAEL (b)(6);(b)(7)(C)
> **Cc:** PETERLIN, MEGHANN (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
> (b)(6);(b)(7)(C)
> **Subject:** FW: Query from CNN
>
> Hey Mike,
>
> I just saw this story air on Fox.
>
> Are you aware of an any approved statements that we are speaking to on the GoFundMe segment of the fence?
>
> See below for more details.
>
> Thanks,

AMERICAN OVERSIGHT

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

From (b) (6) (b) (6)
Sent: Tuesday, May 28, 2019 11:04 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

Team,

(b) (5)

Thx,

(b) (6)

(b) (6)
Counselor to DHS Secretary
Cell (b) (6)

Sent from iPhone

From (b) (6)
Sent: Tuesday, May 28, 2019 10:01:54 AM
To (b) (6)
Subject: FW: Query from CNN

FYI

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To (b) (6) Media Inquiry (b) (6)
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thanks (b) (6). One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
To (b) (6) Media Inquiry

AMERICAN OVERSIGHT

Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquir (b) (6)
Subject: Query from CNN

Hello,

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Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 1:19 PM
To: (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

This project is not connected to our efforts. Please reach out to the company leading construction for any information related to their endeavor. I will get back to you if there is anything more we can add. Thank you.

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:16 AM
To (b)(6);(b)(7)(C)
Subject: RE: private border wall in NM - many more media inquiries

Can you send me the statement again please?

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 1:10 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: private border wall in NM - many more media inquiries

Hello:

We are getting slammed with questions/clarification on the limited statement we have been sending. Some do not apply to us but many do. Some are simple to answer for example this does not connect to any existing infrastructure, Border Patrol does monitor the international boundary area adjacent to the private property where this was built, etc. Others focus on possible advance coordination with CBP and/or DHS and what happens once it is completed. Sharing this with you all to see if there is anything more we can say in regards to the inquiries being received from multiple media outlets including CNN, NBCUNI, BBC, Yahoo News and many others.

Here are some of the topics/questions coming in.

Will CBP patrol a private wall?

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AMERICAN OVERSIGHT

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Was the wall needed in that area?

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(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925

AMERICAN OVERSIGHT

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



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 1:36 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

It's brutal out here brother (b) (5) I will send you my latest message to HQ so you can see.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:31 AM
To (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

Way to stay the course, If at a local level when I respond to (1) reporter with their information others from the TV come calling.

(b)(6);(b)(7)(C)
CBP Public Affairs
Atlanta Field Office
(b)(6);(b)(7)(C) ©

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:09 AM
To (b) (6) (b) (6) (b) (6) cnn.com>; Media Inquiry (b) (6)
Cc: cbpmediarelations <cbpmediarelations@cbp.dhs.gov> (b) (6) (b) (6) turner.com>
Subject: RE: Query from CNN

We have been communicating with CNN (b) (6) on this matter.

From (b) (6)
Sent: Tuesday, May 28, 2019 9:03 AM
To (b) (6) (b) (6) cnn.com>; Media Inquiry (b) (6)
Cc: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Subject: RE: Query from CNN

(b) (6) understood. Will get back to you on this.

Thanks!

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To (b) (6) Media Inquiry (b) (6)

AMERICAN OVERSIGHT

Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

Thank (b) (6). One of my colleagues interviewed Brian Kolfage, who started the GoFundMe for the construction, and he claims the group was given the "blessing by DHS." Does DHS have comment on that?

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

From (b) (6)
Sent: Tuesday, May 28, 2019 10:46 AM
To (b) (6) Media Inquiry
Cc: CBPMEDIARELATIONS
Subject: RE: Query from CNN

Adding CBP.

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 9:23 AM
To: Media Inquiry <MediaInquiry@HQ.DHS.GOV>
Subject: Query from CNN

Hello,

I'm reaching out regarding the construction of a border wall on private land by the group, We Build the Wall. Kris Kobach, who's involved with the group, said a half mile stretch of wall on the site, near El Paso, is nearly finished.

Steve Bannon also told CNN that Border Patrol told the group that the stretch of private wall is among the most important points.

Does DHS have comment on the construction? And has DHS ever been in contact with the group over the wall?

Thank you.

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 1:37 PM
To: (b)(6);(b)(7)(C)
Subject: FW: private border wall in NM - many more media inquiries

As mentioned in previous message…

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:10 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: private border wall in NM - many more media inquiries

Hello:

We are getting slammed with questions/clarification on the limited statement we have been sending. Some do not apply to us but many do. Some are simple to answer for example this does not connect to any existing infrastructure, Border Patrol does monitor the international boundary area adjacent to the private property where this was built, etc. Others focus on possible advance coordination with CBP and/or DHS and what happens once it is completed. Sharing this with you all to see if there is anything more we can say in regards to the inquiries being received from multiple media outlets including CNN, NBCUNI, BBC, Yahoo News and many others.

Here are some of the topics/questions coming in.

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AMERICAN OVERSIGHT

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(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: [redacted]
Sent: Tuesday, May 28, 2019 2:14 PM
To: [redacted]
Cc: PETERLIN, MEGHANN K [redacted] FRIEL, MICHAEL J
Subject: Re: Query from CNN

Perfect. Thank you.

[redacted]
Counselor to DHS Secretary
Cell [redacted]

Sent from iPhone

From [redacted]
Sent: Tuesday, May 28, 2019 1:12:30 PM
To [redacted]
Cc: PETERLIN, MEGHANN K [redacted] FRIEL, MICHAEL J
Subject: RE: Query from CNN

Tony,

This portion of wall was built on private land with private funding sponsors.

Neither the Sector or Headquarter offered any endorsement.

Sector and Headquarters became aware of this project on May 24th at approximately 11:00a.m. (MST), when an agent working in Santa Teresa, NM Border Patrol Station's area of responsibility was approached by members of the media inquiring about the privately owned wall being built along the border by the landowner. Agents had no response to provide and referred the media sources to the El Paso Sector Public Affairs Office.

Hope this helps,
[redacted]

From [redacted]
Sent: Tuesday, May 28, 2019 1:30 PM
To [redacted]
Cc [redacted]
Subject: Re: Query from CNN

Thanks. [redacted]

[redacted]
Counselor to DHS Secretary
Cell [redacted]

AMERICAN OVERSIGHT

Sent from iPhone

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:16:57 PM
To (b) (6)
Cc: PETERLIN, MEGHANN K (b)(6);(b)(7)(C)
Subject: FW: Query from CNN

(b) (6) see Mike's message below. CBP doesn't have a statement.

From: FRIEL, MICHAEL (b)(6);(b)(7)(C) v>
Sent: Tuesday, May 28, 2019 12:14 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: PETERLIN, MEGHANN (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: Query from CNN

CBP doesn't have a statement on this private venture at this time.

However, do to comments in news reports that CBP has engaged the organization, we're seeking feedback from USBP's wall team on a potential response.

Will keep you posted.

Mike

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 12:00 PM
To: FRIEL, MICHAEL (b)(6);(b)(7)(C) >
Cc: PETERLIN, MEGHANN K (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: FW: Query from CNN

Hey Mike,

I just saw this story air on Fox.

Are you aware of an any approved statements that we are speaking to on the GoFundMe segment of the fence?

See below for more details.

Thanks,
(b)(6);(b)(7)(C

From (b) (6) (b) (6)
Sent: Tuesday, May 28, 2019 11:04 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Fwd: Query from CNN

Team,

AMERICAN OVERSIGHT

(b) (5)

Thx,

(b) (6)

(b) (6)
Counselor to DHS Secretary
Cell (b) (6)

Sent from iPhone

From (b) (6)
Sent: Tuesday, May 28, 2019 10:01:54 AM
To (b) (6)
Subject: FW: Query from CNN

FYI

From (b) (6) (b) (6) cnn.com>
Sent: Tuesday, May 28, 2019 10:56 AM
To (b) (6) Media Inquiry (b) (6) >
Cc: CBPMEDIARELATIONS <CBPMediaRelations@cbp.dhs.gov>
Subject: Re: Query from CNN

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To: Media Inquir (b) (6)
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AMERICAN OVERSIGHT

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(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) cnn.com

AMERICAN OVERSIGHT

Sent: Tuesday, May 28, 2019 2:25 PM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: image of private border wall in NM
Attachments: Resized 20190528 121023 3682.jpeg

This is a screen grab from noon news weather/mountain camera shot. You can see the wall in photo going from lowewer left towards upper right corner. US territory is

---

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:10 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: private border wall in NM - many more media inquiries

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AMERICAN OVERSIGHT

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(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C) on behalf of BORDERWALLTASKS
Sent: Tuesday, May 28, 2019 3:58 PM
To: (b)(6);(b)(7)(C) BORDERWALLTASKS
Subject: RE: private border wall in NM - many more media inquiries

Thanks again!

(b)(6);(b)(7)(C)
Communications Specialist
Strategic Analysis, Inc.
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 3:50 PM
To: BORDERWALLTASK (b) (7)(E)
Subject: FW: private border wall in NM - many more media inquiries

Again for your visibility.

From (b)(6);(b)(7)(C)
Sent: Tuesday, May 28, 2019 11:10 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Public Affairs Specialist
Office of Public Affairs
U.S. Customs and Border Protection
9400 Viscount Blvd. (b)(6);(b)(7)(C)
El Paso, TX 79925
(b)(6);(b)(7)(C)
Office (b)(6);(b)(7)(C)



AMERICAN OVERSIGHT

From: GoFundMe <hello@gofundme.com>
Sent: Monday, February 11, 2019 5:06 PM
To: (b)(6);(b)(7)(C)
Subject: Action Required: Your donation to We The People Will Fund the Wall

gofundme

Dear GoFundMe customer,

We have not heard from you regarding how you would like us to handle your donation to We The People Will Fund the Wall.

When the campaign was created, Brian Kolfage, the campaign organizer, stated on the campaign page, “If we don’t reach our goal or come significantly close we will refund every single penny.” He also originally promised that "100% of your donations will go to the Trump Wall. If for ANY reason we don't reach our goal we will refund your donation.”

On January 11, he announced a revised plan to privately build the wall through a new 501(c)(4) organization, We Build The Wall, Inc. Please visit his campaign page or We Build The Wall’s website for more details if you haven’t read about the new organization yet.

Given that the specific use of funds changed from what was originally stated, we need all donors to choose if they want their money going to the new organization, or if they would like a refund.

You have 60 more days to let us know if you’d like your donation to be sent to the new 501(c)(4) organization. If we do not hear from you by April 10, 2019,

AMERICAN OVERSIGHT

your donation will be automatically refunded on April 11, 2019.

Please take action through the links below:

Yes, I want my donation to go to We Build The Wall, Inc.

Please refund my donation.

If we don't hear from you, we will refund your donation on April 11, 2019.

Please do not reply to this message. If you have any questions, please visit our Help Center.

Thank you,
The GoFundMe Team

You have received this email as a former GoFundMe donor or organizer.

Unsubscribe from all GoFundMe emails and newsletters

GoFundMe, 855 Jefferson Ave, PO Box 1329, Redwood City, CA 94063

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 19, 2019 3:32 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: LINE TOUR REQUEST
Attachments: FW: Sheriff Clarke

FYSA

This interaction with them was to arrange a line tour with Sheriff David Clark. The line tour never happened. (see attached email)

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:39 AM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

10-4 we got it.

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:38 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

10-4

I will stand down on contactin (b) (6) that way you can do direct with him.

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:35 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

10-4 we will coordinate

From (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 11:33 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: LINE TOUR REQUEST

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

The ride along has been approved. Can you guys handle i (b) (7)(E) ?

(b)(6);(b)(7)(C)
Assistant Chief Patrol Agent
Sector Communications
U.S. Border Patrol – El Paso Sector
8901 Montana Avenue
El Paso, TX 79925
(b)(6);(b)(7)(C) - office
(b)(6);(b)(7)(C) - cell
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, May 29, 2019 7:21 PM
To (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Re: LINE TOUR REQUEST

10- (b)(6)(b)(7)(C) thanks.

Sent from my iPhone

On May 29, 2019, at 7:20 PM (b)(6);(b)(7)(C) wrote:

> He already called me. I told him that I would provide him a response tomorrow morning.
>
> Thanks,
>
> (b)(6);(b)(7)(C)
> Assistant Chief Patrol Agent
> Strategic Communications
> U.S. Border Patrol - El Paso Sector
> 8901 Montana Ave.
> El Paso, TX 79925
> (b)(6);(b)(7)(C) - Office

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C) - Cell
(b)(6);(b)(7)(C)

On May 29, 2019, at 6:42 PM (b)(6);(b)(7)(C) wrote:

Good afternoon Sir,

STN received a phone call requesting information on how to set up a line tour for Sheriff David Clarke. The caller wa (b) (6) who is currently the head of security for the "We Build the Wall" project at monument one. His number is (b) (6)

Sheriff Clarke is scheduled to be in the El Paso area for the next couple of days attending several events. Sheriff Clarke requested a line tour to see the realities faced by agents on a daily basis. Sheriff Clarke has several events scheduled throughout the day and requested the line tour (if possible) be scheduled during the evening hours. I've provide (b) (6) your contact information and he will call you shortly with specifics regarding the request.

Below is a quick Wikipedia biography on Sheriff Clarke

David Alexander Clarke Jr. is an American former law enforcement official who served as Sheriff of Milwaukee County, Wisconsin from 2002 to 2017. In 2002, Clarke was appointed to the position by Governor Scott McCallum and later elected that same year to his first four-year term. He was reelected in November 2006, 2010 and 2014.[1] Although registered and elected as a Democrat in a heavily Democratic county, many of Clarke's political views align with those of conservative Republicans.

He resigned as sheriff in August 2017.[4] A vocal supporter of President Donald Trump, Clarke was considered for a role in the Trump Administration. After resigning as Sheriff of Milwaukee County, Clarke joined the super PAC America First Action as a spokesman and senior advisor, serving until February 2019.

Clarke was born in Milwaukee, one of five children of Jeri and David Clarke Sr. His father was a paratrooper with the 2nd Ranger Infantry Company. Clarke Jr. attended Marquette University High School where he played for the varsity basketball team. After finishing high school, Clarke took classes at the University of Wisconsin in Milwaukee but dropped out during his first year when he got a job driving beer trucks.

His career in law enforcement began in 1978 at the Milwaukee Police Department (MPD). He "rose through the ranks at a slow but steady pace in his 24 years with the department." Clarke was a patrol officer for eleven years and then a homicide detective; he was promoted to lieutenant of detectives in 1993 and captain in 1999.

In 1999, Clarke received a B.A. in Management of Criminal Justice from Concordia University Wisconsin's School of Adult and Continuing Education. In January 2002, Milwaukee County Sheriff Leverett F. (Lev) Baldwin resigned

AMERICAN OVERSIGHT

midway through his term to take a pension payout. Clarke was one of ten applicants for the position, and Governor Scott McCallum appointed him on March 19, 2002. He was elected to a full term later in 2002, and was reelected in 2006, 2010, and 2014.

<image001.jpg>

(b)(6);(b)(7)(C)
Watch Commander
Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, May 31, 2019 10:27 AM
To: (b)(6);(b)(7)(C)
Cc: STN STAFF
Subject: FW: Sheriff Clarke

Follow Up Flag: Follow up
Flag Status: Completed

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

See below. Sheriff was tied up last night and our WC made an effort to accommodate the ride along. Ultimately it didn't happen.

Give me a call if you have any questions.

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

(b)(6);(b)(7)(C)
DPAIC
U.S. Border Patrol
Santa Teresa Station
O (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, May 30, 2019 8:57 PM
To (b)(6);(b)(7)(C)
Subject: Sheriff Clarke

Sir,

Bottom line, we did not give Sheriff Clarke a line tour.

I went down to th (b) (7)(E) area around 530PM and waited in the GOV for him to be done with some interviews. There was a large gathering of people celebrating the wall so I primarily stayed by th (b) (7)(E) waiting for him to be ready. I stayed there for about an 1.5 hours seeing all the traffic come in and out. I called again and they said he was still doing interviews.

I finally called them back and told them I was going to head back to the station.

It's almost 9 and I haven't received a call from his handlers.

(b)(6);(b)(7)(C)
Watch Commander

AMERICAN OVERSIGHT

Santa Teresa Border Patrol Station
El Paso Sector
Ofc (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 19, 2019 4:27 PM
To: (b)(6);(b)(7)(C)
Subject: RE: TASK REQUEST: Comms Cataloguing

Sir,

As requested, below is a quick synopsis of the interaction I had with the "We Build the Wall" personnel. We have narrowed down the date to the week of April 14-20.

On approximately April 14th at 1700 hours, four gentlemen showed up at the Santa Teresa Station. They stated they were the "We Build the Wall" project organizers. They went on to elaborate the premise behind the "We Build the Wall" project. One of the gentlemen, who was in a wheel chair, introduced himself as one of the primary organizers of the "We Build the Wall" project, Brian Kolfage. The second gentlemen that introduced himself stated he was the former Secretary Of State of Kansas, Kris Kobach (he presented a Kansas driver's license). The names of the other two gentlemen are unknown.

Mr. Kobach stated that they were traveling Eastbound on Highway 9 and apologized for their announced presence. He added that they were in the area and took the opportunity to see if they could get a Santa Teresa Station tour. They were informed that generally people don't show up at the station unannounced and that there are certain requirements that need to be met prior to any station/line tour. They were further advised that those tours need to be coordinated with the El Paso Sector Public Affairs Office (PAO). DPAI (b)(6);(b)(7)(C) *was contacted and advised of the visit. DPAI* (b)(6);(b)(7)(C) *confirmed that tours require prior coordination and approval from the EPT Sector PAO office. Mr. Kobach was provided with the PAO phone number for coordination. Mr. Kobach was very understanding and stated he would call PAO to coordinate a station/line tour.*

Sir,

On a separate occasion on May 29, 2019, the head of security for the "We Build the Wall" project called the Santa Teresa Station to ask if a line tour could be arranged for former Sheriff of Milwaukee County, Wisconsin, David Alexander Clarke. Arrangements were made with Sector PAO and the tour was approved for May 30th. Sheriff Clarke's had conflicting scheduled appointments on May 30th and the line tour did not occur.

Let me know if you need anything else sir.

W (b)(6);(b)(7)(C)
Ofc: (b)(6);(b)(7)(C)
Cel: (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) >
Sent: Wednesday, June 19, 2019 12:56 PM
To: STN STAF (b) (7)(E)
Subject: FW: TASK REQUEST: Comms Cataloguing

Please see the tasking below, let's make a plan and move forward. Thank you!

AMERICAN OVERSIGHT

From: HULL, AARON (b)(6);(b)(7)(C)
Sent: Wednesday, June 19, 2019 12:50 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: FW: TASK REQUEST: Comms Cataloguing

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

Please see the request below. I will try to remember the interaction that I have had with them. Please put together something responsive for STN and send to me first thing tomorrow.

Others are copied. If they have had interaction, please send t (b)(6), (b) to consolidate before COB today.

Thanks.

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b)(6);(b)(7)(C)

From: HASTINGS, BRIAN (b)(6);(b)(7)(C)
Sent: Wednesday, June 19, 2019 11:24 AM
To: HULL, AARON A (b) (6), (b) (7)(C)
Cc: MARTIN, JERRY (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Subject: FW: TASK REQUEST: Comms Cataloguing

Chief Hull, Chie (b)(6);(b)(7)(

I failed to send this out timely yesterday as requested by SPAD. Can you all please assist as requested and return by mid-day tomorrow?

I respectfully request reply all with the final product.

I apologize, I missed this.

V/r,
Brian

From (b)(6);(b)(7)(C)
Sent: Tuesday, June 18, 2019 12:01 PM
To: MARTIN, JERRY (b)(6);(b)(7)(C) >; HASTINGS, BRIAN (b)(6);(b)(7)(C) ;
SINGLETON, RUYNARD (b)(6);(b)(7)(C)
C (b)(6);(b)(7)(C)
>
Subject: TASK REQUEST: Comms Cataloguing

Chiefs, XD, DXD –

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B1 & B2 have asked us to develop a catalogue of all of our formal and informal communications with the any entity connected to *We Build the Wall* (to include any comms with Fisher as it pertains to the *We Build the Wall* project) and the Sunland Park project, divided out by communications before, during and after construction of the existing project and identifying the type of communication (verbal, written) and the outcome/conclusion of each comm. This is based on the request C1 just made of us.

I've CCe (b)(6);(b)(7)(C) here to help document all of this as we need to have something pulled together by COB tomorrow. Chief Hastings, can you help us pull the relevant information from EPT?

Happy to answer any questions/concerns.

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Thursday, June 20, 2019 11:12 AM
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities
Attachments: FW: Phone Call for the Chief; FW: Phone Call for the Chief; STN Private Wall IP.pub; EPT we build the wall-Comms.docx

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, June 20, 2019 7:59 AM
To: HULL, AARON (b) (6), (b) (7)(C)
Cc (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: El Paso Sector Interaction with "We Build the Wall" entities

Good Morning Chief,

I have attached all known communications and updates to this email concerning interactions with any entity associated to "We Build the Wall" by El Paso Sector employees to include a catalogue of these interactions broke down by Pre, During, and Post construction communication. It is important for all involved to understand that El Paso Sector and specifically Santa Teresa Station management continue to interact with land owner (b) (6) on a regular basis as he is a key land owner in our AOR and amicable interaction is key to continued access to his land that abuts the international boundary. At no point in any communication did any El Paso Sector Border Patrol employee convey to any entity that we encouraged or discourage (b) (6) private actions on his land. We did not convey any information t (b) (6) or "We Build the Wall" about wall construction or about intentions to accept ownership of the wall. We did ensure EPT/STN agents would continue to have unfettered access to all areas o (b) (6) land before during and after construction. Please advise if further clarification of the catalogued events attached and below is needed. Thank you!

Pre-Construction Communication:

April 10, 2019 - American Eagle Brick Plant owne (b) (6) contacts El Paso Sector Division Chief of Operations (b) (6), (b) (7)(C) telephonically informing him of his intent to build a wall along the border inside his privately owned property. He is informed that he is responsible for the decisions made to improvements within his property and that El Paso Sector Border Patrol did not encourage or discourage his private actions. (b) (6) informs DC (b) (6), (b) (7)(C) of his intent to transfer ownership of the wall to the U.S. Govt. DC (b) (6), (b) (7)(C) informs him it's a lengthy process to do so, but that El Paso Sector was not encouraging him to do so and would not be involved in any of his private efforts.

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April 10, 2019 - Santa Teresa Border Patrol Station (A) Patrol Agent in Charg (b) (6), (b) (7)(C) contacts American Eagle Brick Plant own (b) (6). (b) (6) notifies (A) PAI (b) (6), (b) (7)(C) of his intent to allow a private group to erect a wall on his property and would like an opportunity to discuss further. (A) PAI (b) (6), (b) (7)(C) reiterated DC (b) (6), (b) (7)(C) communication wit (b) (6) from earlier in the day.

April 17, 2019 (b) (6) inquires via telephone as to the process required to gift/donate land to the U.S. Government. (A) PAI (b) (6), (b) (7)(C) inform (b) (6) that this process may be possible but would require him to submit something formally in writing to be forwarded to the appropriate government real estate entity who oversees this type of action. (b) (6) inquired as to our ability to provide input for wall design. (b) (6) was again informed that what he did on his private land was neither encouraged nor discouraged by the U.S. Border Patrol and that our only concern would be continued access to the land in order to secure the U.S. / Mexico Border. He was not provided design information.

April 17-19 (on or about) - Kris Kobach (We Build the Wall) telephoned (A) PAI (b) (6), (b) (7)(C) relaying to him that American Eagle Brick Plant owne (b) (6) had shared his contact information with him. Mr. Kobach requested information regarding the design of wall within the Santa Teresa AOR. (A) PAIC (b) (6), (b) (7)(C) informed Mr. Kobach that he would be unable to provide design specifications. Conversation was very cordial and Mr. Kobach stated that he understood. Later that evening, a group of gentlemen (Kris Kobach included) with the **We Build the Wall** Project arrived at the Santa Teresa Border Patrol Station requesting a tour of the station. This request was denied; (A) PAI (b) (6), (b) (7)(C) telephoned Mr. Kobach and informed him that such a request would need to be routed through El Paso Sector. Mr. Kobach remained cordial and stated that he understood.

<u>During Construction Communication:</u>

On or About May 17, 2019 - Chief Patrol Agent Aaron Hull, Deputy Chief Patrol Agen (b) (6), (b) (7)(C) and other sector staff stopped by Monument 1 to see the construction that had begun. We were approached by several individuals, including CE (b) (6) or We visited the site when Chief Brian Martin toured EPT on Tuesday May 21, 2019.

Our initial visit at the site is not on the calendar, but I want to say we were there the Friday prior to Chief Martins visit, which would have been on May 17, 2019.

Mr. Tommy Fisher contacted EPT on Monday June 17, 2019, asking if you were interested in meeting with him to tour the wall and to talk about a future project i (b) (7)(E)

Very Respectfully,

May 19, 2019 - Santa Teresa Border Patrol Station Agents assigned t (b) (7)(E) advised th (b) (7)(E) (b) (7)(E) Agents responded to the are (b) (7)(E) (b) (7)(E) Conversation was cordial; Fisher Industries personnel were apologetic and made efforts to assis (b) (7)(E)

May 20, 2019 - (A) PAIC Charg (b) (6), (b) (7)(C) visits the site and is approached by American Eagle Brick Plant employe (b) (6) (last name unknown) and Fisher Industries, CEO, Tommy Fisher. (A) PAI (b) (6), (b) (7)(C) was informed that plans for the build include wall construction, with corresponding infrastructure (25-foot cement driveway, lighting and smart sensor technology). Mr. Fisher was very optimistic that the entire project would be completed in one week (Monday, May 27). During the brief conversation, Mr. Fisher discussed his

AMERICAN OVERSIGHT

company's ability to build a better more cost effective design than what had previously been built by other contractors. No further communication or requests occurred in this conversation.

Post Construction Communication:

June 18, 2019 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) met with Brick Plant owner/operat (b) (6) and is informed that he intends to sell the land that the wall is on to the "We Build the Wall" organization within the next two weeks. He is concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property. He is also concerned about the eight million dollar improvement made to his property and how this will affect future tax assessments. He further stated he is including verbiage within the sale contract that would require "We Build the Wall" to re-sell the property, to the U.S. Government for one (1) US Dollar. He was again informed b (b) (6), (b) (7)((b) (6), (b) (7)(C) that his intent to donate or sell the land to anyone, including the U.S. Government, was not being encouraged.

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Santa Teresa Border Patrol Station
(b) (6), (b) (7)(C)

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TASK:

Catalogue of all of our formal and informal communications with the any entity connected to We Build the Wall (to include any comms with Fisher as it pertains to the We Build the Wall project) and the Sunland Park project, divided out by communications before, during and after construction of the existing project and identifying the type of communication (verbal, written) and the outcome/conclusion of each comm.

EPT RESPONSE:

Below you will find a record of the interaction that occurred with related entities to the "We Build the Wall" organization by El Paso Sector personnel. There were no written interactions with any organizations and all communication occurred telephonically or in person.

Pre-Construction Communication:

April 10, 2019 - American Eagle Brick Plant own (b) (6) contacts El Paso Sector Division Chief of Operation (b)(6);(b)(7)(C) telephonically informing him of his intent to build a wall along the border inside his privately owned property. He is informed that he is responsible for the decisions made to improvements within his property and that El Paso Sector Border Patrol did not encourage or discourage his private actions (b) (6) informs DCO (b)(6);(b)(7)(C) of his intent to transfer ownership of the wall to the U.S. Govt. DC (b)(6);(b)(7)(C) informs him it's a lengthy process to do so, but that El Paso Sector was not encouraging him to do so and would not be involved in any of his private efforts.

April 10, 2019 - Santa Teresa Border Patrol Station (A) Patrol Agent in Char (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) contacts American Eagle Brick Plant own (b) (6) (b) (6) notifies (A) PA (b)(6);(b)(7)(C) of his intent to allow a private group to erect a wall on his property and would like an opportunity to discuss further. (A) PAI (b)(6);(b)(7)(C) reiterated DC (b)(6);(b)(7)(C) communication wi (b) (6) from earlier in the day.

April 17, 2019 (b) (6) inquires via telephone as to the process required to gift/donate land to the U.S. Government. (A) PAI (b)(6);(b)(7)(C) infor (b) (6) that this process may be possible but would require him to submit something formally in writing to be forwarded to the appropriate government real estate entity who oversees this type of action (b) (6) inquired as to our ability to provide input for wall desig (b) (6) was again informed that what he did on his private land was neither encouraged nor discouraged by the U.S. Border Patrol and that our only concern would be continued access to the land in order to secure the U.S. / Mexico Border. He was not provided design information.

April 17-19 (on or about) - Kris Kobach (We Build the Wall) telephoned (A) PAI (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) relaying to him that American Eagle Brick Plant own (b)(6);(b)(7)(C) had shared his contact information with him. Mr. Kobach requested information regarding the design of wall within the Santa Teresa AOR. (A) PAI (b)(6);(b)(7)(C) informed Mr. Kobach that he would be unable to provide design specifications. Conversation was very cordial and Mr. Kobach stated that he understood. Later that evening, a group of gentlemen (Kris Kobach included) with the **We Build the Wall** Project arrived at the Santa Teresa Border Patrol Station requesting a tour of

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the station. This request was denied; (A) PAI (b)(6);(b)(7)(C) telephoned Mr. Kobach and informed him that such a request would need to be routed through El Paso Sector. Mr. Kobach remained cordial and stated that he understood.

During Construction Communication:

May 19, 2019 - Santa Teresa Border Patrol Station Agents assigned (b) (7)(E) advised th (b) (7)(E) Agents responded to the ar (b) (7)(E) Conversation was cordial; Fisher Industries personnel were apologetic and made efforts to assi (b) (7)(E) (b) (7)(E)

May 20, 2019 - (A) PAIC Char (b)(6);(b)(7)(C) visits the site and is approached by American Eagle Brick Plant employ (b) (6) (last name unknown) and Fisher Industries, CEO, Tommy Fisher. (A) PAI (b)(6);(b)(7)(C) was informed that plans for the build include wall construction, with corresponding infrastructure (25-foot cement driveway, lighting and smart sensor technology). Mr. Fisher was very optimistic that the entire project would be completed in one week (Monday, May 27). During the brief conversation, Mr. Fisher discussed his company's ability to build a better more cost effective design than what had previously been built by other contractors. No further communication or requests occurred in this conversation.

Post Construction Communication:

June 18, 2019 (b) (6), (b) (7)(C) (b)(6);(b)(7)(C) met with Brick Plant owner/operator (b) (6) and is informed that he intends to sell the land that the wall is on to the "We Build the Wall" organization within the next two weeks. He is concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property. He is also concerned about the eight million dollar improvement made to his property and how this will affect future tax assessments. He further stated he is including verbiage within the sale contract that would require "We Build the Wall" to re-sell the property, to the U.S. Government for one (1) US Dollar. He was again informed b (b) (6), (b) (7)(C b) (6), (b) (7)(C) that his intent to donate or sell the land to anyone, including the U.S. Government, was not being encouraged.

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From: (b)(6);(b)(7)(C)
Sent: Thursday, June 20, 2019 8:37 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Phone Call for the Chief

From (b)(6);(b)(7)(C)
Sent: Tuesday, June 18, 2019 9:43 AM
To: HULL, AARON (b) (6), (b) (7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: Phone Call for the Chief

Good Morning Chief,

In response to the below inquiry, I provide the following:

- (b) (7)(E)
- This area saw a significant decrease in FMAU traffic once the wall was complete, specifically because it is no longer easy for FMAUs to approach agents and therefore they have moved to more conducive areas to do that i. (b) (7)(E) (b) (7)(E) and other areas in the EP (b) (7)(E) AOR.
- Anecdotally speaking, we have seen non FMAU traffic head t (b) (7)(E) (b) (7)(E)
  - It has allowed our agents to respond to traffic that is actively seeking to elude apprehension in this Zone as opposed to apprehending FMAU after FMAU throughout the shift.
  - It is important to note that this was the number one avenue of entry chosen by Brazilians previously because they could enter with their children and numerous rolling suitcases with little effort. That is no longer the case.
- IBWC had concerns about the Gate that "We Build the Wall" built over their levee access roa (b) (7)(E) (b) (7)(E) (b) (7)(E). The situation with that gate remains day to day, and I have a meeting today wit (b) (6) (the owner of the wall and the American Eagle Brick Plant) as he likes to keep us (STN BP) up to date on developments.

Should any information of relevance to this discussion come from today's meeting, I will make that available as well. Please advise if further questions or concerns arise. Thank you and hope all is well!

(b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)
Santa Teresa Border Patrol Station

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, June 20, 2019 8:36 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Phone Call for the Chief

From: (b)(6);(b)(7)(C)
Sent: Tuesday, June 18, 2019 2:35 PM
To: HULL, AARON A (b) (6), (b) (7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Phone Call for the Chief

Chief,

Just got done with a meeting with American Eagle Brick Plant owner. A few items of interest that may be relevant to any discussion Chief Martin would have about the wall are as follows:

- The owner intends to sell the land that the wall is on to the "we build the wall" organization within the next two weeks.
  - He is concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property in the process.
  - He is concerned about the value of his land in regards to tax purposes with the "8 Million Dollar" improvements.
  - He stated he is including verbiage within that contract that would require "We Build The Wall" , in the event they were to re-sell the property, to sell it to the U.S. Government.
- (b) (7)(E), (b) (5)
- We Build the Wall continues to seek media attention for their wall project and there is a planned "telethon" (unknown via what media) to occur next Monday, Tuesday and Wednesday; (24, 25, 26 of June 2019).
- (b) (7)(E) put together the below chart re: Brazilian entries that shows a distinct relocation of Brazilian National illegal aliens moving from Zone (b) (7)(E) after construction on this specific portion of wall became complete.

Station & Zone	Brazilians						Grand Total
	Jan	Feb	Mar	Apr	May	Jun	
(b) (7)(E)							

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(b) (7)(E)

Grand Total	631	905	1271	1814	2111	1619	8351

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

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

Santa Teresa Border Patrol Station

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

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Full Name:	Brian Kolfage - WeBuildTheWall, Inc.
E-mail:	info@webuildthewall.us
E-mail Display As:	Brian Kolfage - WeBuildTheWall, Inc.

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[redacted]

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

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Senior Attorney ‖ Ethics, Labor, and Employment (ELE)
Office of Chief Counsel ‖ U.S. Customs and Border Protection
Office (b)(6);(b)(7)(C)
Mobil

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, US Customs & Border Protection, before disclosing any information contained in this email.

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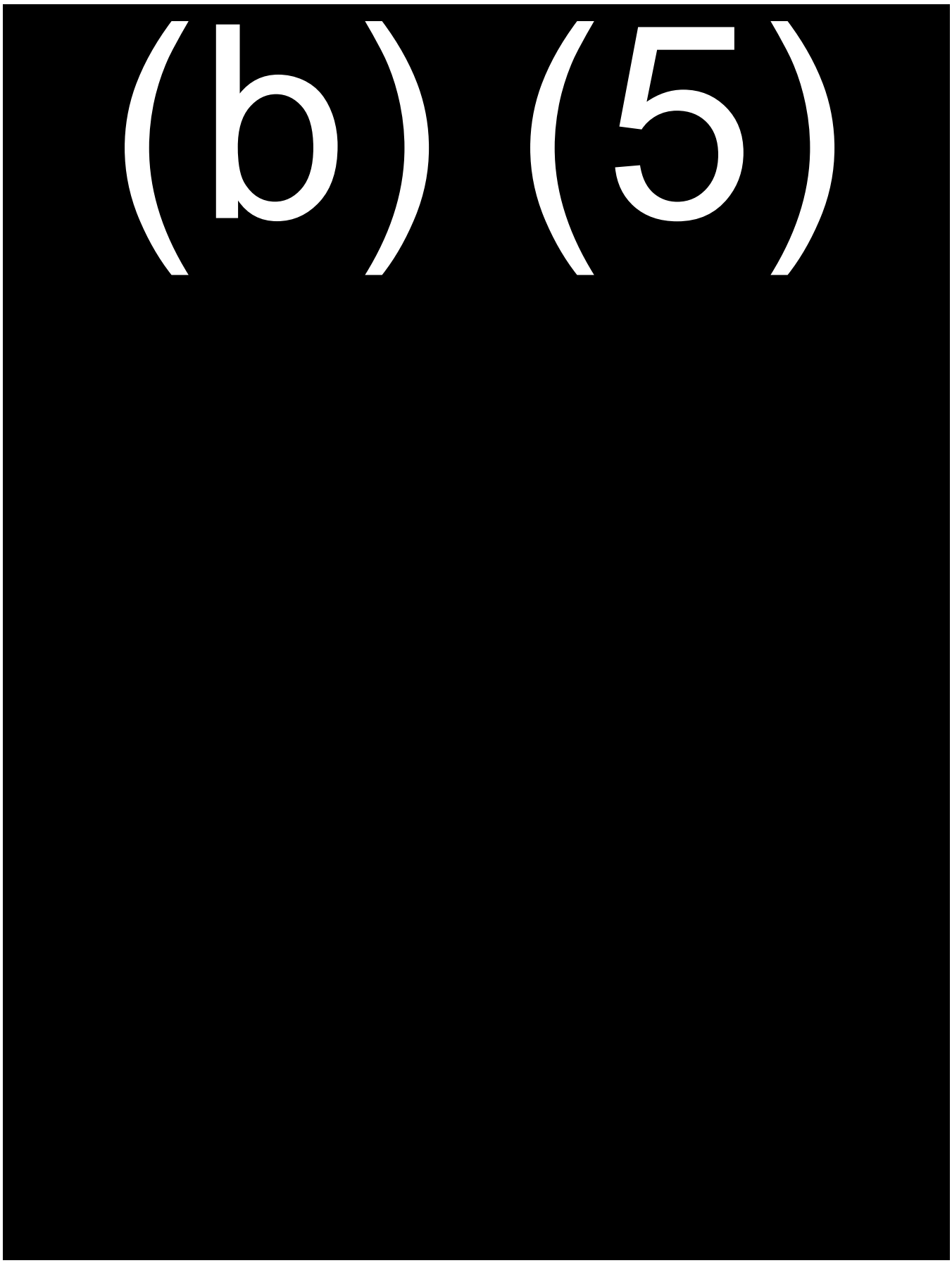

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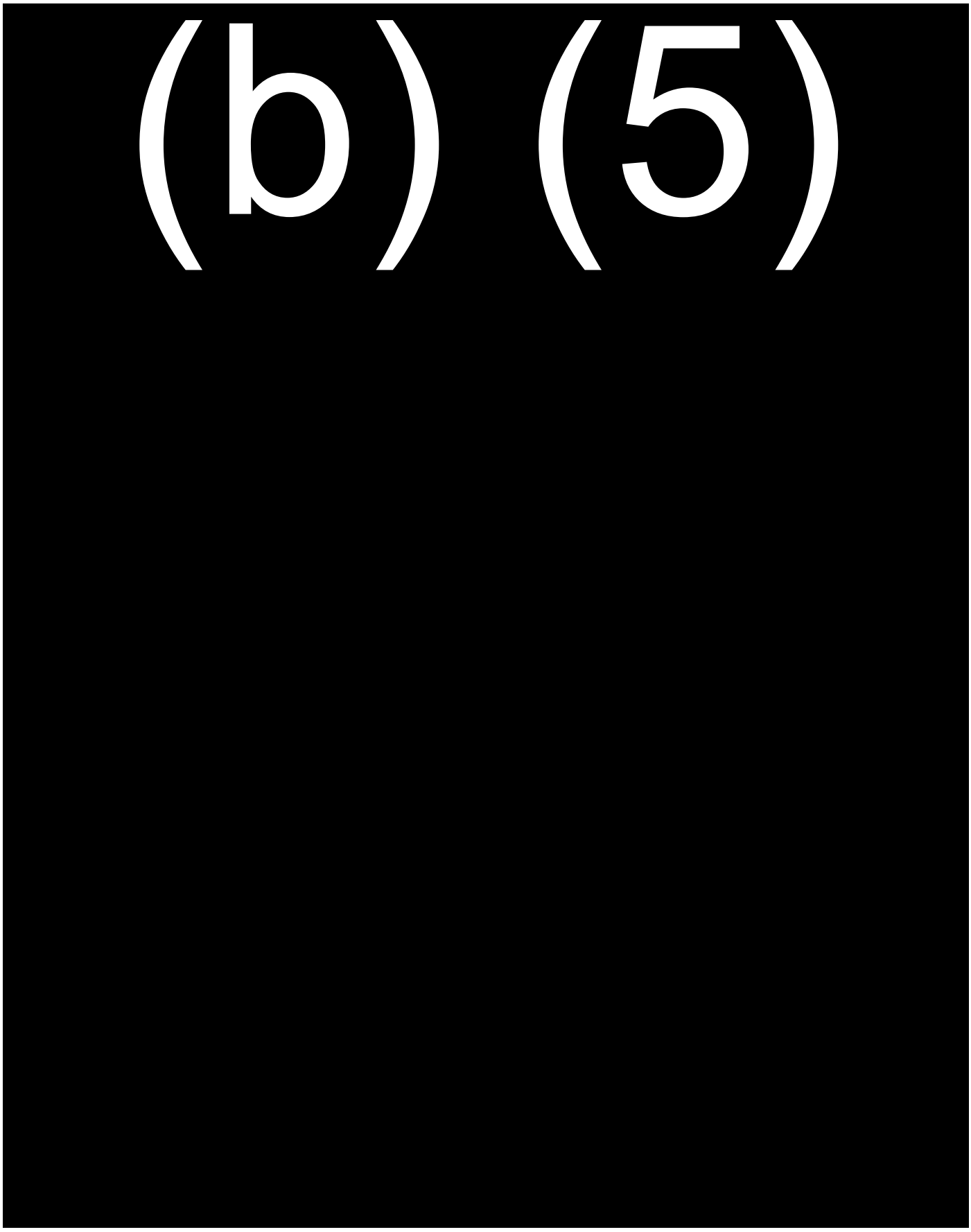

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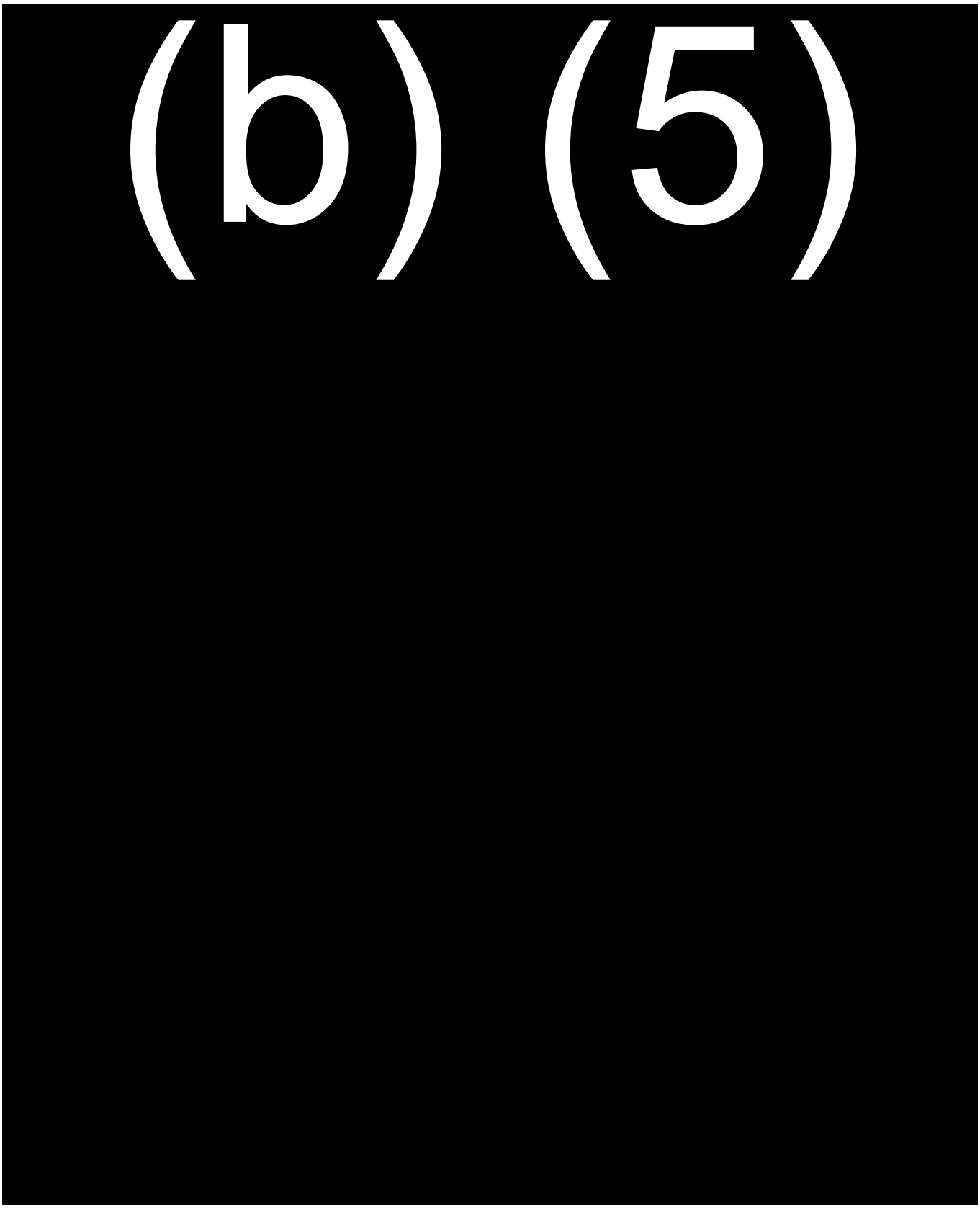

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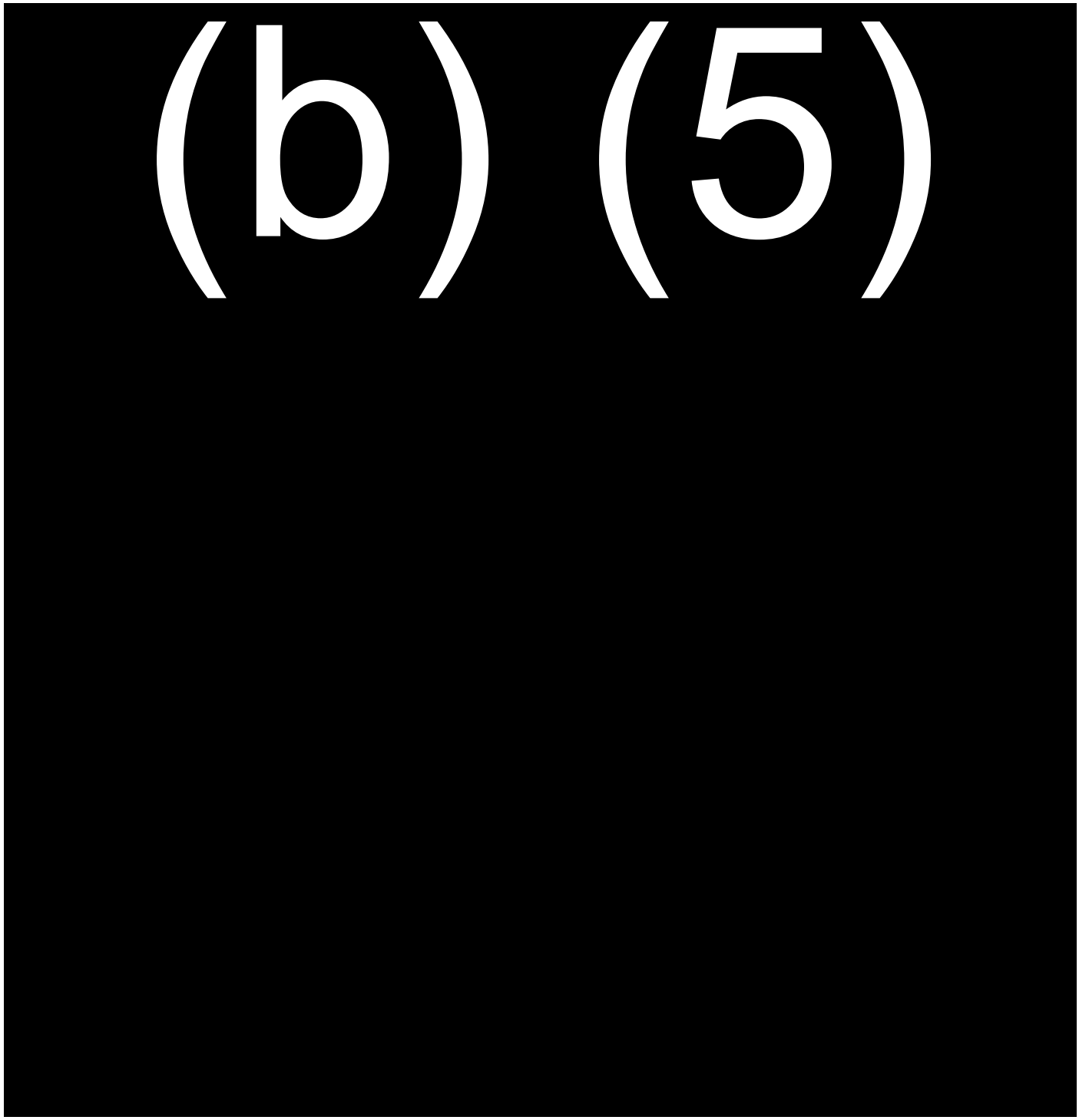

AMERICAN OVERSIGHT

Sent: Tuesday, September 10, 2019 4:37 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) BORDERWALLTASKS (b) (6), (b) (7)(C)
Subject: RE: FO (b) (6), (b) (7)(C) REVIEW: Border Wall Weekly (22-26 July)
Attachments: Border Wall Construction Photos Week of July 26, 2019.pdf; USBP Border Wall Card S1 072619.pdf

Good afternoon!

Please see below for the Weekly, as updated b (b) (6), (b) (7)(C) an (b) (6), (b) (7)(C). I have also attached the C1 card and pictures for the week. See below for schedule changes.

Schedule:
FY19

- RG (b) (7)(E)
  - Projects Advertised on 7/26/19
    - PMR update
- RGV (b) (7)(E)
  - Advertise reported as 7/25/19 last week. Is now 7/30/19
    - PMR update
  - Contract Award reported as 9/25/19 last week. Is now 9/30/19
  - 100% Design reported as 1/17/20 last week. Is now 1/25/20

Funding:

- Updated as of 7/3

Let me know if you have any questions!

(b) (6), (b) (

Executive Summary: To date, ~14 miles (18% and ~1.3 miles more than last week) of the FY18 new and replacement wall (~76-80 total miles) and ~39.5 miles (99%) of the FY17 replacement wall (~40 total miles) have been constructed.

FY 2017 Wall Program

- San Diego Primary Replacement Project (~14 miles):
  - ~13.1 miles (36 more panels than last week), have been constructed as of July 24. The last panels are expected to be installed in the next two weeks. The total project is estimated to be approximately 13.2 miles, however, final measurement will be done upon completion. (Photos attached)
- RGV Gates (35 gates):
  - Package 1 (b) (7) gates i (b) (7)(E) County Construction is on-going a (b) (7)(E) gates. Construction completion is estimated for lat (b) (5) (Photos attached)
  - Packages 2 & 3 (b) (gates i (b) (7)(E) County an (b) (7)(E) gates i (b) (7)(E) Award remains anticipated fo (b) (5)
    - ROE-S signed to date: 30 of 43 (70%)
    - Surveys complete: 32 of 43 (74%)

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- Appraisals complete: 0 of 43 (0%)
- Offers-to-Sell Delivered: 0 of 43 (0%)
- Accepted Offers-to-Sell: 0 of 43 (0%)

FY 2018 Wall Program

- (b) (7)(E) Primary Replacemen (b) (7)(E)):
  - (b) (7)(E) more than last week), have been constructed as of July 24. Construction completion is estimated fo (b) (7)(E) . (Photos attached)
  - (b) (7)(E) are under contract. The remainin (b) (7)(E) have yet to be awarded (b) (5) .
- San Diego Secondary Replacement (~14 miles):
  - ~5.4 miles (0.2 miles more than last week), have been constructed as of July 24. Panel construction completion for is estimated for January 2020. (Photos attached)
- San Dieg (b) (7)(E) Primary Replacemen (b) (7)(E)):
  - (b) (7)(E) more than last week), have been constructed as of July 24. Panel construction completion for is estimate (b) (5) . (Photos attached)
- El Centr (b) (7)(E)) Primary Replacemen (b) (7)(E)):
  - The USACE has been working through real estate challenges arising from poor land ownership records from previous barrier construction. DOJ is working with the USACE and CBP on obtaining the necessary private tracts of land. DOJs involvement will allow for real estate clearance to continue, but the timeline is currently unknown pending the court issuing declarations of taking. The next panel installatio (b) (7)(E)) is anticipated to start i (b) (5)
- Rio Grande Valley Levee Wall (RG (b) (7)(E) / RG (b) (7)(E) (b) (7)(E)):
  - RG (b) (7)(E) USA (b) (5) . USACE has agreed on a new approach to clear real estate 2 miles at a time in an effort to keep the project moving. All Offers-to-Sell have been sent to landowners and are currently in negotiations.
    - ROE-S signed to date: 34 of 34 (100%)
    - Surveys complete: 34 of 34 (100%)
    - Appraisals complete: 31 of 31 (100%) (only required for private tracts)
    - Offers-to-Sell Delivered: 31 of 31 (100%) (only required for private tracts)
      - Some offers have been with land owners for over a month. Project designs are currently being developed and are not finalized. Many landowners have irrigation or drainage questions that CBP cannot answer with confidence as the design process is ongoing. Landowners are hesitant to sign without knowing the final plan for the property. CBP continues to engage landowners in an effort to incorporate any landowner concerns into the initial design phase to preclude court action, and move to offer acceptance in as many cases as possible.
    - Accepted Offers-to-Sell: 7 of 31 (23%) (an increase of 1 from last week)
  - RG (b) (7)(E) Limited construction continues on the enforcement zone patrol road. CBP met this week to review the levee seepage mitigation design. IBWC comments are due back July 31. Once the final

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design is approved by all stakeholders, and real estate is cleared, levee wall construction will commence.

- ROE-S signed to date: 19 of 19 (100%)
- Surveys complete: 19 of 19 (100%)
- Appraisals complete: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
- Offers-to-Sell Delivered: 11 of 16 (69%) (only required for private tracts; an increase of 5 from last week)
- Accepted Offers-to-Sell: 0 of 16 (0%)

- Rio Grande Valley Border Wall System (RG (b) (7)(E) (b) (7)(E) i (b) (7)(E) County):
  - This project comprises the areas that require additional consultation wit (b) (7)(E) County elected officials (as required by the FY19 appropriation language). USBP has received all proposed alignments. The proposals are currently undergoing hydraulic analysis and modeling which is now anticipated to be completed in lat (b) (5), which will then be reviewed by RGV Sector to identify any operational gaps. USBP and USACE will then discuss the findings of the analysis with the cities in an effort to seek a consensus on alignments while meeting operational requirements and treaty obligations. These meetings are anticipated to occur with the cities in September. It is anticipated that this may continue past September 30, 2019, which was the deadline established in the FY19 appropriation language.
    - ROE-S signed to date: 136 of 155 (88%)
    - Surveys complete: 20 of 155 (13%)
    - Appraisals complete: 0 of 152 (0%) (only required for private tracts)
    - Offers-to-Sell Delivered: 0 of 152 (0%) (only required for private tracts)
    - Accepted Offers-to-Sell: 0 of 152 (0%)

FY 2019 Wall Program

- Rio Grande Valley Levee Wall (b) (7)(E))
  - The contract award remains anticipate (b) (5). Construction start is anticipated for (b) (5) assuming availability of real estate.
    - ROE-S signed to date: 81 of 95 (85%)
    - Surveys complete: 88 of 95 (92%)
    - Appraisals complete: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
    - Offers-to-Sell Delivered: 6 of 85 (7%) (only required for private tracts; an increase of 5 from last week)
    - Accepted Offers-to-Sell: 0 of 85 (0%)
- Rio Grande Valley Border Wall System (RG (b) (7)(E)
  - The Contractor is currently developing the construction schedule and design. Construction start is anticipated for September.
  - USBP continues to work with the USACE on barrier coating. USBP will apprise leadership of the potential impacts of the costs in advance of its execution.

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- This project is U.S. Fish and Wildlife property and is currently real estate cleared. Four private tracts will require easements for access during construction. The USACE is currently working to obtain access.

- Rio Grande Valley Border Wall System (Remaini (b) (7)(E)
  - The RFP packages for the FY19 projects RG (b) (7)(E) and RG (b) (7)(E) are anticipated to advertis (b) (5) and RG (b) (7)(E) is on track fo (b) (5) USACE has changed the acquisition strategy from the pre-qualified sources list (#3) to the Western MATOC.
  - Real estate numbers have been updated for FY19, however as the alignments are finalized, these are subject to change.
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - This award remains on hold with GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5) [redacted]
      - ROE-S signed to date: 23 of 23 (100%)
      - Surveys complete: 0 of 23 (0%)
      - Appraisals complete: 0 of 21 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 21 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 170 of 177 (96%) (an increase of 1 from last week)
      - ROE-S DTs filed: 4 (pending)
      - Surveys complete: 0 of 177 (0%)
      - Appraisals complete: 0 of 174 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 174 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 75 of 89 (84%) (an increase of 1 from last week)
      - Surveys complete: 0 of 89 (0%)
      - Appraisals complete: 0 of 74 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 74 (0%) (only required for private tracts)
    - RG (b) (7)(E) Border Wall System (b) (7)(E)
      - ROE-S signed to date: 113 of 145 (78%) (an increase of 8 from last week)
      - ROE-S DTs filed: 3 (pending)
      - Surveys complete: 16 of 145 (11%)
      - Appraisals complete: 0 of 145 (0%) (only required for private tracts)
      - Offers-to-Sell Delivered: 0 of 145 (0%) (only required for private tracts)

- As approved in late FY18, USBP will be constructing model enforcement zone at the Border Patrol Academy in Artesia, New Mexico to execute effective deployment, test and evaluation activities. Construction will include approximately 300 feet of primary and 300 feet of secondary border barrier with various toppings at various heights.

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- Construction is estimated to start in earl (b) (5) and complete by the end o (b) (5).

Treasury Forfeiture Funds (TFF)

- CBP continues to plan to be flexible in its execution of the TFF, including planning for the possible execution o (b) (7)(E), (b) (5)
  - USBP is currently scoping the projects i (b) (7)(E) and awaiting the hydrology and hydraulic analysis which is anticipated to be completed in lat (b) (5)
  - All Treasury Forfeiture Funds have been allocated to the Border Wall program as of July 25 in the amount of $601M.

Acquisition

- The Eastern MATOC ($5B in capacity) award remains on hold with a GAO Protest submitted by four companies. USACE has submitted the corrective action pla (b) (5)

FY 2020 Wall Program

- No update this week.

***We Build the Wall* Coordination**

- USBP is developing a checklist to evaluate both past and future border wall construction for donation acceptance. It is estimated that this checklist will be completed in mid-August for CBP and DHS leadership approval. USBP will then follow back up with the *We Build the Wall* organization and present the checklist at an in person meeting in late August.

DoD Coordination Update

- **284 Counter-Narcotics Funding (approximatel** (b) (7)(E)
  - All of the DoD-assisted projects are now subject to a permanent injunction issued by the Federal District Court for the Northern District of California on June 28, 2019. The District Court's injunction bars the Government from taking any action to construct border barrier using the funds DoD had identified for the projects in the Yuma, El Paso, El Centro, and Tucson Sectors. The Government has appealed the District Court's decision that DoD's transfer of funds was impermissible. The Government is also seeking a stay of the injunction pending its appeal of the District Court's decision.
  - The Supreme Court is anticipated to make a decision by the end of this week on the requested stay.
  - The border wall projects included in DHS's request for assistance remain high priority areas for the USBP in order to obtain operational control of the border. Therefore, while the Government will not be undertaking any construction activity for these projects using DoD funds in light of the injunction referenced above, CBP will continue its environmental planning efforts to include the completion of environmental surveys to identify and consider potential impacts to the proposed border wall project areas in the event these projects proceed under future funding. The environmental planning efforts for these projects are funded by CBP appropriations.
- **2808 Military Construction Funding:** USBP is awaiting SECDEF's decision on the use of 10 U.S.C. § 2808 funds. SECDEF confirmed by U.S. Senate on July 23.

Media

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- Fox News "Trump has not built a single mile of new border fence, agency confirms" https://www.foxnews.com/politics/trump-has-not-built-a-single-mile-of-new-border-fence-agency-confirms
- Townhall "Good News: We've Finished 50 Miles of New Border Wall" https://townhall.com/tipsheet/mattvespa/2019/07/22/good-news-weve-finished-50-miles-of-new-border-wall-n2550410
- Breitbart "Exclusive: Completed Section of Trump's New Wall Helping Secure Border, Says Agents" https://www.breitbart.com/border/2019/07/23/exclusive-completed-section-of-trumps-new-wall-helping-secure-border-say-agents/
- We Build the Wall is hosting a three day symposium on the topic of National and Border Security. Speakers include NBPC President Brandon Judd, Kris Kobach, Brian Kolfage, Steve Bannon, Tommy Fisher and more. Symposium at the Wall: Cartels, Trafficking and Asylum https://thewallsymposium.com/

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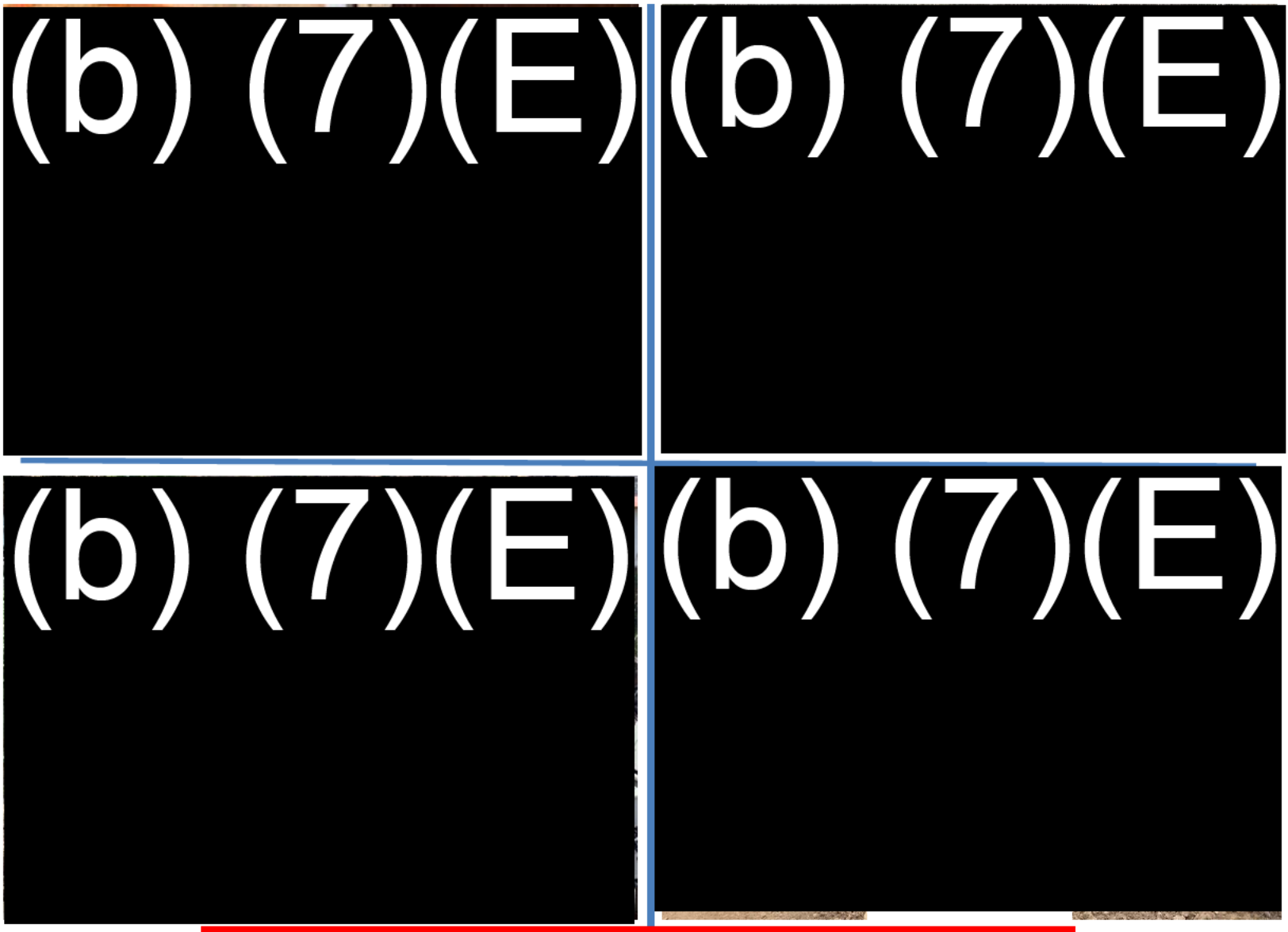

Construction of FY17 San Diego PRIMARY Border Wall Replacement project as of July 26, 2019

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(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



(b) (7)(E) Road – Site Safety Brief

Construction of FY17 RGV Gates (Package 1) Projects as of July 26, 2019

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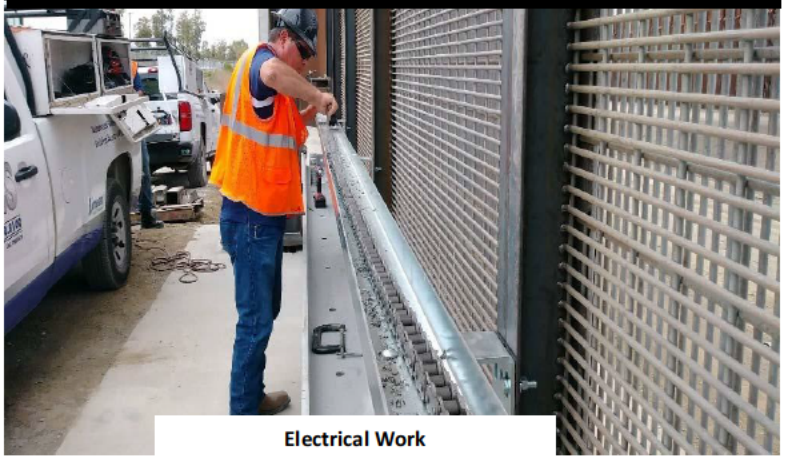
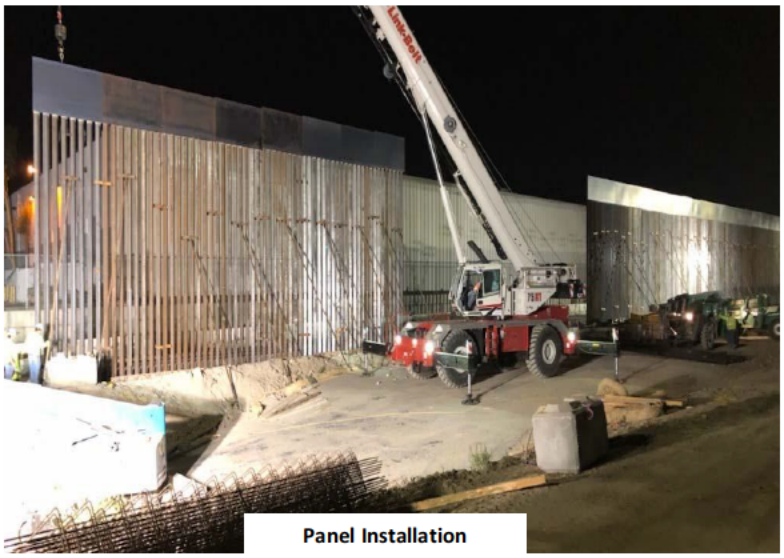
(b) (7)(E)

(b) (7)(E)



Electrical Work

(b) (7)(E)



Panel Installation

Construction of FY18 San Diego SECONDARY Border Wall Project as of July 26, 2019

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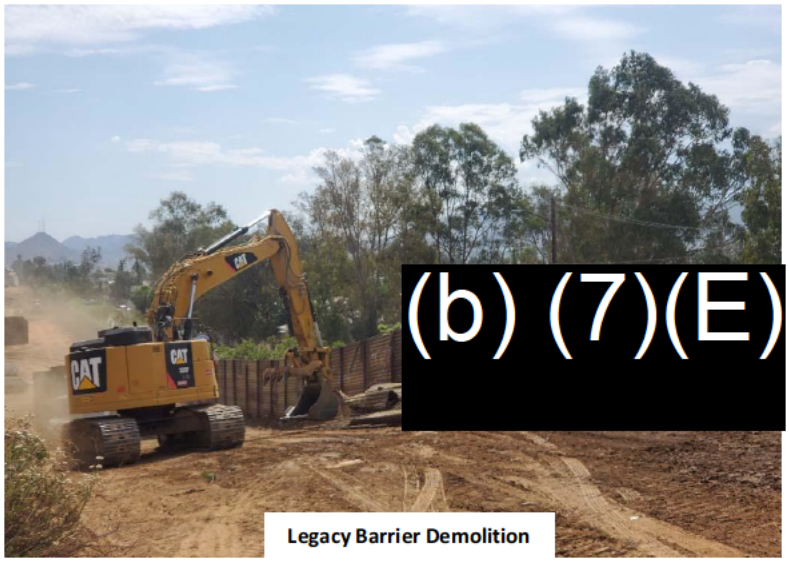
(b) (7)(E)

(b) (7)(E)

(b) (7)(E)



Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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Installed Panels



Panel Installation



Panel Installation



Panel Installation

Construction of (b) (7)(E) Primary Replacement Border Wall Project as of July 26, 2019

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U.S. Customs and Border Protection

FY 2017 - 2019 Investment Plan

(b) (7)(E)

(b) (7)(E)

Overall Information

SW Border Overview*

Total Southwest Border: 1,954 mi

- Existing Barrier: 654 mi
  - PW to Remain 221 mi
  - PW Replace 133 mi
  - VB Conversion 300 mi
- No Barrier: 1,300 mi
  - Primary Border Wall System: 864 mi
    - Secondary/Enforcement Zone: 771 mi
  - Non Priority: 437 mi

*totals may differ slightly due to rounding

Funding (info as of July 3, 2019, updated monthly)

FY2017 (b) (7)(E) $341M

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$341M	$336.5M	$286.5M

FY2018 | Up to (b) (7)(E) $1.375B

Type	Barrier	Qty.	Enacted	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$1.375B	$1.29B	$827.3M

FY2019 | TBD Miles | ~$2B**

Type	Barrier	Qty.	Planned	CBP Obligated	USACE Obligated
(b) (7)(E)					
		TOTAL	$2B	$1.46B	$81.8M

= Change From Prior Week

**DHS Budget $1.375B, Treasury Forfeiture Funds (TFF) $601M

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Milestones

(b) (7)(E)

NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

*Construction Start denotes the start of the contractor's Period of Performance (POP) Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

Milestones

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY18 ENACTED BUDGET PROJECTS – Continued

(b) (7)(E)

1/19/2018 – (b) (7)(E) – ARB Approved – (b) (7)(E) of levee wall in (b) (7)(E) County, Texas and (b) (7)(E) of bollard wall in (b) (7)(E) County, Texas

9/6/2018 – (b) (7)(E) – ARB Approved – (b) (7)(E) of existing secondary wall in San Diego Sector, along the international border, adjacent to (b) (7)(E) Mexico and (b) (7)(E) of new secondary wall extending to the (b) (7)(E) that is without secondary wall

FY19 ENACTED BUDGET PROJECTS

(b) (7)(E)

4/30/2019 – (b) (7)(E) Pending ARB Approval – (b) (7)(E) of Border Wall System in the (b) (7)(E) Texas

*Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded

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NOTE: Subject to change based upon Acquisition Timelines

= Change From Prior Week

= TBD

= 30+ Days Slip

= 1-30 Days Slip

= On Schedule

= Complete

FY19 DoD SECTION 284 PROJECTS

(b) (7)(E)

Real Estate

Project	Miles/# of Land Tracts***	Initial Land Ownership Determination	Appraisal/Valuation Complete	Real Estate Possession
FY18				
(b) (7)(E)				

**Construction Start denotes the start of the contractor's Period of Performance (POP)
Actual construction start dates are unavailable until Contract is awarded
***# of tracts may change as we proceed through the Real Estate Acquisition Process

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From: MORGAN, MARK A
Sent: Tuesday, August 27, 2019 8:32 PM
To: PEREZ, ROBERT E
Cc: (b)(6);(b)(7)(C)
Subject: Re: After Action Report - We Build the Wall

Good to go!

Sent from my iPhone

On Aug 27, 2019, at 8:25 PM, PEREZ, ROBERT (b)(6);(b)(7)(C) wrote:

> Sir - FYI. With your concurrence, will as (b)(6);(b)(7)(C) to share with DHS FO for their SA - thanks.
>
> REP
>
> Robert E. Perez
> Deputy Commissioner
> U.S. Customs & Border Protection
>
> Begin forwarded message:
>
> **From** (b)(6);(b)(7)(C)
> **Date:** August 27, 2019 at 6:19:38 PM EDT
> **To:** "PEREZ, ROBERT E (b)(6);(b)(7)(C)
> **Cc:** "PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) "LUCK, SCOTT A (USBP (b)(6);(b)(7)(C) "MARTIN, JERRY B" (b)(6);(b)(7)(C) "SINGLETON, RUYNARD R" (b)(6);(b)(7)(C) "HASTINGS, BRIAN S" (b)(6);(b)(7)(C)
> **Subject: After Action Report - We Build the Wall**
>
> Deputy Commissioner Below please find a high level summary/after action from today's meeting with the team from We Build the Wall for your information and to share as needed.
>
> Meeting Summary/After Action:
>
> CBP Leadership, including Acting Commissioner (AC1) Morgan, Deputy Commissioner Perez, Directorate Chief Brian Martin, and Deputy Executive Directo (b)(6);(b)(7)(C) along with representatives of the Office of Chief Counsel sat down with Kris Kobach, Rich Kaye and Mike Fury of We Build the Wall (WBTW) to discuss the privately funded wall project recently completed in Sunland Park, New Mexico.
>
> AC1 Morgan started the meeting by thanking the WBTW for having the meeting and for their positive interaction they have had with CBP. AC1 Morgan provided insight into the enhanced safety WBTW's project provides for the Border Patrol Agents working in that area. WBTW informed CBP of the challenges they went through with the initial "go fund me" process, and the ongoing challenges relating to the land acquisition process.

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U.S. Border Patrol (USBP) representatives outlined the results of the operational assessment that was conducted on the project and identified some areas of concern and other approaches USBP takes when undertaking similar projects. WBTW representatives asked for clarification on what a donation offer would need to look like and whether CBP would be amenable to acceptance if an offer were made. Deputy Commissioner Perez expressed that CBP is interested in exploring all available options if an offer were made.

WBTW asked further questions about USBP priorities and border wall system specifications. WBTW asked if CBP would be open to considering a proposal for a project in th (b) (7)(E) New Mexico) area. CBP communicated that we would consider proposals if they were submitted. WBTW asked about specific timeframes regarding the proposal, and was informed that specific timelines are difficult at this stage of the process and that CBP would need the proposal to evaluate first. WBTW indicated that they are exploring projects in the following areas:

- (b) (7)(E)

The meeting concluded on a positive note with WBTW being provided the USBP Barrier Checklist (attached) and expressed a desire for further communication. CBP will reach out to WBTW for follow up in 2-3 weeks.

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

<Barrier Donation Checklist v11 (distributed copy).pdf>

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 27, 2019 8:52 PM
To: (b) (6)
Cc: (b)(6);(b)(7)(C)
Subject: Fwd: After Action Report - We Build the Wall
Attachments: Barrier Donation Checklist v11 (distributed copy).pdf; ATT00001.htm

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good evening,

FYSA as to a meeting CBP had with the "We Build the Wall" group. Please let us know if you need anything further.

(b)(6);(b)(7)(C)
(A) Chief of Staff, CBP
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Date: August 27, 2019 at 6:19:38 PM EDT
To: "PEREZ, ROBERT E (b)(6);(b)(7)(C)
Cc: "PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) >, "LUCK, SCOTT A (USBP)" (b)(6);(b)(7)(C) "MARTIN, JERRY B" (b)(6);(b)(7)(C) "SINGLETON, RUYNARD R" (b)(6);(b)(7)(C) "HASTINGS, BRIAN S" (b)(6);(b)(7)(C) >
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- (b) (7)(E)
-
-

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(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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Area of Criteria			Considerations	Characteristics Used to Meet Requirement	Completed
REAL ESTATE					
Real Estate	Verification of landownership and permission for use or access.		Verification of landownership and permission for use or access.		
			1 (b) (5)		
		Construction Footprint	Federal lands:		
			2 (b) (5)		
			3		
			Private lands:		
			4 (b) (5)		
		Staging & Laydown Areas & Access roads to construction footprint/border	Federal lands:		
			5 (b) (5)		
			6		
			Private lands:		
			7 (b) (5)		
			8		
			9		
ENVIRONMENTAL					
Environmental			10 (b) (5)		
			11		
		Compliance with NEPA	12 a. (b) (5)		
			b.		
			c.		
			d.		
			e.		
			f.		
			13 (b) (5)		

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DESIGN & ENGINEERING

Design and Engineering

		17		(b) (5), (b) (7)(E)			
		18					
		19					
		20					
		21					
		22					
		23					
		24					
		25					
		26					
	Wall design shall comply with the following design criteria and most recent editions of cited references, unless specifically directed or approved otherwise.	27	a.	(b) (5), (b) (7)(E)			
			b.				
			c.				
		28		(b) (5), (b) (7)(E)			
		29		(b) (5), (b) (7)(E)			
		30					
		31					
		32					
		33					
		34	a.	(b) (5), (b) (7)(E)			
			b.				
			c				
			d.				

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LEGAL

		(b) (5)	
35	a.	(b) (5)	
36		(b) (5)	
37			
38			

OPERATIONAL REQUIREMENTS

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

The following questions are intended to provide a better understanding of the U.S. Border Patrol's requirements of a border wall system, and to provide guidance on minimum construction standards.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, October 17, 2019 10:55 AM
To: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wal (b) (7)(E) Project Proposal
Attachments: (b) (7)(E) WBTW USACE Real Estate Reivew.pdf

FYI

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, October 11, 2019 4:24 PM
To: kkobach@gmail.com
Cc (b)(6);(b)(7)(C)
SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: RE: We Build the Wal (b) (7)(E) Project Proposal

Sir,

The team has reviewed the We Build The Wall (WBTW) checklist. I appreciate your patience as we've carefully gone through each of the items. Below are the following issues captured by the team:

1. Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.
2. Environmental: WBTW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.
3. The wall should b (b) (7)(E) feet as noted in the checklist
4. The wall should b (b) (7)(E) feed as noted in the checklist
5. IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.
6. Gates are required at all IBWC monuments per TI standards (2 to 3 monuments may be in this area)
7. It was stated that fill sections will be filled with "processed fill" need confirmation that this will be "certified clean fill" as per environmental needs.
8. Need an explanation on the "N/A" response from WBTW regarding Procurement process.

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9. Need explanation on how WBTW wi (b) (7)(E) (b) (7)(E)

Please consider these concerns and let me know if you have time to discuss.

Have a great weekend,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, October 11, 2019 4:16 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
C (b)(6);(b)(7)(C)
Subject: RE: We Build the Wal (b) (7)(E) Project Proposal

Brian,

Just left you a voicemail touching base. Please give me a call when you have a chance. Thanks.

Kris

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Friday, October 4, 2019 11:57 AM
To: kkobach@gmail.com
Cc (b)(6);(b)(7)(C)
>
Subject: FW: We Build the Wa (b) (7)(E) Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents.
Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY (b)(6);(b)(7)(C)
Subject: We Build the Wa (b) (7)(E) Project Proposal

AMERICAN OVERSIGHT

Dear Brian (b)(6);(b)(7)(C), and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the propose (b) (7)(E) wall extension that We Build the Wall (WBTW) has proposed to build at th (b) (7)(E) area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at th (b) (7)(E) site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

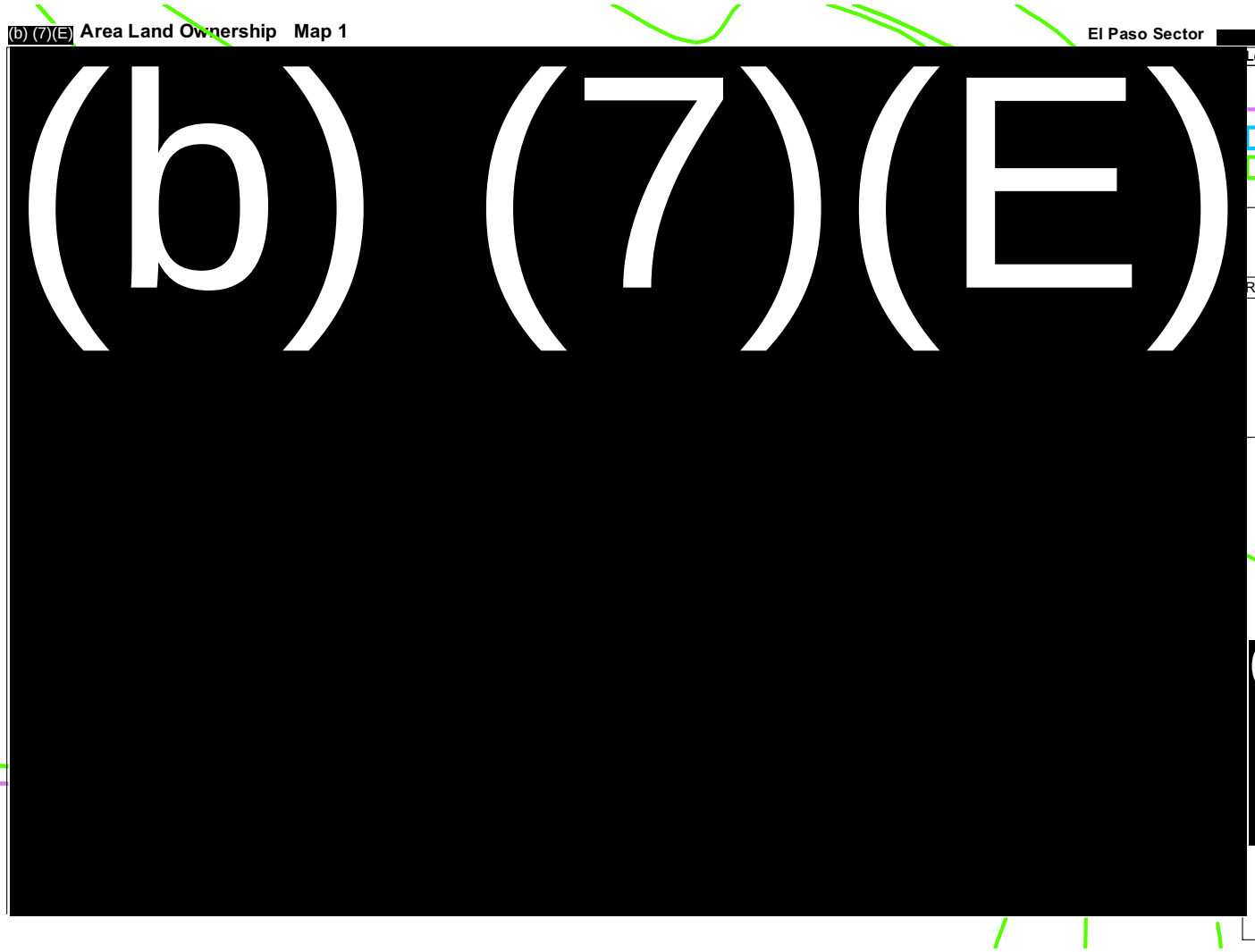
Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O (b)(6);(b)(7)(C)
M (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

(b) (7)(E) **Area Land Ownership Map 1**

El Paso Sector (b) (7)(E)



Legend

Roosevelt

(b) (7)(E)

Ownership Area

Reference

County ID Tracts

N

W E

S

0 150 300 Feet

1 inch 291 feet

(b) (7)(E)

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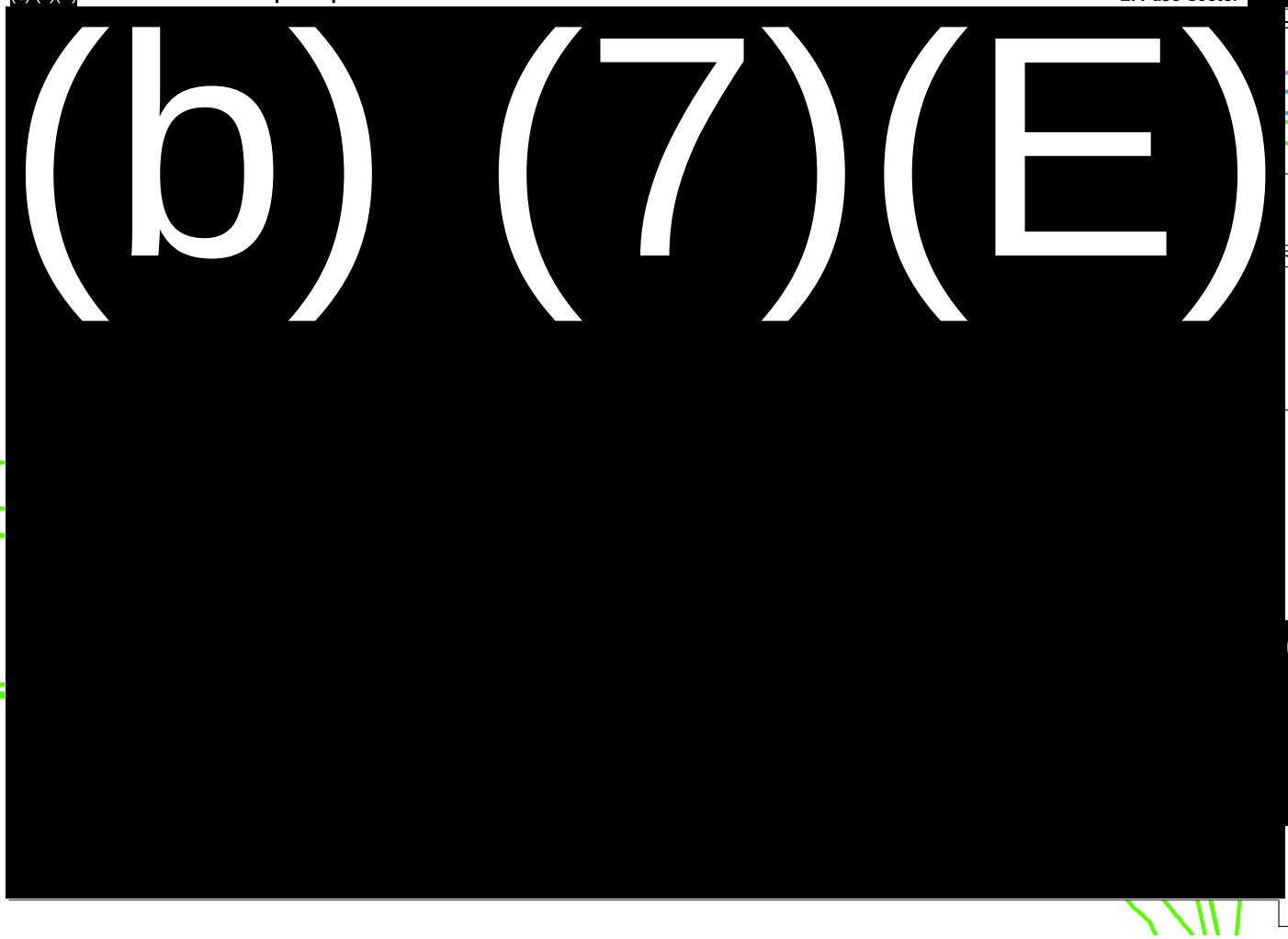
AMERICAN OVERSIGHT

(b) (7)(E) **Area Land Ownership Map 2**

El Paso Sector (b) (7)(E) X



Legend

Roosevelt

(b) (7)(E)

Ownership Area

Reference

County ID Tracts

N

W E

S

0 250 500 Feet

1 inch 866 feet

(b) (7)(E)

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AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 1:59 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: We Build the Wal (b) (7)(E) Project Proposal

I found it. It is tomorrow morning.

Thank you,

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

(b)(6);(b)(7)(C)
U.S. Border Patrol
Operational Requirements Management Division
Office: (b)(6);(b)(7)(C)
Mobil (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 1:58 PM
T
C (b)(6);(b)(7)(C)
Subject: RE: We Build the Wal (b) (7)(E) Project Proposal

I saw one on the calendar but I don't see it anymore

(b)(6);(b)(7)(C)
Operational Requirements Management Division
United States Border Patrol
Mobil (b)(6);(b)(7)(C)
Desk
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 1:57 PM
T
C (b)(6);(b)(7)(C)
Subject: FW: We Build the Wal (b) (7)(E) Project Proposal

Are you guys aware of a meeting this afternoon?

Thank you,

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

(b)(6);(b)(7)(C)
U.S. Border Patrol
Operational Requirements Management Division

AMERICAN OVERSIGHT

Office
Mobil (b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 12:47 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: RE: We Build the Wal (b) (7)(E) Project Proposal

Chief,

We have a meeting this afternoon to discuss with ORMD, LEOD, and OCC. I will get you write-up back by tonight or morning as a follow-up.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phon (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Wednesday, October 9, 2019 7:51 AM
To (b)(6);(b)(7)(C)
; SINGLETON, RUYNARD (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: We Build the Wal (b) (7)(E) Project Proposal

All,

Checking in to see if we've made any progress on the checklist. It's expected that we will provide an update this week on progress. C2 is tracking this.

Thanks,

Brian

From: MARTIN, JERRY B
Sent: Friday, October 4, 2019 12:57 PM
To: kkobach@gmail.com
Cc (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

[redacted]
Subject: FW: We Build the Wal [redacted] Project Proposal

Kris,

Thank you for the call this morning. As I'm sure you can understand, we are extremely busy right now, however we appreciate all the work your team has put into the documents.
Our projects team and legal are currently reviewing the documents you sent over. We will be meeting mid-next-week and will be able to follow up after we have determined a path forward.

Thank you for your patience.
Brian

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, September 27, 2019 3:55 PM
To: MARTIN, JERRY [redacted]
[redacted]
Subject: We Build the Wal [redacted] Project Proposal

Dear Brian [redacted], and Deputy Commissioner Perez,

It was a great pleasure meeting with you a few weeks ago. Please find attached our responses to the items in the CBP checklist for the propos [redacted] wall extension that We Build the Wall (WBTW) has proposed to build at th [redacted] area in New Mexico and give to CBP. I have also attached a hydro analysis and other supporting documents. We will meet virtually all of the CBP requirements; and where we propose slight modifications, it is because of special circumstances at th [redacted] site.

Please let me know as soon as possible if you need any additional information prior to granting us permission to proceed. As I may have mentioned in our meeting, we have much of the heavy equipment in the area already. We will save nearly half a million dollars in mobilization costs if we can proceed soon ideally by October 11 if possible.

Thanks again for meeting with us. We look forward to constructing and donating a gift to CBP that meets all of your operational needs and greatly improves the security what is currently a heavily-trafficked border area.

Yours,

Kris Kobach
General Counsel,
We Build the Wall

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O [redacted]
M [redacted]

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C))
Sent: Thursday, October 24, 2019 12:10 PM
To: (b)(6);(b)(7)(C)
Subject: RE: We Build The Wall Checklist Review

Word.

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:06 PM
To (b)(6);(b)(7)(C)
Subject: RE: We Build The Wall Checklist Review

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

(b)(6);(b)(7)(C)
Senior Attorney
Office of Assistant Chief Counsel, Indianapolis
Customs and Border Protectio (b)(6);(b)(7)(C)
This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel-Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:03 PM
To (b)(6);(b)(7)(C)
Subject: RE: We Build The Wall Checklist Review

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

AMERICAN OVERSIGHT

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

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 11:40 AM
To (b)(6);(b)(7)(C)
>
Subject: FW: We Build The Wall Checklist Review

Further background on WBTW.

(b)(6);(b)(7)(C)
Attorney
Office of Chief Counsel, Trade & Finance
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, October 23, 2019 7:26 PM
T (b)(6);(b)(7)(C) >
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
>; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: We Build The Wall Checklist Review

Thanks (b)(6);(b)(7)(Once we have that answer we should be able to decide with our OCC what the appropriate response is to WBTW.

Sent from my iPhone

On Oct 23, 2019, at 5:09 PM (b)(6);(b)(7)(C) wrote:

> Was just able to exchange an email wit (b) (6) He indicated he will check if one of their attorneys did provide a draft to someone at CBP, as IBWC had promised. He indicated he would get back t (b)(6);(b)(7)(C) and I tomorrow.

AMERICAN OVERSIGHT

On Oct 23, 2019, at 2:09 PM [redacted] wrote:

There is no MOU at this point. We're trying to ground truth with IBWC what they told WBT [redacted], did you all hear back fro [redacted]?

Sent from my iPhone

On Oct 23, 2019, at 1:57 PM, MARTIN, JERRY B [redacted] wrote:

> Team,
>
> I just fielded another call from Kris and he advised that WBTW is working the resolve the remaining items on the to do list. He asked that we provide an update as soon as USACE and OCC make a determination on real estate to validate that the Roosevelt strip East o [redacted] does exist. He also requested a point of contact that he can reach out to with UPRR to discuss access to the site.
>
> Separately he inquired about the status of our MOU with IBWC at the Sunland Park. Have we made any progress on that front?
>
> Thanks,
>
> Brian

From [redacted]
Sent: Tuesday, October 22, 2019 6:42 PM
To: MARTIN, JERRY B [redacted]
Cc [redacted]
SINGLETON, RUYNARD R [redacted]
[redacted]
Subject: Re: We Build The Wall Checklist Review

Chief Martin - I saw your recent response to Kris and I apologize for my delayed response. USACE is still researching our access from th [redacted] area (item #1) and I will ask OCC to review. In addition, there are still some issues to work out in regards to item #2 as further explained below.

In regards to Items #2, I was able to speak with USACE regulatory for the New Mexico area and there are some initial steps WBTW will need to do before we know whether a 404/401 permit is required as well as any NEPA compliance. According to USACE, they looked at WBTW's prior fence project in Sunland Park to determine whether a permit was needed and once they reviewed the project, USACE determined no permit was required because there were no "Waters of the US" impacted by the project.

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For th (b) (7)(E) area, WBTW would first need to complete a survey to determine whether there are any "Waters of the US" within the project area. The definition of a "Waters of the US" is fairly broad and can include dry washes that only flow during rain events. Once the survey is completed, WBTW would need to make a determination whether the project would impact a Waters of the US due to the excavation of the soils required. If there are no Waters of the US impacted, then a permit would not be required. If Waters of the US are impacted, then WBTW would need to consult with USACE on the type of permit required. There are few factors USACE will need to evaluate to determine what type of permit is required and whether NEPA analysis is needed.

I will check in again with USACE and will get you the update on Item #1

On Oct 22, 2019, at 11:06 AM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

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

I'm going to send a follow up message to Kris Kobach today. Have you had the chance to get to #1 and #2 below?

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

(b) (5)

Thanks,

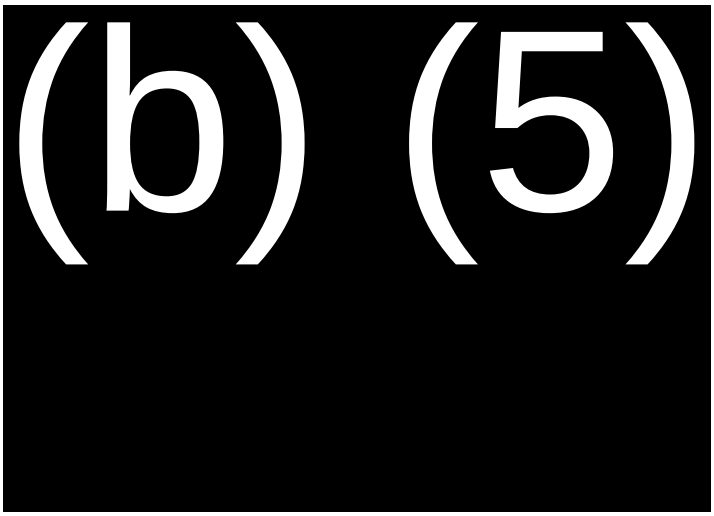
Brian

From (b)(6);(b)(7)(C)
Sent: Friday, October 18, 2019 9:58 AM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) >; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: We Build The Wall Checklist Review

In regards to #1, I am pulling the access i (b) (7)(E) and will send to OCC for review. FITT was down yesterday

AMERICAN OVERSIGHT

and I wasn't able to access our real estate documents but will do that today.

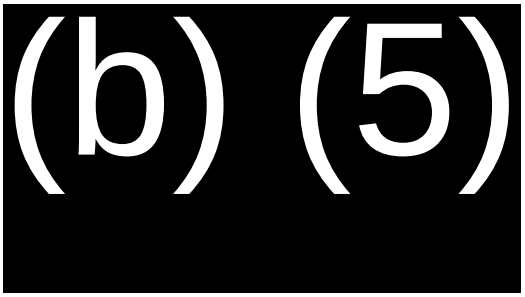


Since this project will be on federal lands, we would want to ensure all storm water permits and requirements are followed. This is will be critical after construction to make sure erosion controls are implemented and the new barrier isn't undermined by runoff and erosion. A call with USACE regulatory would help to determine what is required and whether WBTW would need to complete NEPA to obtain a permit. I can reach out to USACE regulatory.

On Oct 18, 2019, at 9:35 AM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:

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

Thanks for the quick response. (b) (5)



AMERICAN OVERSIGHT

[redacted] (b) (5) [redacted]

#5, understood.

Depending on responses to the above, I suggest we set up a call next week with WBTW to avoid additional back and forth on email.

Thanks,

Brian

Sent from my iPhone

On Oct 18, 2019, at 1:15 AM, [redacted] (b)(6);(b)(7)(C) [redacted] > wrote:

> Responses to 1, 2, and 5 as follows:
>
> 1. We understand WBTW is referencing the propert [redacted] (b) (7)(E) [redacted]. Access to this portion of the Roosevelt Reservation would only be provided from the existing border road. CBP has an existing agreement to use a UPRR road that runs to the border however additional review of this agreement by OCC will be needed to determine whether WBTW could use this road.

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2. The standard NEPA process would apply as there would likely be a need for the State of New Mexico and USACE to issue a 404/401 stormwater permit under the clean water act. Standard NEPA would require consultation with USFWS (under section 7 of the ESA) on the presence of any critical habitat and endangered species (if present) or a determination and concurrence by USFWS that no affects to species or habitat would occur. In addition, consultation with the NM SHPO under section 106 of the NHPA would be required on any cultural or historical sites that have the potential to be affected by the project. Given the close proximity to (b) (7)(E) there is a strong

AMERICAN OVERSIGHT

likelihood there are potential visual impacts to the site. Finally, the NEPA process would require public participation and the availability of the NEPA document to be reviewed and commented on by the public

5. Even though there are no border monuments in the immediate area, IBWC requires coordination on the survey of the location of the international border to ensure the barrier remains in the U.S.

From: MARTIN, JERRY B
(b)(6);(b)(7)(C)
Sent: Thursday, October 17, 2019 5:13 PM
To (b)(6);(b)(7)(C)
SINGLETON, RUYNARD R
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

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

Subject: RE: We Build The Wall Checklist Review

All,

I just received a call from Kris Kobach and he has a few questions and comments to the checklist response below.

1. He wants to ensure we understand that they are looking to build on the (b) (7)(E) WBTW believes we referenced the incorrect track.
2. Will a generic impact statement meet this requirement? Other than SHPO there isn't a state or

AMERICAN OVERSIGHT

local office to coordinate with on environmental impacts. He says the area is pre-disturbed and determined they didn't need to complete an impact statement but if needed they will. He is asking what we think will satisfy this requirement.

3. They can keep to th (b) (7) offset.
4. They can build (b) (7)(E).
5. IBWC rep told him that IBWC coordination isn't required as there aren't any monuments within the construction area and they don't have any pre-existing roads or structures.
6. There are not any monuments within the construction area.
7. They will only use certified clean fill
8. WBTW is under the impression that since this is a "gift" that the procurement process rules

AMERICAN OVERSIGHT

don't apply. If they do, they are asking what will satisfy this requirement.

9. They have no idea how to meet this ask and have offered up to allow BP to assess the (b) (7)(E) [redacted] since they are identical to what they are proposing to install in the (b) (7)(E) project.

He is asking for feedback on 1, 2, 5 (if we're aware of any further coordination with IBWC that they need to undertake), 8, and 9.

If possible, they are requesting feedback by early next week.

Thanks,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O (b)(6);(b)(7)(C)
M (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) [redacted]
Sent: Friday, October 11, 2019 1:04 PM

AMERICAN OVERSIGHT

To: MARTIN, JERRY B [redacted] SINGLETON, RUYNARD R [redacted]>
Cc: [redacted]>
Subject: We Build The Wall Checklist Review

Chief and all,

Yesterday the team reviewed the We Build The Wall (WBTW) checklist. Below are the following issues captured by the team with the responses:

1. Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.

AMERICAN OVERSIGHT

2. Environmental: WB TW needs to provide documentation on all environmental findings and agreements with SHPO. Previous project environmental impacts (i.e. 2008) or similar projects in the area (i.e. WBTW project at (b) (7)(E) cannot be used as justification for environmental clearance. All environmental clearances must be project site specific. The statement in the checklist regarding contaminants is not acceptable and needs to be conducted by WBTB.
3. The wall should be offs (b) (7)(E) feet as noted in the checklist
4. The wall should be (b) (7)(E) feed as noted in the checklist
5. IBWC coordination is required and not noted in the checklist, to include hydrology coordination and international boundary survey's prior to construction.
6. Gates are required at all IBWC monuments per TI standards (2 to 3

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monuments may be in this area)

7. It was stated that fill sections will be filled with "processed fill" need confirmation that this will be "certified clean fill" as per environmental needs.
8. Need an explanation on the "N/A" response from WBTW regarding Procurement process.
9. Need explanation on how WBTW will

(b) (7)(E)

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) ,
PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:11 PM
To: (b)(6);(b)(7)(C)
Subject: RE: We Build The Wall Checklist Review

Agreed.

And I don't know ho (b)(6);(b)(7)(C) is able to do anything except work, he is just key to everything!

(b)(6);(b)(7)(C)
Attorney
Office of Chief Counsel, Trade & Finance
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:09 PM
To (b)(6);(b)(7)(C)
>
Subject: RE: We Build The Wall Checklist Review

Ha! Okay. Maybe I'm confused. (b) (5), (b)(6);(b)(7)(C)

In any event, I think the only way to straighten this out is to have a call,

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:05 PM
To (b)(6);(b)(7)(C)
>
Subject: RE: We Build The Wall Checklist Review

(b) (5)

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Attorney
Office of Chief Counsel, Trade & Finance
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 12:03 PM
To (b)(6);(b)(7)(C)
Subject: RE: We Build The Wall Checklist Review

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

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

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel, Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Thursday, October 24, 2019 11:40 AM
To (b)(6);(b)(7)(C)
Subject: FW: We Build The Wall Checklist Review

Further background on WBTW.

(b)(6);(b)(7)(C)
Attorney
Office of Chief Counsel, Trade & Finance
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Wednesday, October 23, 2019 7:26 PM
To (b)(6);(b)(7)(C)
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Re: We Build The Wall Checklist Review

Thank (b)(6);(b)(7)(. Once we have that answer we should be able to decide with our OCC what the appropriate response is to WBTW.

Sent from my iPhone

On Oct 23, 2019, at 5:09 PM (b)(6);(b)(7)(C) > wrote:

> Was just able to exchange an email wit (b) (6) He indicated he will check if one of their attorneys did provide a draft to someone at CBP, as IBWC had promised. He indicated he would get back t (b) (6), (b) (7)(C) and I tomorrow.
>
> On Oct 23, 2019, at 2:09 P (b)(6);(b)(7)(C) wrote:
>
> There is no MOU at this point. We're trying to ground truth with IBWC what they told WBTW (b)(6);(b)(7)(did you all hear back fro (b) (6) ?
>
> Sent from my iPhone
>
> On Oct 23, 2019, at 1:57 PM, MARTIN, JERRY B (b)(6);(b)(7)(C) wrote:
>
> > Team,
> >
> > I just fielded another call from Kris and he advised that WBTW is working the resolve the remaining items on the to do list. He asked that we provide an update as soon as USACE and OCC make a determination on real estate to validate that the Roosevelt strip East o (b) (7)(E) does exist. He also requested a point of contact that he can reach out to with UPRR to discuss access to the site.
> >
> > Separately he inquired about the status of our MOU with IBWC at the Sunland Park. Have we made any progress on that front?
> >
> > Thanks,
> >
> > Brian
> >
> > **From** (b)(6);(b)(7)(C)
> > **Sent:** Tuesday, October 22, 2019 6:42 PM
> > **To:** MARTIN, JERRY B (b)(6);(b)(7)(C)
> > **Cc** (b)(6);(b)(7)(C)
> > SINGLETON, RUYNARD R (b)(6);(b)(7)(C)

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[redacted]

Subject: Re: We Build The Wall Checklist Review

Chief Martin - I saw your recent response to Kris and I apologize for my delayed response. USACE is still researching our access from th (b) (7)(E) area (item #1) and I will ask OCC to review. In addition, there are still some issues to work out in regards to item #2 as further explained below.

In regards to Items #2, I was able to speak with USACE regulatory for the New Mexico area and there are some initial steps WBTW will need to do before we know whether a 404/401 permit is required as well as any NEPA compliance. According to USACE, they looked at WBTW's prior fence project in Sunland Park to determine whether a permit was needed and once they reviewed the project, USACE determined no permit was required because there were no "Waters of the US" impacted by the project.

For th (b) (7)(E) area, WBTW would first need to complete a survey to determine whether there are any "Waters of the US" within the project area. The definition of a "Waters of the US" is fairly broad and can include dry washes that only flow during rain events. Once the survey is completed, WBTW would need to make a determination whether the project would impact a Waters of the US due to the excavation of the soils required. If there are no Waters of the US impacted, then a permit would not be required. If Waters of the US are impacted, then WBTW would need to consult with USACE on the type of permit required. There are few factors USACE will need to evaluate to determine what type of permit is required and whether NEPA analysis is needed.

I will check in again with USACE and will get you the update on Item #1

On Oct 22, 2019, at 11:06 AM, MARTIN, JERRY B [redacted] wrote:

[redacted]

I'm going to send a follow up message to Kris Kobach today. Have you had the chance to get to #1 and #2 below?

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

(b) (5)

AMERICAN OVERSIGHT

(b) (5)

Thanks,

Brian

From (b)(6);(b)(7)(C)
Sent: Friday, October 18, 2019 9:58 AM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) >; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) >
Subject: Re: We Build The Wall Checklist Review

In regards to #1, I am pulling the access i (b) (7)(E) and will send to OCC for review. FITT was down yesterday and I wasn't able to access our real estate documents but will do that today.

(b) (5)

Since this project will be on federal lands, we would want to ensure all storm water permits and requirements are followed. This is will be critical after construction to make sure erosion controls are implemented and the new barrier isn't undermined by runoff and erosion. A call with USACE regulatory would help to determine what is required and whether WBTW would need to complete NEPA to obtain a permit. I can reach out to USACE regulatory.

On Oct 18, 2019, at 9:35 AM, MARTIN, JERRY B

AMERICAN OVERSIGHT

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

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

Thanks for the quick response. (b) (5)

(b) (5)

#5, understood.

Depending on responses to the above, I suggest we set up a call next week with WBTW to avoid additional back and forth on email.

Thanks,

Brian

Sent from my iPhone

On Oct 18, 2019, at 1:15 AM, (b)(6);(b)(7)(C) > wrote:

> Responses to 1, 2, and 5 as follows:
>
> 1. We understand WBTW is referencing the propert (b) (7)(E) Access to this portion of the Roosevelt

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Reservation would only be provided from the existing border road. CBP has an existing agreement to use a UPRR road that runs to the border however additional review of this agreement by OCC will be needed to determine whether WBTW could use this road.

2. The standard NEPA process would apply as there would likely be a need for the State of New Mexico and USACE to issue a 404/401 stormwater permit under the clean water act. Standard NEPA would require consultation with USFWS (under section 7 of the ESA) on the presence of any critical habitat and endangered species (if present) or a determination and concurrence by USFWS that no affects to species or

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habitat would occur. In addition, consultation with the NM SHPO under section 106 of the NHPA would be required on any cultural or historical sites that have the potential to be affected by the project. Given the close proximity to (b) (7)(E) [redacted] there is a strong likelihood there are potential visual impacts to the site. Finally, the NEPA process would require public participation and the availability of the NEPA document to be reviewed and commented on by the public

5. Even though there are no border monuments in the immediate area, IBWC requires coordination on the survey of the location of the international border to ensure the

AMERICAN OVERSIGHT

barrier remains in the U.S.

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Thursday, October 17, 2019 5:13 PM
To (b)(6);(b)(7)(C)
SINGLETON, RUYNARD R
(b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: RE: We Build The Wall Checklist Review

All,

I just received a call from Kris Kobach and he has a few questions and comments to the checklist response below.

1. He wants to ensure we understand that they are looking to build on the (b) (7)(E)

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(b) (7)(E) [redacted] WBTW believes we referenced the incorrect track.

2. Will a generic impact statement meet this requirement? Other than SHPO there isn't a state or local office to coordinate with on environmental impacts. He says the area is pre-disturbed and determined they didn't need to complete an impact statement but if needed they will. He is asking what we think will satisfy this requirement.
3. They can keep to th [redacted] offset.
4. They can build [redacted]
5. IBWC rep told him that IBWC coordination isn't required as there aren't any monuments

AMERICAN OVERSIGHT

within the construction area and they don't have any pre-existing roads or structures.

6. There are not any monuments within the construction area.
7. They will only use certified clean fill
8. WBTW is under the impression that since this is a "gift" that the procurement process rules don't apply. If they do, they are asking what will satisfy this requirement.
9. They have no idea how to meet this ask and have offered up to allow BP to assess the (b) (7)(E) since they are identical to what they are proposing to install in the (b) (7)(E) project.

He is asking for feedback on 1, 2, 5 (if we're aware of any further coordination with IBWC that they need to undertake), 8, and 9.

AMERICAN OVERSIGHT

If possible, they are requesting feedback by early next week.

Thanks,

Brian Martin
U.S. Border Patrol
Chief of Strategic Planning and Analysis
Washington, DC
O (b)(6);(b)(7)(C)
M (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, October 11, 2019 1:04 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C) >; SINGLETON, RUYNARD R (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) >
Subject: We Build The Wall Checklist Review

Chief and all,

Yesterday the team reviewed the We Build The Wall (WBTW) checklist. Below are the following issues captured by the team with the responses:

AMERICAN OVERSIGHT

1. Real Estate: CBP does not concur with WBTW's assessment. DHS does not own all of the land in this area. Additionally, access roads are an agreement between private landowners and DHS, and would not be transferable to WBTW. WBTW would need to obtain separate access with private land owners. Documentation is needed for real estate. The attached document is CBP's assessment on land ownership.
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AMERICAN OVERSIGHT

conducted by WBTB.

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9. Need explanation on how WBTW will (b) (7)(E)

Thanks,

AMERICAN OVERSIGHT

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

(b)(6);(b)(7)(C) ,
PMP
Business Operations
Director
Border Wall Program
Management Office
United States Border
Patrol
Program Management
Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 3:59 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall-Planned Event

Gents,

Be prepared to assis (b)(7)(E) with security. Plan/prep with teams as needed, OPSEC

Thanks,

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

From (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 10:37 AM
T (b)(7)(E) STAF (b)(7)(E) (b)(6);(b)(7)(C)
Subject: FW: We Build the Wall-Planned Event

FYSA, Keep close hold for now as we don't want leaks to create additional concerns (anti-wall protests etc.)

COALITION OF IMMIGRATION, NATIONAL SECURITY, AND BORDER EXPERTS CONVENE A "CRISIS AT THE BORDER: SYMPOSIUM AT THE WALL" DIRECTLY ON THE US / MEXICO BORDER

THREE-DAY AGENDA TO INCLUDE KEYNOTES, PANEL DISCUSSIONS, AND WORKSHOPS ON SECURITY, SOVEREIGNTY, CARTELS, HUMAN TRAFFICKING, AND ASYLUM

Speakers include: Sheriff Mark Lamb, Lou Barletta,Sheriff David Clarke, David N. Bossie, Congressman Louis Gohmert, Rosemary Jenks, Steven Camarota, Brig. Gen. Robert S. Spalding III (ret.), Kris Kobach, Raheem Kassam, Angel families, and Mike Cernovich

Sunland Park, NM, July 10, 2019 — A coalition of experts from government, law enforcement, military, immigration, human trafficking, and victims' rights organizations will hold a national "Symposium at The Wall: Cartels, Trafficking, and Asylum," from July 25 – 27, 2019.

The event will be livestreamed from Sunland Park, New Mexico at the U.S. Southern Border Wall, which was built entirely with private funds from American citizens through a viral GoFundMe campaign. Situated at the intersection of Texas, New Mexico, and Mexico, the newly-erected segment of the wall is approximately 30 miles from the U.S. Customs and Border Patrol Station in Clint, TX.

Other sponsors of the symposium include Numbers USA, Angel Families, Black Americans for a Better Future, Citizens of the American Republic, Citizens United, Human Events, and We Build the Wall, Inc.,,

We Build the Wall, Inc., which is providing the location for the symposium at the border wall they built , was founded by triple-amputee Air Force Veteran Brian Kolfage.

Some of the important issues that will be discussed and debated include: human and drug trafficking; border security;

AMERICAN OVERSIGHT

immigration; citizenship; asylum; detections centers; law enforcement and ICE; the role of Congress; foreign policy; and the economic implications of unfettered illegal immigration.

The symposium commences with a reception Thursday evening and features a full range of speakers, workshops, and panel discussions on Friday and Saturday. Speakers, media, and guests will be provided a full tour and technical briefing of the recently completed segment of the Border Wall. A host of leading digital influencers and experts including DC Draino, Fleccas, Fog City Midge, and more will offer special social media workshops for speakers and attendees.

Confirmed speakers include:

Sheriff Mark Lamb, Sheriff Pinal County AZ

Sheriff David Clarke, Former Sheriff, Milwaukee, WI

Congressman Louis Gohmert (R-TX)

Former Congressman Lou Barletta (R-PA)

David N. Bossie, Citizens United

Rosemary Jenks, Numbers USA

Steven Camarota, CIS

Chris Chemelinsky, Numbers USA

Mike Cernovich, Conservative activist

Raheem Kassam, Global Editor-in-Chief, Human Events

Mary Ann Mendoza, Angel Mom

Steve Ronnebeck, Angel Dad

Raynard Jackson, Black Americans for a Better Future

David Rodriguez, El Paso Native, Former Professional Boxer and Conservative Activist

Brigadier General Robert Spalding, Ret. Air Force Brig. General

Brian Kolfage, We Build the Wall

Kris Kobach, We Build the Wall

Tom Tancredo, Former Congressman (R-CO)

John Moran, CEO Moran Industries

John Catsimatidis Jr., Red Apple Group

Shalabh Kumar, Hindu Republican Coalition

Tommy Fisher, President & CEO Fisher Industries

Stephen K. Bannon, Citizens of the American Republic
With more to be announced

"We are at a breaking point. It is urgent for our nation to fully address the human and drug trafficking and reality of life on the border, the challenges to patriots in law enforcement who defend our borders, and the numbers of people crossing over our southern border illegally," said Kris Kobach, General Counsel for We Build the Wall, Inc.,"We the people of the United States must acknowledge this crisis. I challenge those leaders who oppose us to come join us and present their case."

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Deputy Patrol Agent In Charge
(b) (7)(E) Border Patrol Station
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 10:27 AM
To (b)(6);(b)(7)(C) >; EPT-LEO (b) (7)(E) v> (b)(6);(b)(7)(C)
>
Subject: FW: We Build the Wall-Planned Event

Gents,

This is a big event, see link below

(b)(6);(b)(7)(C)
Deputy Patrol Agent In Charge
(b) (7)(E) Border Patrol Station
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C)
Sent: Monday, July 22, 2019 10:23 AM
To (b)(6);(b)(7)(C) >
Subject: Re: We Build the Wall-Planned Event

Here you go sir.
http://thewallsymposium.com/

(b)(6);(b)(7)(C), Program Manager
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

On Jul 22, 2019, at 10:02 AM (b)(6);(b)(7)(C) > wrote:

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

As requested, I reached out t (b) (6) and he confirmed that an event was taking place Thurs-Saturday at the site of the new wall at th (b) (7)(E) area. He was unwilling to share details so I contacted (b)(6);(b)(7)(C) who reached out to the site foreman. (b)(6);(b)(7)(C) was just informed by the foreman that FOX News will cover a "Wall Symposium" on Thursday at 1800 hours. Present at this event will be some high ranking member of congress, Donald Trump Jr. is expected to be present as well. There is an active attempt to keep this event concealed and without direct contact with the We Build the Wall folks we seem to be out of the loop. (b)(6);(b)(7)(C) has requested a schedule/timeline of events which the foreman has already indicated that he would shar (b)(6);(b)(7)(C) will forward these to us as soon as he gets it.

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(b)(6);(b)(7)(C) .
Deputy Patrol Agent In Charge
(b) (7)(E) Border Patrol Station
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C) on behalf of OCC TASKING
Sent: Thursday, July 11, 2019 1:57 PM
To: (b)(6);(b)(7)(C)
Subject: FW: [DUE BY 8AM THURSDAY] [CBP INPUT REQUIRED] Meeting with Senator Cramer (ND)
Attachments: Senator Cramer Border Wall Paper v (b)(6);(b)071119.docx

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

And another.

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

(b)(6);(b)(7)(C)
Deputy Assistant Chief Counsel
CBP, Office of Assistant Chief Counsel (Training)
Artesia, New Mexico
((b)(6);(b)(7)(C)
(
(b)(6);(b)(7)(C)

This message is attorney-work product and may contain privileged or confidential attorney-client information. It is not for dissemination, use or copying by anyone other than the intended recipient. Please do not disclose outside of U.S. Customs and Border Protection without express prior authorization of the Commissioner of Customs and the Office of Chief Counsel.

Fro (b)(6);(b)(7)(C) > **On Behalf Of** BPTasking
Sent: Thursday, July 11, 2019 11:53 AM
To: CBPTASKIN (b) (7)(E) >; OCA TASKIN (b) (7)(E) (b)(6);(b)(7)(C) V>
Cc: BPTaskin (b) (7)(E) (b)(6);(b)(7)(C) OCC TASKING (b) (7)(E) >; OFO-TASKING (b) (7)(E) >; OS TASKINGS (b) (7)(E) ; INA TASKIN (b) (7)(E) > (b)(6);(b)(7)(C)
Subject: RE: [DUE BY 8AM THURSDAY] [CBP INPUT REQUIRED] Meeting with Senator Cramer (ND)

USBP response attached.

BP TASKING

Staffed currently b (b)(6);(b)(7)(C)

Please include BPTasking on all replies, this mailbox is staffed by multiple people on different days.

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C) > **On Behalf Of** CBPTASKING
Sent: Wednesday, July 10, 2019 3:06 PM
To: OCA TASKIN (b) (7)(E) > (b)(6);(b)(7)(C)
Cc: CBPTASKIN (b) (7)(E); BPTaskin (b) (7)(E) (b)(6);(b)(7)(C) OCC TASKI (b) (7)(E) >; OFO-TASKING (b) (7)(E) ; OS TASKING (b) (7)(E) >; INA TASKIN (b) (7)(E) (b)(6);(b)(7)(C)
Subject: [DUE BY 8AM THURSDAY] [CBP INPUT REQUIRED] Meeting with Senator Cramer (ND)
Importance: High

Tasker Name	**[CBP INPUT REQUIRED] Meeting with Senator Cramer (ND)**
Lead Office(s)	**OCA**
Required Coordination	*OCC, BP, OFO, OS, INA, PLEASE ADVISE*
Product	**Please provide input/comments (using track changes) or Concurrence**
Requestor	OLA
Notes	**CBP – please work with CBP OCA to get input on outreach Senator Cramer has done on behalf of a North Dakota company seeking to potentially help build a border wal (b)(6);(b)(7)(C) believes CBP OCA has communicated to the company and Sen. Cramer that the company will need to go through the bidding process, etc., and he would like to see that included in the BM and talking points.**
Due to CBP Tasking	**NLT 8AM Thursday July 11, 2019**

Please advise ASAP if any other office needs to be added as a required coordinator

Required Coordinators - Please provide input to the lead office as soon as possible.

Tasker information, contact lists, and templates can be found online at (b) (7)(E) *Please ensure that your response adheres to the guidelines set forth in the CBP Style Book, which can be found* (b) (7)(E) *Please do not modify subject lines as we use them for tracking purposes.*

*** Please note: if you receive a duplicate tasking from OC BRIEFING STAFF please cc them on your response to us. Thank you.**

(b)(6);(b)(7)(C)
Office of the Executive Secretariat
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

ACTING SECRETARY MEETING WITH U.S. SENATOR KEVIN CRAMER (R-ND)
BORDER WALL UPDATE
July 11, 2019

OVERVIEW:

- **Senator Cramer has engaged on multiple occasions through letters, phone calls and meetings with U.S. Customs and Border Protection (CBP) regarding the Border Wall acquisition process and construction in 2019.**
- Senator Cramer (and Senator Hoeven (R-ND)) has assisted with setting up meetings between CBP and Fisher Industries, a company with North Dakota ties, to discuss the border barrier construction.
- Senator Cramer's letters have expressed concerns over DHS's partnership with the U.S. Army Corps of Engineers (USACE) regarding the completion of border wall construction on time and budget as well as the overall acquisition process. Senator Cramer has suggested that DHS contract directly with private industry.
- CBP has both responded in writing to Senator Cramer (and Senator Hoeven) to explain the process, has had phone calls and also an in person briefing with U.S. Border Patrol (USBP) senior leaders on May 15, 2019.
- The message to Senator Cramer has remained consistent and is as follows:
  - CBP, in partnership with USACE, manages all procurement actions for the construction of the border wall program through competitive bids by utilizing vehicles such as Multiple Award Task Order Contracts (MATOCs) and pre-qualified sources lists.
  - The USACE posts acquisition opportunities through Federal Business Opportunities (FedBizOpps.gov) and then administers the contracts on behalf of CBP.
  - CBP recommends that all contractors interested in bidding on Border Wall contracts reach out to the USACE Southwestern Division Interagency and International Services (IIS) located in Fort Worth, Texas to discuss their acquisition process in more detail and continue to monitor FedBizOpps.gov for future opportunities.
  - Border wall construction today continues to move exceptionally quickly for large, Federal construction projects.

***WE BUILD THE WALL*:**

- *We Build the Wall*, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.
  - This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
  - *We Build the Wall* has expressed interest in "handing over the keys" to this border wall system to CBP.
- *We Build the Wall* is now seeking permission from DHS to construct additional border wall syste [redacted] (b) (7)(E) on land in which the company appears to believe the U.S. Government has a real estate interest.
- On July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the *We Build the Wall.*

AMERICAN OVERSIGHT

- USBP sent a team out to Sundland Park, New Mexico to inspect the completed segment on July 8.

BACKGROUND:

- As of July 3, 2019, ~39.5 (99%) of the FY17 replacement wall (~40 total miles) and ~10.6 miles (13%) of the FY18 new and replacement wall (~76-80 total miles) has been constructed. Approximately 50 additional miles are currently under construction, with many more miles anticipated for award by the end of the Fiscal Year.
- CBP has received approximately $3.7B for border barriers, funded through a combination of FY17, 18 and 19 Appropriations and the Treasury Forfeiture fund. These funds are expected to support execution of 205 miles of border wall system. Border wall system includes a combination of infrastructure such as wall, all-weather roads, lighting, enforcement cameras and other related technology.

February 17, 2019: CBP received a letter from Senator Cramer asking about border wall construction to include acquisition, service provider and cost. CBP responded.

March 4, 2019: Senator Cramer sent another letter on the similar topic and CBP responded.

May 13, 2019: Senator Cramer's staff reached out to OMB with some questions to which OMB responded with the following:

Q1: In regards to money the Army Corps is receiving for border wall, what % is going to construction and what % is going to administrative costs?
A1: Costs for construction vs. administrative activities vary by border barrier project. We recommend that you engage with DHS/CBP or USACE for project-specific cost information.

Q2: How much wall has already been built (the Corps told him something like 32 miles and he doesn't think that's right)?
A2: As of May 10, CBP and USACE have collaborated to construct 41.2 miles of border barriers during the current administration.

- Using FY17 DHS Appropriations: 39.5 miles of replacement barriers in San Diego, El Centro, and El Paso Sectors.
- Using FY18 DHS Appropriations: 1.7 miles of new barriers in San Diego Sector.

Q3: Are there any statutory limits on DHS's ability to contract directly with a private company?
A3: OMB is not aware of any statutory limitations specifically constraining DHS's ability to contract with private companies on border barrier projects.

May 15, 2019: Senator Cramer and staff received a Wall Program Update from USBP senior leaders.

AMERICAN OVERSIGHT

May 24, 2019: Cramer told a North Dakota radio station that President Trump has asked him to audit the entire process of how federal border wall projects are awarded. "We're going to do an entire audit," Cramer said. "I've asked for the entire bid process, and all of the bid numbers."

March 26, 2019: Mornings With Maria (FBN) – Sen. Kevin Cramer (Border Wall)
http://mms.tveyes.com/transcript.asp?StationID_2025&DateTime_3/26/2019%207:23:32%20AM&playclip_true&pbc_search%3a%2b

MARIA BARTIROMO: welcome back. the border wall battle continues. the pentagon is directing $1 billion in funds for 57 miles of border wall in support of president trump's national emergency declaration. this as a new migrant caravan is reportedly formed. it is headed for the southern border this morning. joining me right now is senator kevin kramer. it's good to have you on the program this morning. expecting in terms of this caravan headed to the border once again? president trump's plans, he said to me last week the wall is being built.

SEN. KEVIN CRAMER: well, i trust that he means it. i hope that he's right. i'd like to see a little bit more action, frankly, from the builders of the wall. i'd like to see more trenches being built and more wall being put into place. there's a lot of planning. there's a lot of designing and there's a lot of contracting but i want to see real action. north dakota, if you task the contractor with putting up a wall, they start working on it tomorrow. i'm a little anxious about the actual process of building. but he's right, and i think the case is being made for him.

BARTIROMO: you have called on the department of homeland security to fire the pentagon officials who are overseeing the border project and i stead hire private sector companies. tell me, senator, why that would be a big difference, what are why are you looking for private sector companies to take on this work?

SEN. CRAMER: the private sector doesn't seem to be as hampered by the bureaucracy that the corps of engineers is. the corps of engineers is made up of engineers. they're bound by the bureaucracy that involves lots of planning, lots of bidding, lots of oversight. but they don't build anything. i think vertically integrated companies who know how to build things and have the means to do it are much better than the bureaucracy. on top of everything else, the corps of engineers is a division of the army which adds another mass of bureaucracy to the process. when i look at the history of the corps of engineers and the project of border security, i don't see a lot of action. we've appropriated a lot of money.

Issues Likely to be Raised
Q1: Why does CBP insist on using the U.S. Army Corps of Engineers and not do its own acquisition?
A1:

- The USACE is CBP's preferred partner in executing border barriers for various reasons.
- The USACE provides acquisition, construction oversight and real estate expertise.
- The USACE has experienced personnel to support and accomplish the complex acquisition and contract administration required for large-scale construction through competitively bid contracts.

AMERICAN OVERSIGHT

- Additionally, the USACE is one of a few agencies with delegated authority to approve title, which is critical to our acquisition of real estate.
- Lastly, the USACE has experience and subject matter expertise to rapidly execute construction projects of this magnitude, as evidenced by the 2008 and 2009 construction. We are also witnessing their commitment to expeditious construction today.
- As the USACE competitively bids border wall projects on behalf of CBP, we encourage all companies that are interested in constructing border wall to bid on opportunities solicited by the USACE.

Staff Responsible (b)(6);(b)(7)(C), Deputy Executive Director, SPAD, U.S. Border Patrol, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Monday, July 15, 2019 9:00 AM
To: (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Good morning. Just as an FYSA…C2 asked that I schedule the call with Mr. Kobach today for later in the week. He is looking for the necessary information to get through the call including point by point information. Let me know

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Ce (b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C)
Sent: Friday, July 12, 2019 12:46 PM
To (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Great. Thanks. I think we'll have a good interim response for C2 on Monday but will keep you posted.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, July 12, 2019 12:37 PM
T (b)(6);(b)(7)(C); MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

No my messaging to Mr. Kobach was once we had clarification and were able to speak with him we would circle back. He is waiting for me to reach back out to schedule…so once you and C2 give me the green light I will schedule the call ☺

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229

AMERICAN OVERSIGHT

Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Friday, July 12, 2019 12:04 PM
To (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

(b)(6);(b)(7)(C) Following up. Has the call with Mr. Kobach been scheduled next week yet? I want to make sure we're responsive with time for C2 to digest our materials.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, July 10, 2019 2:12 PM
T (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

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

C2 said call will likely be next week based on our current tempo. FYSA

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, July 10, 2019 2:09 PM
To (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

(b)(6);(b)(7)(C) We'll have someone take a look at it, I'll let you know today whether we think we'll have a clean answer by tomorrow or if we'll need to provide something in the interim.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) >
Sent: Wednesday, July 10, 2019 2:05 PM
To (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: FW: U.S. Customs and Border Protection Deputy Commissioner
Importance: High

(b)(6);(b)(7)(C) and Chief Martin,

Please see the email below from Kris Kobach. Per the Deputy Commissioner please prepare a rebuttal/answers to the email below for him to have in hand prior to his call with Mr. Kobach. Please let me know if you have any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 10, 2019 1:29 PM
To (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

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

Thanks for emailing the letter to me. I wanted to get back to you right away about one matter though. There appears to be a miscommunication. The Perez letter says that 5 land owners own border land betwee (b) (7)(E) NM, and Texas. That is correct. However we are only referring to the land that is owned by the United States of America and starts (b) (7)(E) and ends a (b) (7)(E).

County tax records clearly show that to be the property of the United States government. See below. The narrow strip in blue is listed as property of the United States, as is th (b) (7)(E) Could you please have the relevant CBP people review this and either confirm those records to be correct, or let us know if you believe these county records to be wrong.

Assuming that can be done within a day, so we have the correct information, I would like to speak with Mr Perez tomorrow at a time that suits him. Please let me know any times that might work.

Thank you for your assistance.

Kris Kobach

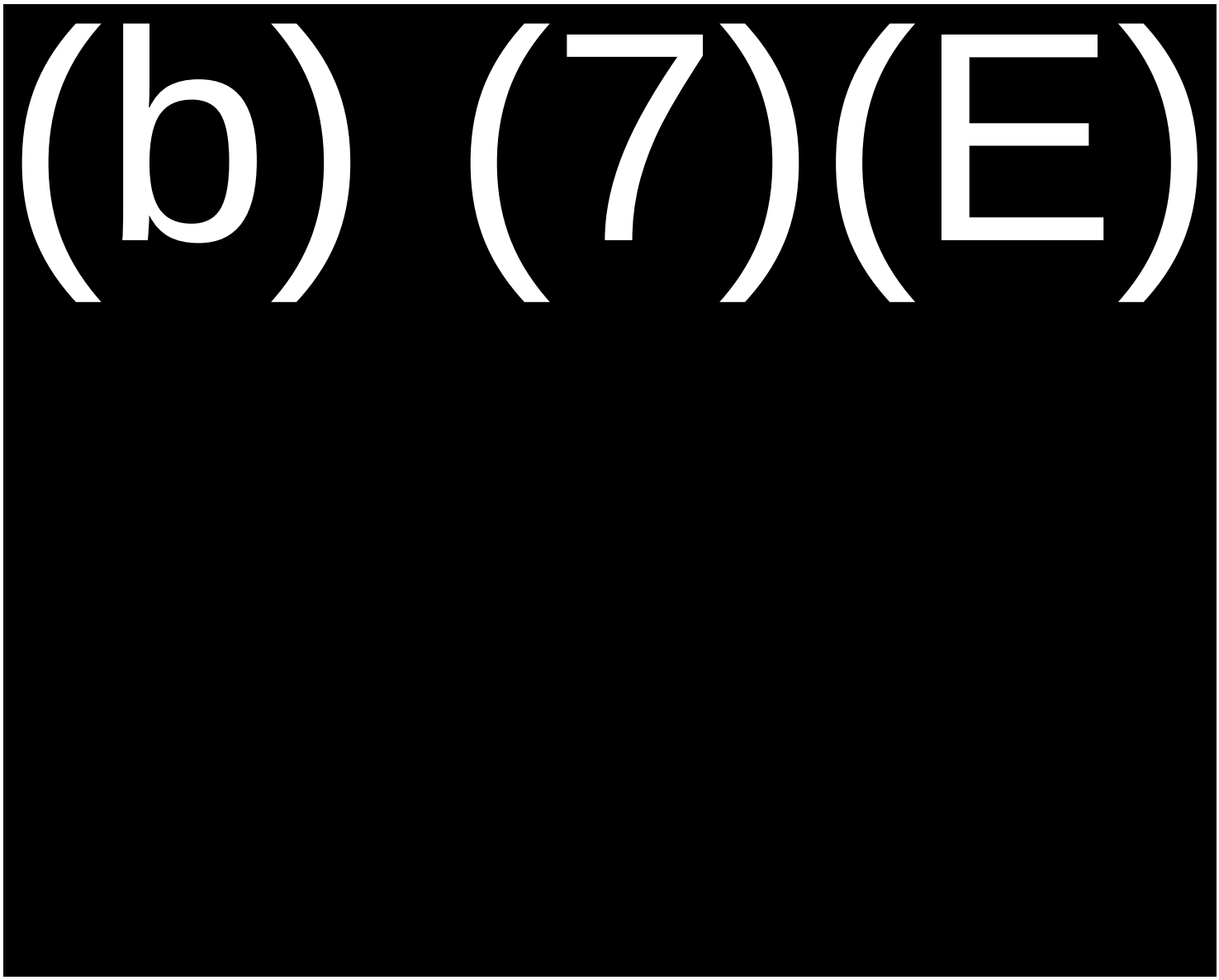
see attached.

AMERICAN OVERSIGHT

(b) (7)(E)

(b) (7)(E)

AMERICAN OVERSIGHT



From (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name i (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

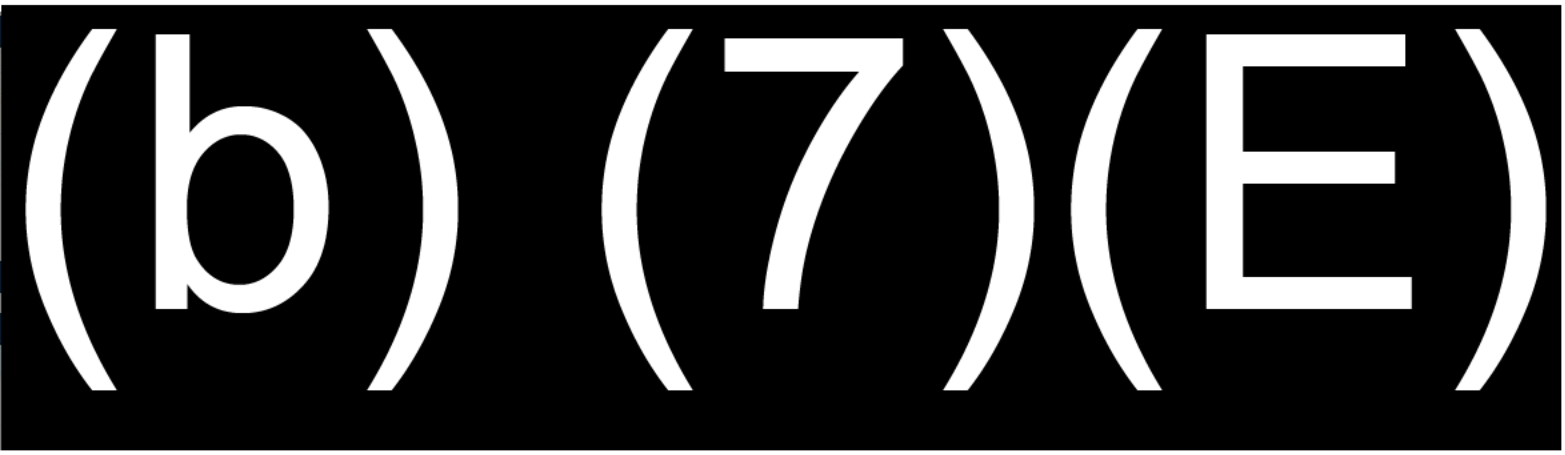
Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



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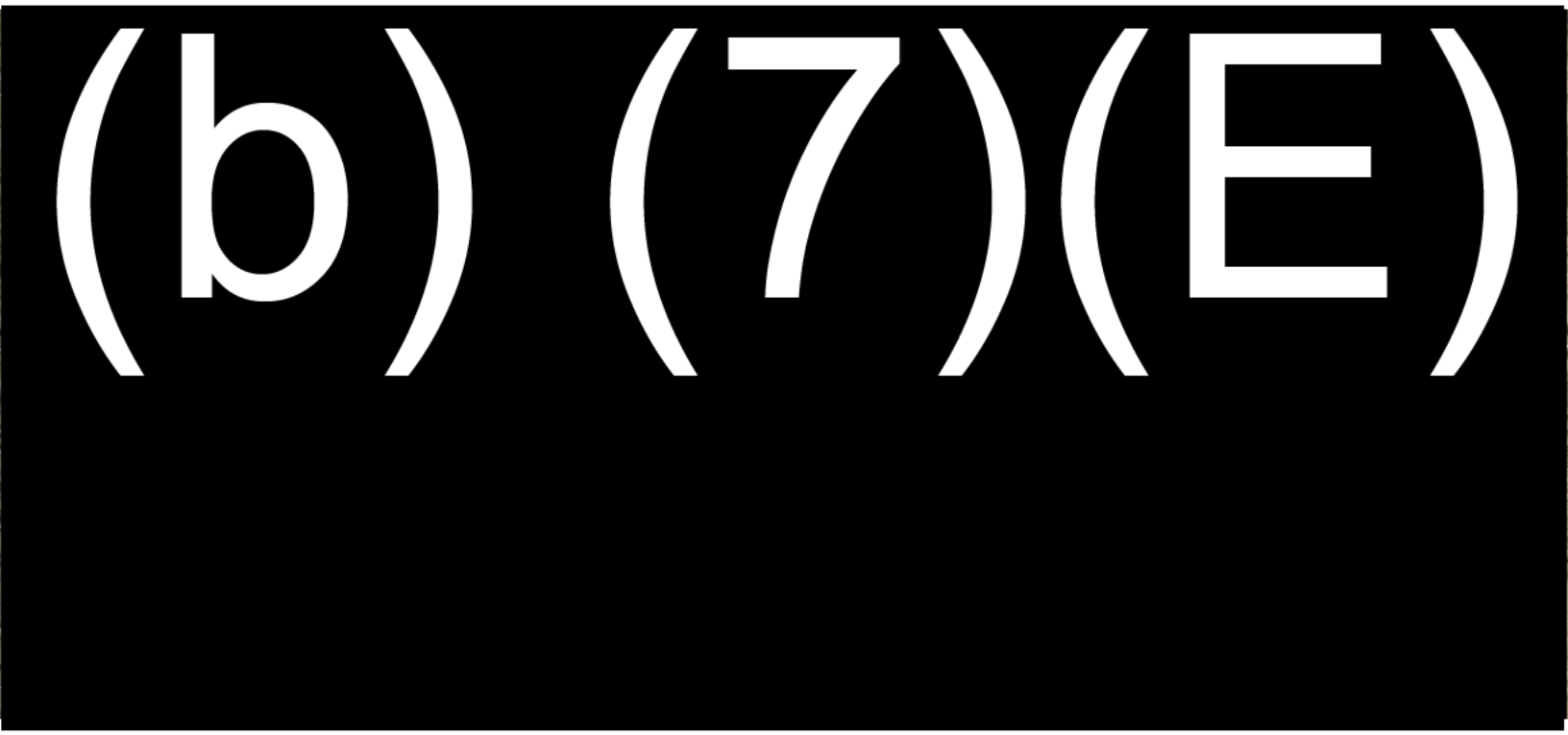

AMERICAN OVERSIGHT

From: kkobach@gmail.com
Sent: Wednesday, July 24, 2019 10:51 AM
To: (b)(6);(b)(7)(C)
Subject: Scheduling a quick follow-up call

Follow Up Flag: Follow up
Flag Status: Completed

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

Is there any chance I could schedule a 5 minute call with Dep. Commissioner Perez sometime today? I have one short item that I wanted to follow up with him about. I'm available anytime before 2:30 pm ET.

Thanks.

Kris Kobach

From (b)(6);(b)(7)(C)
Sent: Monday, July 15, 2019 3:47 PM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Yes Sir, that would be 1030a EST. You may dial my line directly and I will connect you with the Deputy Commissioner (invite will be sent with information). In the interim, if you have any questions or concerns please let me know.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Monday, July 15, 2019 3:27 PM
T (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Yes. I will be available at that time. I assume you are referring to 10:30 AM Eastern Time, correct? If so, yes, let's plan on it.

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C)
Sent: Monday, July 15, 2019 1:09 PM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. May I ask if you are available for a phone call with Deputy Commissioner Perez on Thursday at 1030a? If not let me know what time works for you and I can see what I can do about scheduling a call.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, July 10, 2019 2:26 PM
To: kkobach@gmail.com
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

I will share the information with the CBP team. Upon clarification we will circle back to you as soon as possible to schedule a call with Deputy Commissioner Perez. Please let me know if you have any questions or concerns.

Thank you,

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Wednesday, July 10, 2019 1:29 PM
To (b)(6);(b)(7)(C)
Subject: RE: U.S. Customs and Border Protection Deputy Commissioner

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

AMERICAN OVERSIGHT

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Thank you for your assistance.

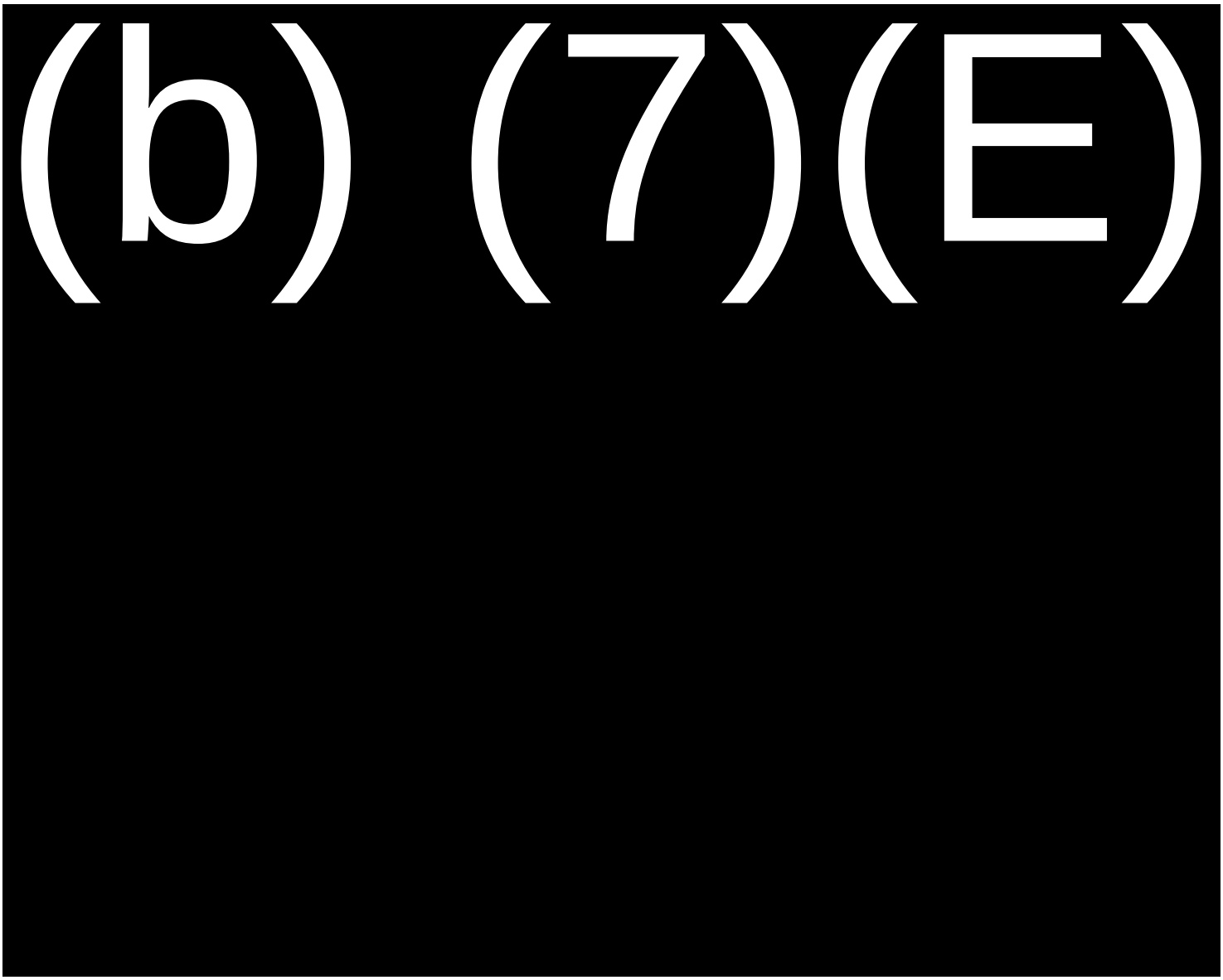
Kris Kobach

see attached.

(b) (7)(E)

(b) (7)(E)

AMERICAN OVERSIGHT



From (b)(6);(b)(7)(C)
Sent: Tuesday, July 9, 2019 4:36 PM
To: kkobach@gmail.com
Subject: U.S. Customs and Border Protection Deputy Commissioner

Mr. Kobach,

Good afternoon. My name i (b)(6);(b)(7)(C) and I am the Special Assistant to U.S. Customs and Border Protection Deputy Commissioner Robert E. Perez. Attached you will find a letter for your reference, please note an original is being mailed to you as well. A CBP team will be reaching out to you soon to discuss this topic further. In the interim the Deputy Commissioner asked that I relay that he is available to speak with you at your convenience, should you have any questions or concerns.

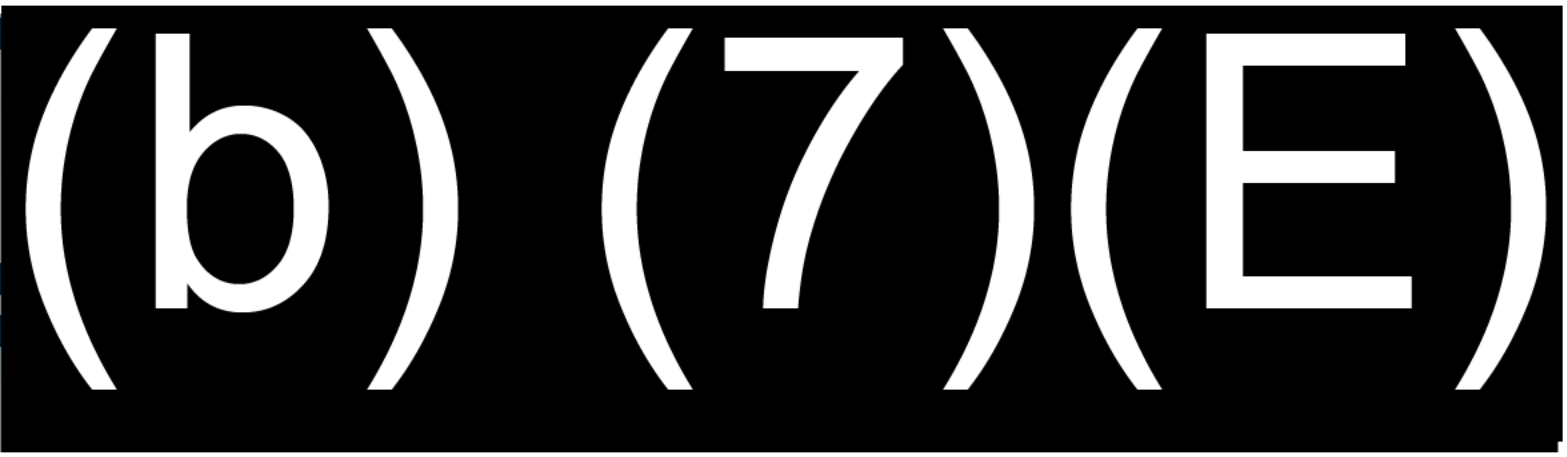
Please feel free to contact me directly and I will be happy to coordinate further.

Thank you,

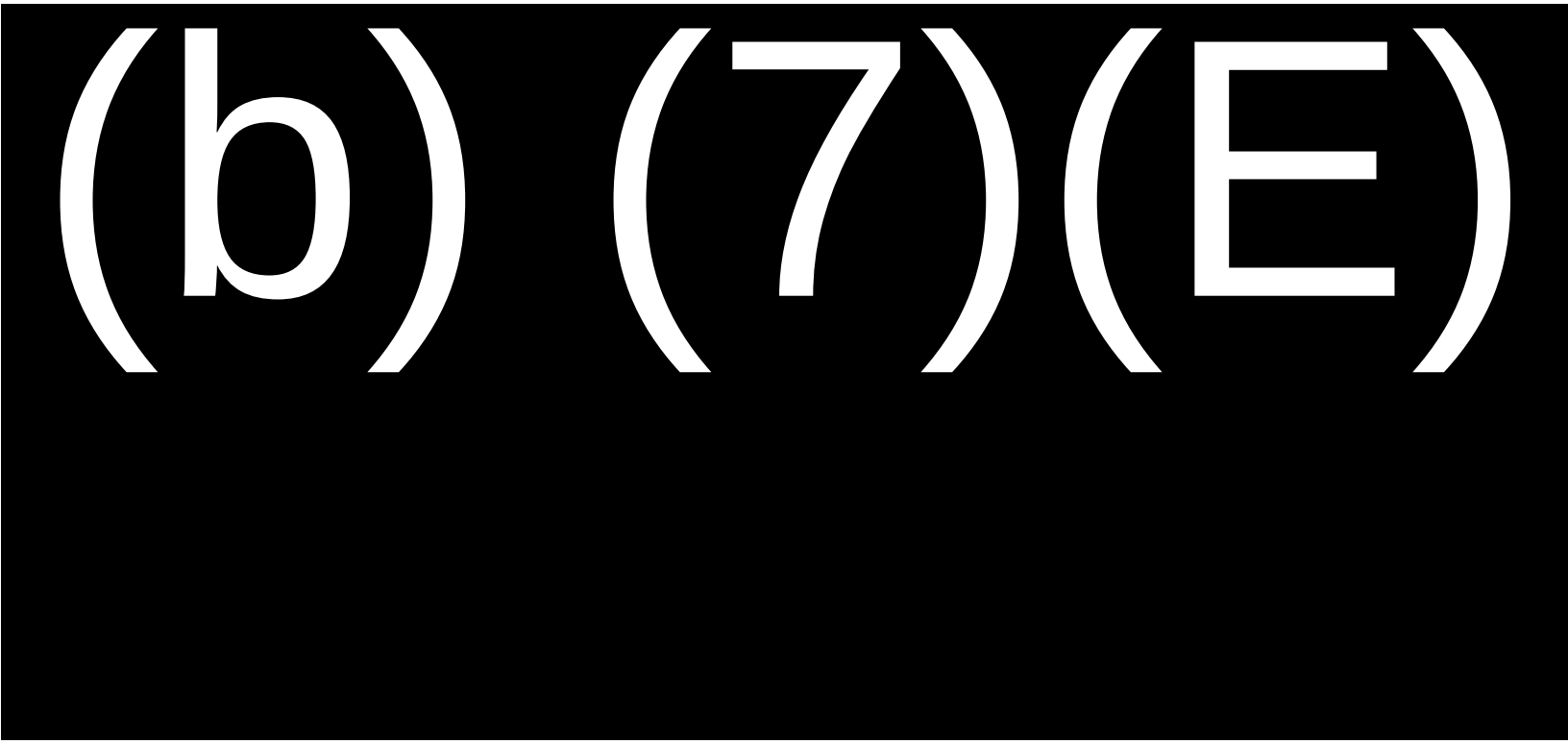
AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Special Assistant to the Deputy Commissioner
U.S. Customs and Border Protection
Department of Homeland Security
Ronald Reagan Building
1300 Pennsylvania Ave, NW
Washington, DC 20229
Wor (b)(6);(b)(7)(C)
Cel (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C))
Sent: Thursday, August 8, 2019 11:58 AM
To: (b)(6);(b)(7)(C))
Subject: We Build the Wall
Attachments: We Build the Wall and Fisher Industries Paper v (b)(6);(b)(7)(C) 062019.docx

Follow Up Flag: Follow up
Flag Status: Completed

I'm still looking for a slide, but can't find one now.
This is what I'd recommend:
Background just a handful of bullets on We Build the Wall
Current State We continue to speak with
CBP Checklist high level bullets on what we need…

If you can start drafting just a shell I can help with some of the details!

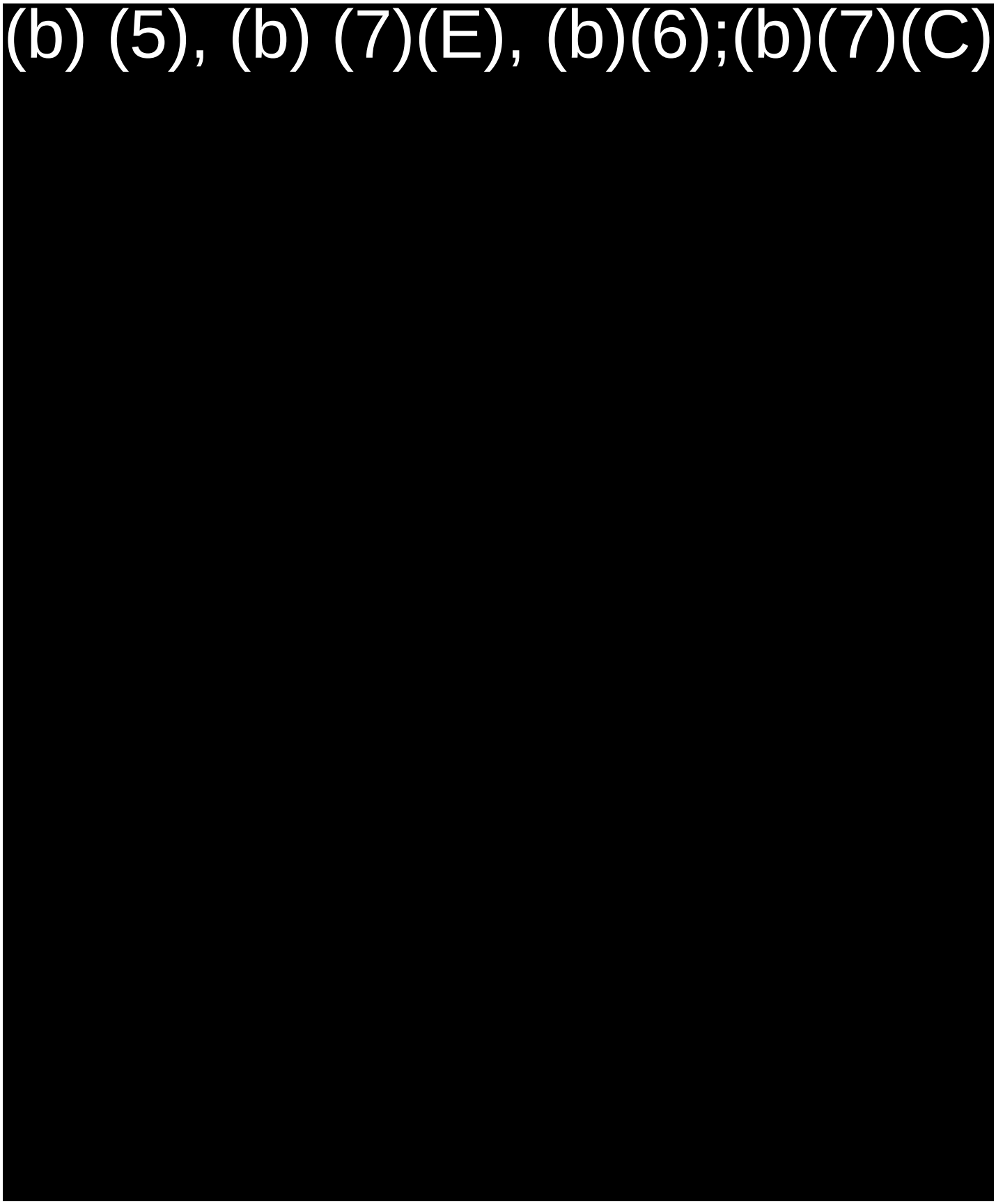
(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobile (b)(6);(b)(7)(C)
Des (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

U.S. CUSTOMS AND BORDER PROTECTION
We Build the Wall & Fisher Industries
June 20, 2019

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

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

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

(b) (5)

AMERICAN OVERSIGHT

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

(b) (5)

AMERICAN OVERSIGHT

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

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AMERICAN OVERSIGHT

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

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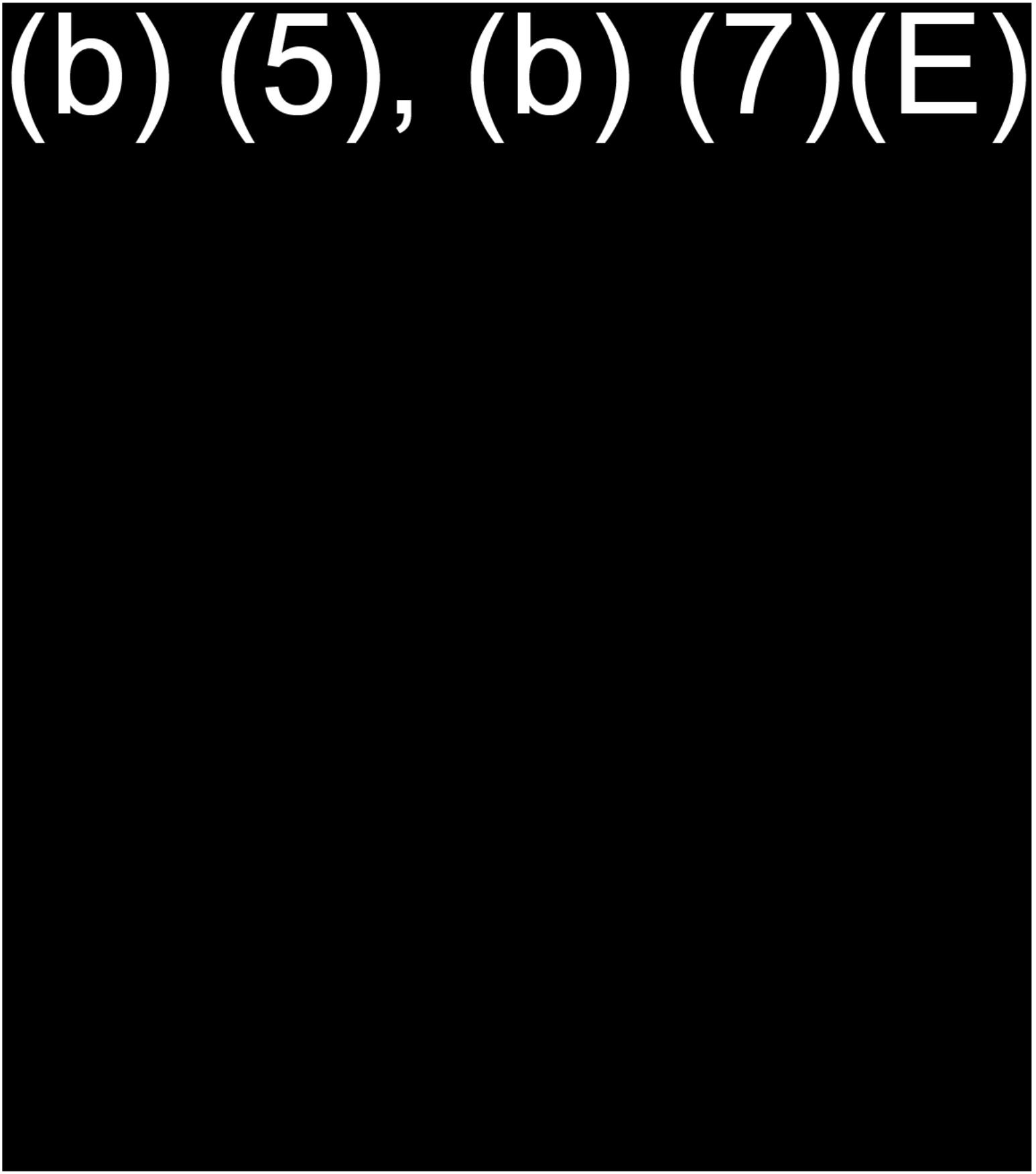

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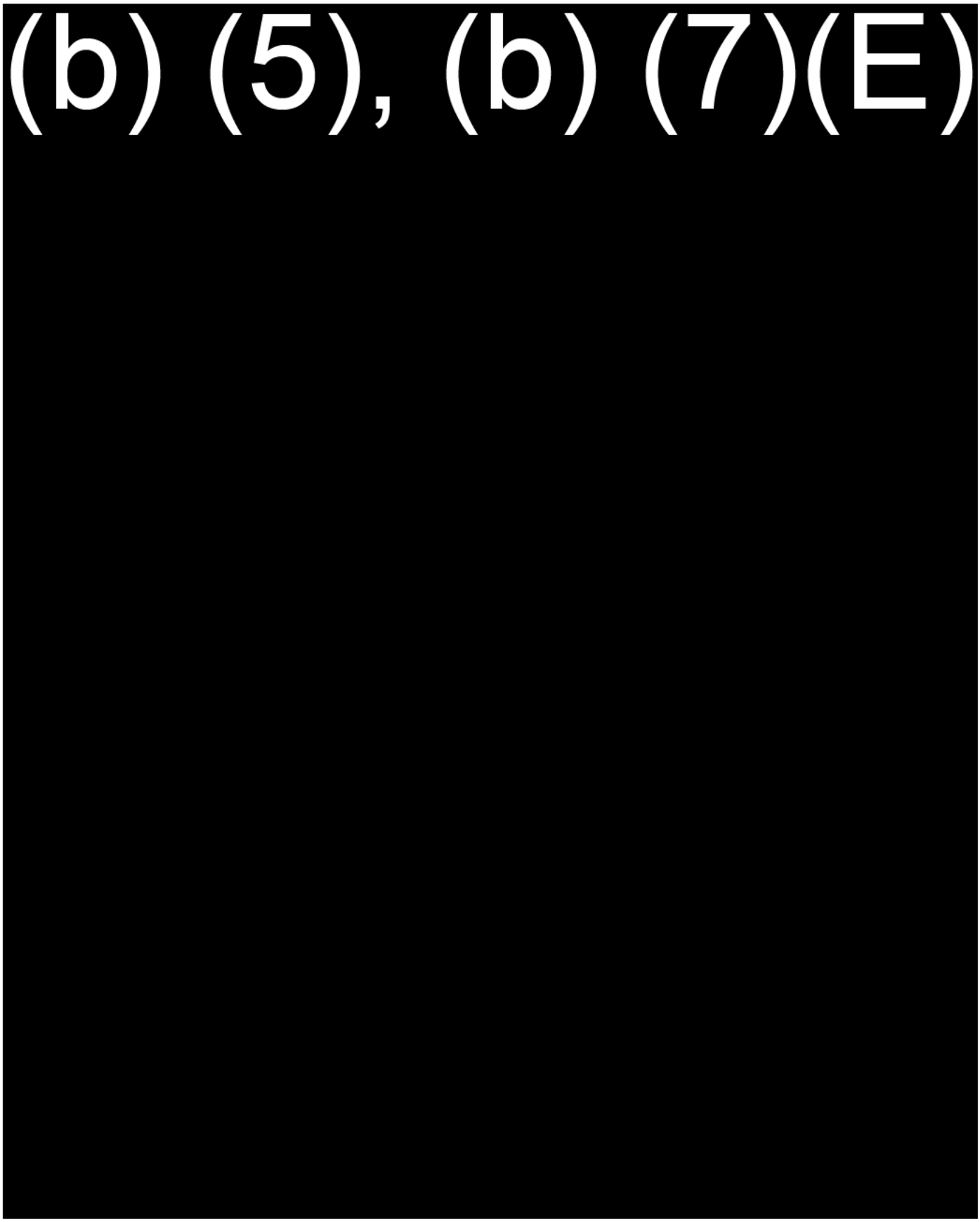


AMERICAN OVERSIGHT



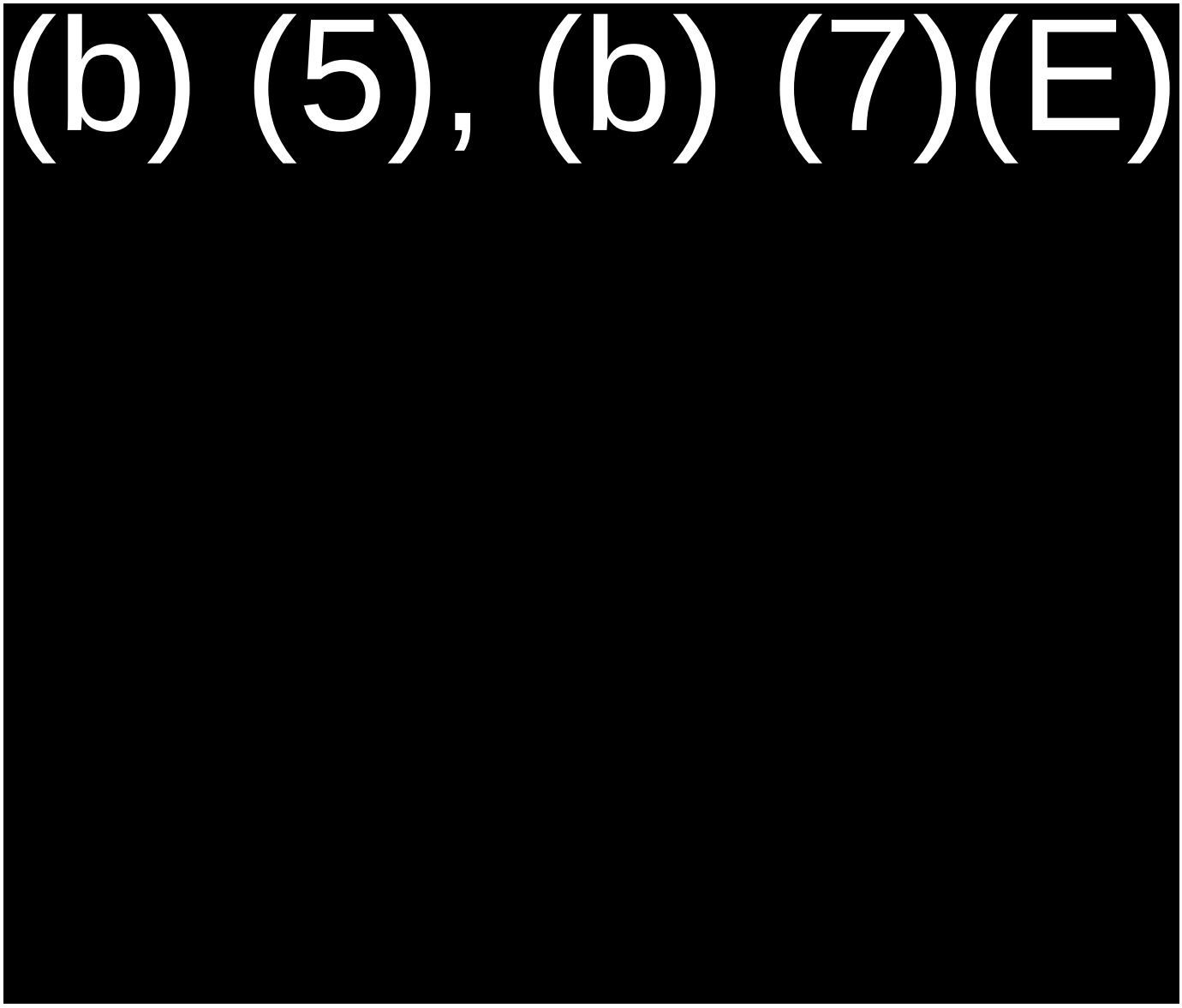
AMERICAN OVERSIGHT

Border Wall Program: Fisher Update

April 2, 2019

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

AMERICAN OVERSIGHT



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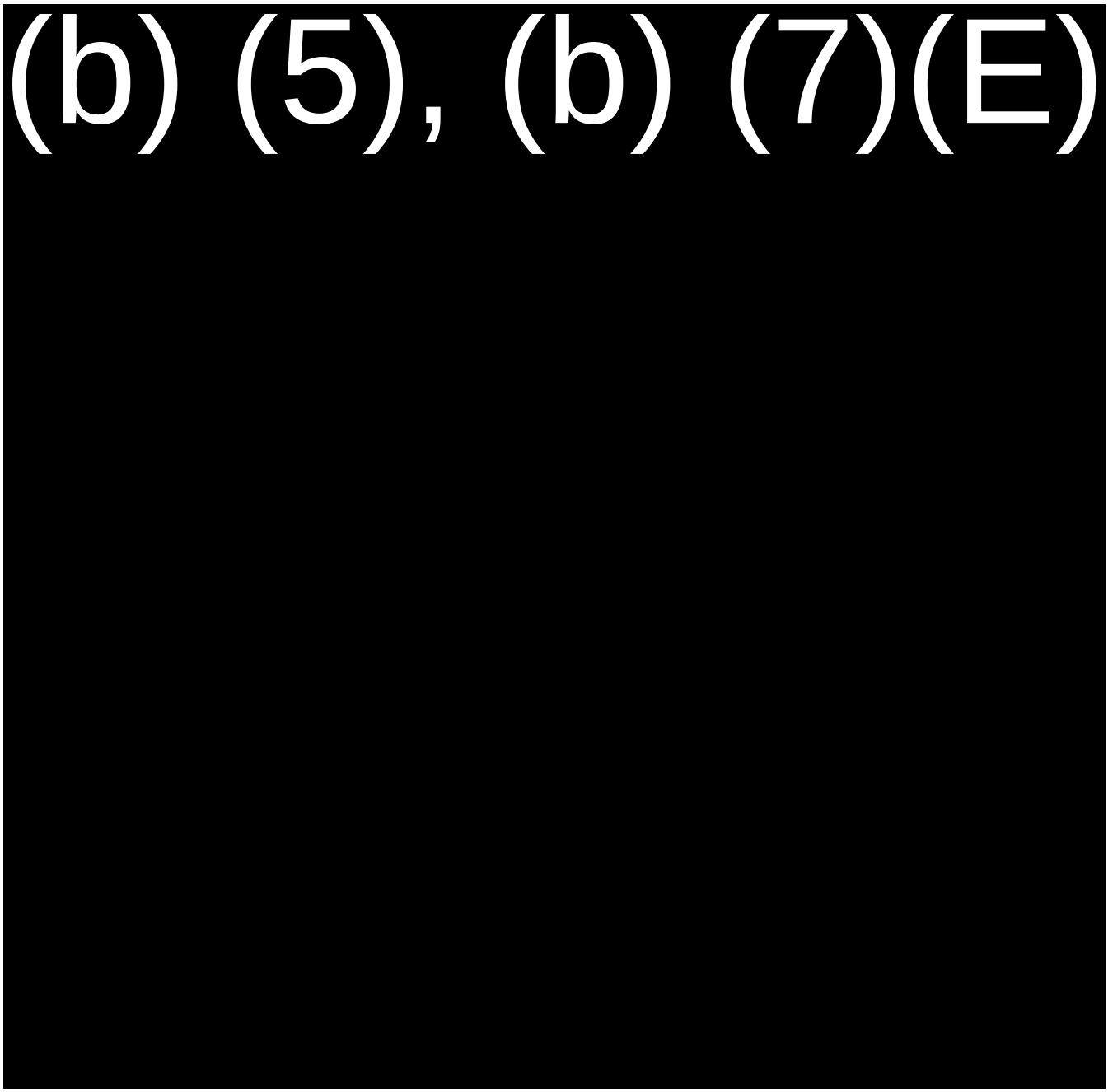
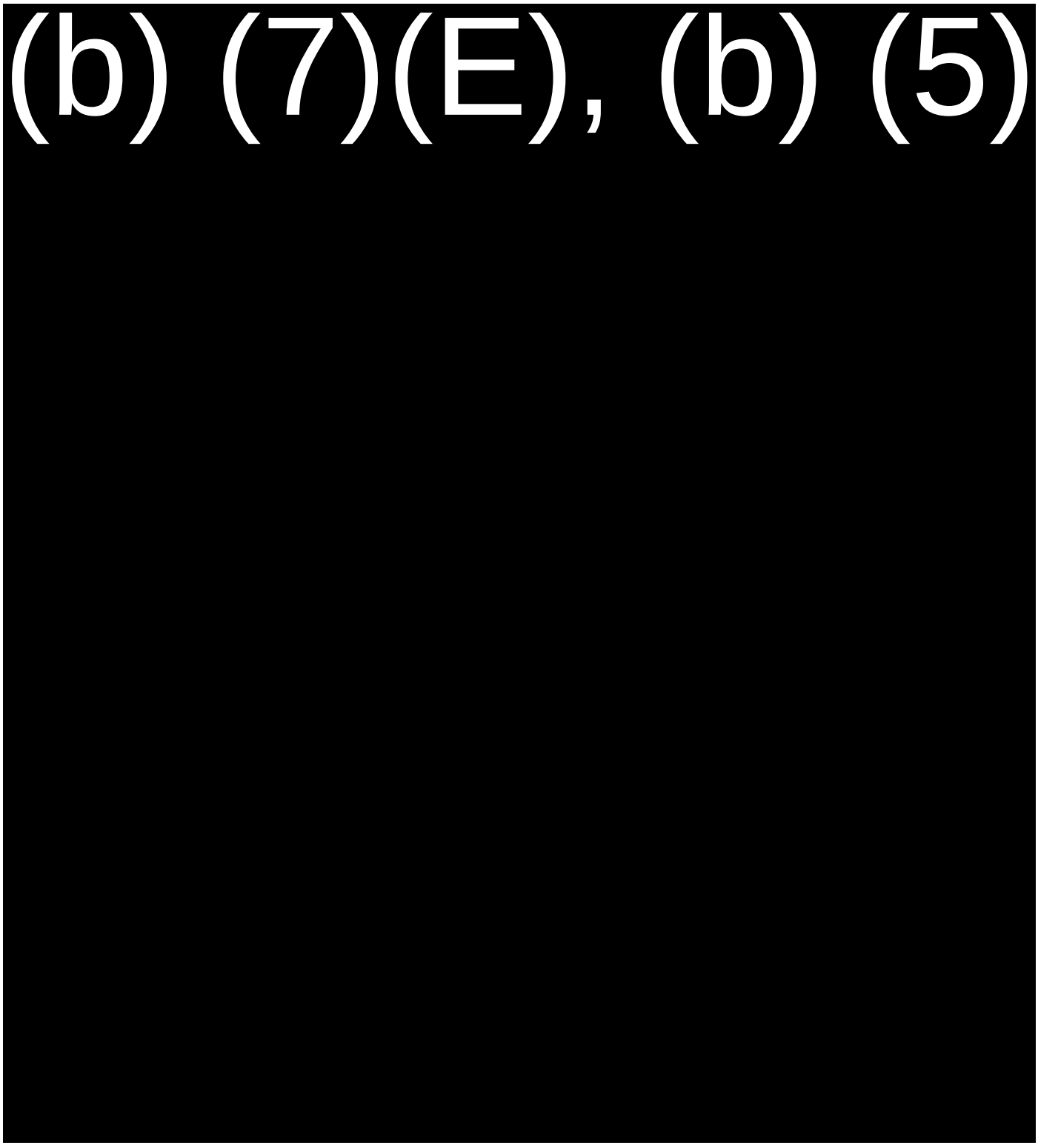


AMERICAN OVERSIGHT





AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: Google Calendar <calendar-notification@google.com> on behalf of Google Calendar on behalf of (b) (6) (b) (6)
Sent: Friday, August 9, 2019 10:21 AM
To: CBP DEPUTY COMMISSIONER SCHEDULER
Subject: Accepted: WBTW Meeting @ Tue Aug 27, 2019 2pm - 3pm (EDT) (CBP DEPUTY COMMISSIONER SCHEDULER)
Attachments: invite.ics

(b) (6) com has accepted this invitation.

WBTW Meeting

When Tue Aug 27, 2019 2pm – 3pm Eastern Time - New York

Where Commissioner's Large Conference Room (map)

Calendar CBP DEPUTY COMMISSIONER SCHEDULER

Who
- CBP DEPUTY COMMISSIONER SCHEDULER - organizer
- (b) (6) creator
-

Please do NOT forward this invitation, should you require assistance with this invitation please contact (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry "Brian" Martin
Ruynard Singleton
(b) (6), (b) (7)(C)
Kris Kobach
Rich Kaye
Mike Furey

Invitation from Google Calendar

You are receiving this courtesy email at the account cbpdeputycommissionerschedule@cbp.dhs.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/calendar/ and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. Learn More.

AMERICAN OVERSIGHT

WBTW Meeting
Commissioner's Large Conference Room
20190827T180000Z
CONFIRMED

PRODID
-//Google Inc//Google Calendar 70.9054//EN

Version
2.0

CALSCALE
GREGORIAN

METHOD
REPLY

Start Date/Time
20190827T180000Z

End Date/Time
20190827T190000Z

DTSTAMP
20190809T142042Z

ORGANIZER (CN=CBP DEPUTY COMMISSIONER SCHEDULER)
mailt (b) (7)(E)

UID

(b) (7)(E)

Attendee **mailt** (b) (6)
Role REQ-PARTICIPANT

CREATED
20190809T141321Z

Description
Please do NOT forward this invitation, should you require assistance with this invitation please contac (b) (6), (b) (7)(C) a (b)(6);(b)(7)(C) or
(b) (6), (b) (7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry “Brian” Martin
Ruynard Singleton
(b) (6), (b) (7)(C)
Kris Kobach

AMERICAN OVERSIGHT

Rich Kaye
Mike Furey

Last Modified
20190809T142039Z

Location
Commissioner's Large Conference Room

Sequence Number
1

Status
CONFIRMED

Summary
WBTW Meeting

Time Transparency
OPAQUE

X-MICROSOFT-CDO-ALLDAYEVENT
FALSE

X-MICROSOFT-CDO-APPT-SEQUENCE
1

X-MICROSOFT-CDO-BUSYSTATUS
TENTATIVE

X-MICROSOFT-CDO-IMPORTANCE
1

X-MICROSOFT-CDO-INSTTYPE
0

X-MICROSOFT-CDO-INTENDEDSTATUS
BUSY

X-MICROSOFT-CDO-OWNERAPPTID
(b) (7)(E)

X-MICROSOFT-DISALLOW-COUNTER
FALSE

X-MICROSOFT-DONOTFORWARDMEETING
FALSE

X-MICROSOFT-LOCATIONS
[{"DisplayName":"Commissioner's Large Conference Room
","LocationAnnotation":"","LocationUri":"","LocationStreet":"","LocationCity":"","LocationState":"","Location
Country":"","LocationPostalCode":"","LocationFullAddress":""}]

AMERICAN OVERSIGHT

From: Program Management Office <(b) (7)(E)
Sent: Monday, August 12, 2019 11:50 AM
To: (b) (6), (b) (7)(C)
Subject: Wall Deliverables - Materials Request for C2 trip to... has been changed

Program Management Office

Materials Request for C2 trip to... has been changed

Modify my alert settings | View Materials Request for C2 trip to... | View Wall Deliverables | Mobile View

Date Tasked:	8/8/2019	
Deliverable Title:	Materials Request for C2 trip to Artesia, NM and El Paso, TX	
Originator:	CBP / USBP	
Originator (if other):		
Deliverable Type:	Briefing Materials & Talking Points	
Groups Assigned:	(b) (6), (b) (7)(C)	
Responsible Party:	Project Managers	
Progress/Completion:	~~In Progress~~ Completed	Edited
Internal Due Date:	8/13/2019 10:00 AM	
External Due Date:	8/13/2019 10:00 AM	
Turnaround Time:	Between 3-5 days	
BW PMO Submission Date:	8/12/2019 12:00 PM	Edited
Completion Time:	~~Select~~ On Time	Edited
FOIA: Number of Pages Reviewed:		
Progress/Completion Comments:	8/8 - (b) (6), (b) (7)(C) coordinating on info	
Archived Updates:		
Deliverable Description:	(b) (6), (b) (7)(C) We haven't received a task from BP Tasking on providing inputs – if you're getting something official please direct them to send information to the BorderWallTasks box. Below is some information for inclusion on We Build the Wall for you to include or if you wanted to push them to us we can add. Hope this helps! (b) (6), (b) (7)(C) ***WE BUILD THE WALL:*** • *We Build the Wall*, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New	

AMERICAN OVERSIGHT

Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.

- This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
- *We Build the Wall* has expressed interest in "handing over the keys" to this border wall system to CBP.
- CBP has not yet determined if they will accept this gift.

- *We Build the Wall* is now seeking permission from DHS to construct additional border wall system (b) (7)(E) (b) (7)(E) on land in which the company appears to believe the U.S. Government has a real estate interest.
- On July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the *We Build the Wall.*
  - CBP is currently developing a checklist to determine if/when CBP is able to accept a private barrier donation.
- USBP sent a team out to Sundland Park, New Mexico to inspect the completed segment on July 8.
- CBP's Deputy Commissioner Perez has a meeting with We Build the Wall (Kobach) and USBP on August 27, 2019 to discuss donations and possible donation acceptance.

(b) (6), (b) (7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobile: (b) (6), (b) (7)(C)
Desk: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 8, 2019 11:59 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Materials Request for C2 trip to Artesia, NM and El Paso, TX

(b) (6), (b) (7)(C) - do you have any insight on WBTW?

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

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 8, 2019 10:21 AM
To: (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

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

Subject: FW: Materials Request for C2 trip to Artesia, NM and El Paso, TX

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

Buenos Dias!! Hope you are well. Sector is requesting status on the (b) (7)(E) of wall that was built by WBTW. Is it still under review by OCC?

(b) (6), (b) (7)(C) Program Manager
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 8, 2019 8:01 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Materials Request for C2 trip to Artesia, NM and El Paso, TX

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

We are being asked for the following information for the Commissioner's visit.

2) (b) (7)(E) BM on wall and Mr. Kobach

We stayed pretty far away from that whole thing so we don't have much more than Google and Wikipedia. Does PMOD have any information. I know you guys met with them to discuss taking it over.

R/

(b) (6), (b) (7)(C)
Director of Logistics
US Border Patrol
El Paso Sector

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



From: (b) (6), (b) (7)(C)
Sent: Thursday, August 8, 2019 7:15 AM

AMERICAN OVERSIGHT

To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: Materials Request for C2 trip to Artesia, NM and El Paso, TX

Good Morning,

Can you provide the requested information highlighted in yellow? Thank you.

(b) (6), (b) (7)(C)
Operations Officer
Law Enforcement Operations Division
El Paso Sector
(O) (b) (6), (b) (7)(C)
(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 8, 2019 6:41 AM
To (b) (6), (b) (7)(C)
Cc: EPT LEOD (b) (7)(E)
Subject: FW: Materials Request for C2 trip to Artesia, NM and El Paso, TX

Good Morning,

Please see updated itinerary and list of requested information below, due 1000hrs on August 13, 2019. Please advise if you need any assistance. Thank you.

(b) (6), (b) (7)(C)
Operations Officer
Law Enforcement Operations Division
El Paso Sector
(O) (b) (6), (b) (7)(C)
(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, August 7, 2019 6:01 PM
To: EPT LEOD (b) (7)(E)
Cc: OPSCENTRALSECTORS (b) (7)(E)
Subject: Fwd: Materials Request for C2 trip to Artesia, NM and El Paso, TX

Good evening Chiefs,

Please see the update itinerary and requested documents for A-C2's upcoming visit.

AMERICAN OVERSIGHT

Note: Due date for requested materials is next Tuesday, August 13 NLT 12:00 pm (EDT).

V/R

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

Assistant Chief

USBP HQ

LEOD ◆ Ops Central

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

◆ Apologies for any str nge iPhone typos and odd words.

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

Sent: Wednesday, August 7, 2019 7:37 PM

To: OC BRIEFING STAFF

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

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

Subject: Materials Request for C2 trip to Artesia, NM and El Paso, TX

OC Briefing Staff,

C2 trip to Artesia, NM and El Paso, TX

Lead Offices: USBP and OFO

Lead Offices POCs: USBP Assistant Chief (b) (6), (b) (7)(C) nd OFO CoS (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Required Coordination: AMO and OPA (b) (6), (b) (7)(C)

OC POCs: TBD

Details: C2 will be the keynote speaker at a USBP Graduation followed by touring the USBP Academy; Tentatively in El Paso, he will visit the (b) (7)(E) (b) (7)(E) area, attend a muster at El Paso Station, tour (b) (7)(E) facility, meet with CBP leadership at (b) (7)(E) and tour (b) (7)(E)

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Products:

1) USBP Academy: list of participants, bios of leadership, general academy info related to his tour, explanation of awards given at the graduation, and a graduation speech (full and short)
2) (b) (7)(E) BM on wall and Mr. Kobach
3) (b) (7)(E) facility: BM and bios of leadership
4) **El Paso Muster: Bios of leadership, list of attendees (including position and duty location), invite USBP/OFO/AMO/SOG involved in recent active shooter incident, and talking points**
5) **Meeting with CBP Leadership at (b) (7)(E) Bios of leadership and talking points (Crisis, border wall, and active shooter incident in El Paso)**
6) (b) (7)(E) tour: BM on relevant aspects of tour

Logistics: When: Monday, August 19th to August 21 of 2019 (see attached drafted agenda for details)

Where: Artesia, NM and El Paso, TX

Due to OC Briefing Staff: NLT 12PM Tuesday, August 13, 2019

Please contact me with any comments or questions. Thanks!

V/R,

(b) (6), (b) (7)(C)
Adjutant to the Deputy Commissioner
U.S. Customs and Border Protection
Cell: (b) (6), (b) (7)(C)
Office: (b) (6), (b) (7)(C)

Last Modified 8/12/2019 11:48 AM by (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

From: Google Calendar <calendar-notification@google.com> on behalf of Google Calendar on behalf of kkobach@gmail.com kkobach@gmail.com <kkobach@gmail.com>
Sent: Monday, August 12, 2019 7:01 PM
To: CBP DEPUTY COMMISSIONER SCHEDULER
Subject: Accepted: WBTW Meeting @ Tue Aug 27, 2019 1pm - 2pm (CDT) (CBP DEPUTY COMMISSIONER SCHEDULER)
Attachments: invite.ics

kkobach@gmail.com has accepted this invitation.

WBTW Meeting

When Tue Aug 27, 2019 1pm – 2pm Central Time - Chicago

Where Commissioner's Large Conference Room (map)

Calendar CBP DEPUTY COMMISSIONER SCHEDULER

Who
- CBP DEPUTY COMMISSIONER SCHEDULER - organizer
- kkobach@gmail.com - creator
- MARTIN, JERRY B
- (b) (6), (b) (7)(C)
- SINGLETON, RUYNARD R

Please do NOT forward this invitation, should you require assistance with this invitation please contact (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry "Brian" Martin
Ruynard Singleton
(b) (6), (b) (7)(C)
Kris Kobach

Invitation from Google Calendar

You are receiving this courtesy email at the account cbpdeputycommissionerschedule@cbp.dhs.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/calendar/ and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. Learn More.

AMERICAN OVERSIGHT

WBTW Meeting
Commissioner's Large Conference Room
20190827T180000Z
CONFIRMED

PRODID
-//Google Inc//Google Calendar 70.9054//EN

Version
2.0

CALSCALE
GREGORIAN

METHOD
REPLY

Start Date/Time
20190827T180000Z

End Date/Time
20190827T190000Z

DTSTAMP
20190812T230030Z

ORGANIZER (CN=CBP DEPUTY COMMISSIONER SCHEDULER)
mailt (b) (7)(E)

UID
(b) (7)(E)

Attendee **mailto:kkobach@gmail.com**
Role REQ-PARTICIPANT

CREATED
20190807T172134Z

Description
Please do NOT forward this invitation, should you require assistance with this invitation please conta (b) (6), (b) (7)(C) a (b)(6);(b)(7)(C) or (b) (6), (b) (7)(C) >

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry “Brian” Martin
Ruynard Singleton
(b) (6), (b) (7)(C)
Kris Kobach

AMERICAN OVERSIGHT

Last Modified
20190812T230027Z

Location
Commissioner's Large Conference Room

Sequence Number
0

Status
CONFIRMED

Summary
WBTW Meeting

Time Transparency
OPAQUE

X-MICROSOFT-CDO-APPT-SEQUENCE
0

X-MICROSOFT-CDO-BUSYSTATUS
TENTATIVE

X-MICROSOFT-CDO-IMPORTANCE
1

X-MICROSOFT-CDO-INSTTYPE
0

X-MICROSOFT-CDO-INTENDEDSTATUS
BUSY

X-MICROSOFT-CDO-OWNERAPPTID
(b) (7)(E)

X-MICROSOFT-DISALLOW-COUNTER
FALSE

X-MICROSOFT-DONOTFORWARDMEETING
FALSE

X-MICROSOFT-LOCATIONS
[{"DisplayName":"Commissioner's Large Conference Room
","LocationAnnotation":"","LocationUri":"","LocationStreet":"","LocationCity":"","LocationState":"","Location
Country":"","LocationPostalCode":"","LocationFullAddress":""}]

AMERICAN OVERSIGHT

AC2 Official Visit to El Paso Sector
August 20, 2019
1730 Hours
(b) (7)(E)

Overview:

- You will meet with the El Paso Sector Chief Patrol Agent Gloria Chavez and receive an overview of Border Patrol Operations within El Paso Sector focusing on the magnitude of the current challenges related to the large influx of illegal aliens in the El Paso Sector Area of Responsibility
- You will be presented with the different resources utilized by the El Paso Sector to conduct the day to day tasks.

Discussion Points:

- Chief Patrol Agent Chavez will provide an overview of Border Patrol operations within the El Paso area of responsibility.
- Specifically, Chief Patrol Agent Chavez will focus on the operational challenges faced by El Paso Sector Border Patrol Agents due to the large influx of illegal aliens and lack of resources.
- Chief Patrol Agent Chavez will also address the development and positive changes that El Paso Sector has had since the allocation of resources was recently provided to USBP to address the situation.

Watch Out For/ If Asked:

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

Background:

- On June 6, 2019, AC1 visited El Paso to meet with Border Patrol El Paso Sector leadership and received an overview of Border Patrol Operations focusing on the large influx of illegal aliens in the El Paso Sector Area of Responsibility.

<u>WE BUILD THE WALL:</u>

- We Build the Wall, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.
- This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
- We Build the Wall has expressed interest in "handing over the keys" to this border wall system to CBP.
- CBP has not yet determined if they will accept this gift.

AMERICAN OVERSIGHT

- We Build the Wall is now seeking permission from DHS to construct additional border wall system [redacted] on land in which the company appears to believe the U.S. Government has a real estate interest.
- On July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the We Build the Wall.
- CBP is currently developing a checklist to determine if/when CBP is able to accept a private barrier donation.
- USBP sent a team out to Sunland Park, New Mexico to inspect the completed segment on July 8.
- CBP's Deputy Commissioner Perez has a meeting with We Build the Wall (Kobach) and USBP on August 27, 2019 to discuss donations and possible donation acceptance.

PRESS: Closed

CBP/OPA Services Required:

- None Required
- EPT will provide our own photographer as well as other Sector Strategic Communications staff

ATTACHMENTS:

- Biographies
- EPT Operational Picture
- Itinerary

PARTICIPANTS:

USBP
Gloria Chavez, Chief Patrol Agent, El Paso Sector
Chris T. Clem, Deputy Chief Patrol Agent, El Paso Sector
[redacted] Patrol Agent in Charg [redacted] Station

USBP Special Units
Horse Patrol Unit
All-Terrain Vehicles (ATV's) Unit
K-9 Unit
Use of Force Unit

Staff Responsible for Briefing Memo:
Assistant Chief Patrol Age [redacted]
Reviewed and approved by: Deputy Chief Patrol Agent Chris Cle [redacted]

AMERICAN OVERSIGHT

Chris Clem
Deputy Chief Patrol Agent
El Paso Sector



Mr. Chris T. Clem is the Deputy Chief Patrol Agent for the El Paso Sector. Mr. Clem is responsible for planning, organizing and directing U.S. Border Patrol administration and operations throughout the El Paso Sector area of responsibility.

Mr. Clem has served in a variety of U.S. Border Patrol leadership positions, to include Deputy Chief Patrol Agent of the New Orleans Sector, and Associate Chief at U.S. Border Patrol Headquarters, in Washington, D.C. While assigned to Headquarters, Mr. Clem was the Acting Deputy Chief of Operational Programs, and the Acting Deputy Chief of Operations, where he led several Secretary and Commissioner-driven initiatives. As an Associate Chief, he oversaw the East/Central Corridor and the Specialty Programs and Planning Division. Mr. Clem was the Assistant Chief Patrol Agent of Training and Traumatic Incident Management, and Acting Division Chief for Mission Readiness in Tucson Sector.

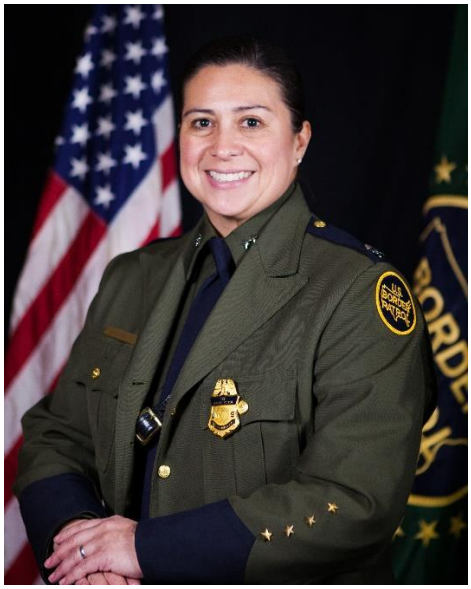
In addition to the positions identified above, Mr. Clem has also served as the Patrol Agent in Charge of four Border Patrol Stations: the Casa Grande, Arizona Station; the Ysleta, Texas Station; and the Truth or Consequences and Albuquerque, New Mexico Border Patrol Stations. He brings to his position the leadership, knowledge, and experience gained from over 24 years of dedicated service in the U.S. Border Patrol.

Mr. Clem began his career in 1995 with the U.S. Border Patrol in Lordsburg, New Mexico. In 1999, he was promoted to Senior Patrol Agent in Sierra Blanca, Texas, and in 2002, he returned to Lordsburg, New Mexico, as a Supervisory Border Patrol Agent and then Field Operations Supervisor. He has held several collateral duty positions, to include Canine Handler, Intelligence Officer, and Firearms Instructor.

Mr. Clem is a native of New Orleans, Louisiana, but grew up most of his life in Houston, Texas. He is a graduate of Sam Houston State University, with a Bachelor of Science in Criminal Justice and a Master of Science in Leadership and Management.

AMERICAN OVERSIGHT

Gloria I. Chavez
Interim Chief Patrol Agent
El Paso Sector
U.S. Border Patrol



Chief Gloria I. Chavez became the Interim Chief Patrol Agent of the El Paso Sector on July 29, 2019. She is responsible for 268 border miles covering West Texas and southern New Mexico. She has management oversight of eleven stations and six permanent immigration checkpoints encompassing approximately 125,500 square miles.

Prior to this leadership assignment, Chief Chavez was assigned as the Chief Patrol Agent of the El Centro Sector in Imperial, California. Chief Chavez has also served in key leadership positions dating back to 2010 when she became the Chief Patrol Agent of the Spokane Sector in Spokane, Washington along the U.S./Canada border. In 2015, she accepted the position of Deputy Chief for Operations under the Law Enforcement Operations Directorate at U.S. Border Patrol Headquarters in Washington D.C. In 2016 and 2017, she served as the CBP Commander for the CBP Migration Crisis Team where she monitored and addressed the day-to-day operational requirements and challenges for the CBP enterprise. In recognition of her efforts, she was presented with the 2017 DHS Secretary - Silver Medal Award.

Chief Chavez began her career with U.S. Border Patrol on May 14, 1995. Her first duty assignment as a Border Patrol agent was at the Imperial Beach Station in the San Diego Sector. In 2002, she promoted to Supervisory Border Patrol Agent. In 2005, she promoted to Assistant Chief at U.S. Border Patrol Headquarters in Washington, D.C., assigned to the Office of Strategic Policy, Planning and Analysis and the Special Operations Division-Foreign Operations Branch. In 2007, Chief Chavez returned to the field as an Assistant Chief Patrol Agent in the San Diego Sector. She later transferred as the Patrol Agent in Charge of the Chula Vista Station in San Diego Sector.

Chief Chavez is a member of the Senior Executive Service and has a Bachelor of Science degree in Criminal Justice Administration, magna cum laude, from Columbia Southern University. Chief Chavez holds a Master of Arts degree in Security Studies from the Naval Postgraduate School. She is a graduate of the Senior Executive Fellows Program at the John F. Kennedy School of Government at Harvard University.

AMERICAN OVERSIGHT



Kris William Kobach
(koʊbɑːk)
Former Kansas Secretary of State

From Wikipedia-and Open Source Reporting

Kris William Kobach (/ˈkoʊbɑːk/; born March 26, 1966) is an American politician who served as the 31st Secretary of State of Kansas.[1] A former Chairman of the Kansas Republican Party and member of the City Council of Overland Park, Kansas, he was the Republican nominee in Kansas's 3rd congressional district in the 2004 election, losing to Democratic incumbent Dennis Moore.[2]

Kobach came to prominence over his hardline anti-immigration views and his involvement in the diffusion of high-profile anti-immigration ordinances in various American towns.[4] Kobach is also known for his calls for stronger voter ID laws in the United States and a Muslim registry. He has made claims about the extent of voter fraud in the United States that studies and fact-checkers have concluded are false or unsubstantiated.

As Secretary of State of Kansas, Kobach implemented some of the strictest voter identification laws in the United States and fought to remove nearly 20,000 registered voters from the state's voter rolls. Following considerable investigation and prosecution, Kobach secured nine convictions for voter fraud; all were cases of double voting, and most involved voters who had misunderstood their voting rights.

Kobach has litigated numerous lawsuits defending cities and states that adopt laws to discourage illegal immigration.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 13, 2019 10:25 PM
To: (b)(6);(b)(7)(C); BORDERWALLTASKS
Subject: RE: C2BB Artesia/El Paso Travel Tasker # (b) (7)(E)

(b)(6);(b)(7)(C) whe (b)(6);(b)(7)(C) asked was it for this task?

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Monday, August 12, 2019 2:57 PM
To (b)(6);(b)(7)(C) BORDERWALLTASK (b) (7)(E) >
C (b)(6);(b)(7)(C)
Subject: RE: C2BB Artesia/El Paso Travel Tasker #2 (b) (7)(E)

This really annoys me becaus (b)(6);(b)(7)(C) reached out because they were getting asked and I provided the information below.
(b)(6);(b)(7) could you please send the information below fo (b)(6);(b)(7)(C) to add to the Briefing Memo?
(b)(6);(b)(7)(C) do you have any issue with the language below?
Thanks!
(b)(6);(b)(7

***WE BUILD THE WALL*:**

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

AMERICAN OVERSIGHT

(b) (5)

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobile (b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Monday, August 12, 2019 2:54 PM
To: BORDERWALLTASK (b) (7)(E) > (b)(6);(b)(7)(C) >
Subject: FW: C2BB Artesia/El Paso Travel Tasker #2 (b) (7)(E)

More FYSA

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C) **On Behalf Of** BPTasking
Sent: Monday, August 12, 2019 2:52 PM
To: OC BRIEFING STAF (b) (7)(E) >; BPTaskin (b) (7)(E) >; OFO-TASKING (b) (7)(E)
> (b)(6);(b)(7)(C)
>; AMO Tasking GM (b) (7)(E)
Cc: OC DISTRIBUTION LIS (b) (7)(E) > (b)(6);(b)(7)(C)

Subject: RE: C2BB Artesia/El Paso Travel Tasker #2 (b) (7)(E)

USBP response attached.

BP TASKING

Staffed currently b (b)(6);(b)(7)(C)

Please include BPTasking on all replies, this mailbox is staffed by multiple people on different days.

From: OC BRIEFING STAF (b) (7)(E)
Sent: Thursday, August 8, 2019 1:18 PM
To: BPTaskin (b) (7)(E) >; OFO-TASKING (b) (7)(E) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

[redacted]>; AMO Tasking GML [redacted]>
Cc: OC BRIEFING STAF [redacted]>; OC DISTRIBUTION LIST [redacted]>
Subject: C2BB Artesia/El Paso Travel Tasker #2 [redacted]

COMMISSIONER'S OFFICE BRIEFING BOOK TASKING

Tasker Name:	Artesia/El Paso Travel Tasker # [redacted]
Lead Office(s):	USBP/ OFO
Lead Office POC:	[redacted]
Required Coordination:	AMO
OC POC(s):	[redacted]
Meeting Details:	**Purpose: C2 visit to th [redacted] area**
Products (2):	Briefing Memo including information on the wall and Biography of Mr. Kobach, using attached templates
Logistics/Notes:	**When: Monday, August 19-21, 2019 (see attached drafted agenda for details)** **Where: Artesia, NM and El Paso, TX** **If briefing materials exceed 20 pages, please be prepared to provide 3 briefing books for the Front Office once materials have been cleared through OC Briefing.*
Due to OC Briefing Staff:	**NLT 12PM Monday, August 12, 2019**

Required Coordinators - Please provide input to the lead office as soon as possible. *Please do not modify subject lines as we use them for tracking purposes.*

Requests for additional Information *for additional information concerning this meeting, please contact the lead office POC, the advisor and then OCBS.*

Tasker information, contact lists, and templates can be found online at
[redacted]

[redacted]
Office of the Executive Secretariat
U.S. Customs and Border Protection
Desk: [redacted]
Cell [redacted]
[redacted]

U.S. Customs and Border Protection

AMERICAN OVERSIGHT

AC2 Official Visit to El Paso Sector
August 20, 2019
1730 Hours
(b) (7)(E)

Overview:

- You will meet with the El Paso Sector Chief Patrol Agent Gloria Chavez and receive an overview of Border Patrol Operations within El Paso Sector focusing on the magnitude of the current challenges related to the large influx of illegal aliens in the El Paso Sector Area of Responsibility
- You will be presented with the different resources utilized by the El Paso Sector to conduct the day to day tasks.

Discussion Points:

- Chief Patrol Agent Chavez will provide an overview of Border Patrol operations within the El Paso area of responsibility.
- Specifically, Chief Patrol Agent Chavez will focus on the operational challenges faced by El Paso Sector Border Patrol Agents due to the large influx of illegal aliens and lack of resources.
- Chief Patrol Agent Chavez will also address the development and positive changes that El Paso Sector has had since the allocation of resources was recently provided to USBP to address the situation.

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

Background:

- On June 6, 2019, AC1 visited El Paso to meet with Border Patrol El Paso Sector leadership and received an overview of Border Patrol Operations focusing on the large influx of illegal aliens in the El Paso Sector Area of Responsibility.

<u>WE BUILD THE WALL:</u>

- We Build the Wall, a private entity, has completed construction of approximately 2,700 linear feet of border wall system in Sunland Park, New Mexico in El Paso Sector in an area that was not prioritized for DHS construction with current funding.
- This construction was completed by Fisher Industries. The work was undertaken independently and was not coordinated with DHS or CBP prior to or during its completion.
- We Build the Wall has expressed interest in "handing over the keys" to this border wall system to CBP.
- CBP has not yet determined if they will accept this gift.

AMERICAN OVERSIGHT

- We Build the Wall is now seeking permission from DHS to construct additional border wall system (b) (7)(E) on land in which the company appears to believe the U.S. Government has a real estate interest.
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- CBP's Deputy Commissioner Perez has a meeting with We Build the Wall (Kobach) and USBP on August 27, 2019 to discuss donations and possible donation acceptance.

PRESS: Closed

CBP/OPA Services Required:

- None Required
- EPT will provide our own photographer as well as other Sector Strategic Communications staff

ATTACHMENTS:

- Biographies
- EPT Operational Picture
- Itinerary

PARTICIPANTS:

USBP
Gloria Chavez, Chief Patrol Agent, El Paso Sector
Chris T. Clem, Deputy Chief Patrol Agent, El Paso Sector
(b)(6);(b)(7)(C) Patrol Agent in Charg (b)(6);(b)(7)(C) Station

USBP Special Units
Horse Patrol Unit
All-Terrain Vehicles (ATV's) Unit
K-9 Unit
Use of Force Unit

Staff Responsible for Briefing Memo:
Assistant Chief Patrol Age (b)(6);(b)(7)(C)
Reviewed and approved by: Deputy Chief Patrol Agent Chris Cle (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Chris Clem
Deputy Chief Patrol Agent
El Paso Sector



Mr. Chris T. Clem is the Deputy Chief Patrol Agent for the El Paso Sector. Mr. Clem is responsible for planning, organizing and directing U.S. Border Patrol administration and operations throughout the El Paso Sector area of responsibility.

Mr. Clem has served in a variety of U.S. Border Patrol leadership positions, to include Deputy Chief Patrol Agent of the New Orleans Sector, and Associate Chief at U.S. Border Patrol Headquarters, in Washington, D.C. While assigned to Headquarters, Mr. Clem was the Acting Deputy Chief of Operational Programs, and the Acting Deputy Chief of Operations, where he led several Secretary and Commissioner-driven initiatives. As an Associate Chief, he oversaw the East/Central Corridor and the Specialty Programs and Planning Division. Mr. Clem was the Assistant Chief Patrol Agent of Training and Traumatic Incident Management, and Acting Division Chief for Mission Readiness in Tucson Sector.

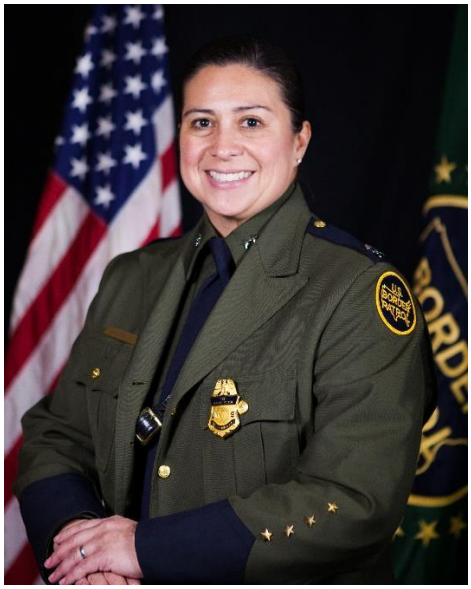
In addition to the positions identified above, Mr. Clem has also served as the Patrol Agent in Charge of four Border Patrol Stations: the Casa Grande, Arizona Station; the Ysleta, Texas Station; and the Truth or Consequences and Albuquerque, New Mexico Border Patrol Stations. He brings to his position the leadership, knowledge, and experience gained from over 24 years of dedicated service in the U.S. Border Patrol.

Mr. Clem began his career in 1995 with the U.S. Border Patrol in Lordsburg, New Mexico. In 1999, he was promoted to Senior Patrol Agent in Sierra Blanca, Texas, and in 2002, he returned to Lordsburg, New Mexico, as a Supervisory Border Patrol Agent and then Field Operations Supervisor. He has held several collateral duty positions, to include Canine Handler, Intelligence Officer, and Firearms Instructor.

Mr. Clem is a native of New Orleans, Louisiana, but grew up most of his life in Houston, Texas. He is a graduate of Sam Houston State University, with a Bachelor of Science in Criminal Justice and a Master of Science in Leadership and Management.

AMERICAN OVERSIGHT

Gloria I. Chavez
Interim Chief Patrol Agent
El Paso Sector
U.S. Border Patrol



Chief Gloria I. Chavez became the Interim Chief Patrol Agent of the El Paso Sector on July 29, 2019. She is responsible for 268 border miles covering West Texas and southern New Mexico. She has management oversight of eleven stations and six permanent immigration checkpoints encompassing approximately 125,500 square miles.

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Chief Chavez began her career with U.S. Border Patrol on May 14, 1995. Her first duty assignment as a Border Patrol agent was at the Imperial Beach Station in the San Diego Sector. In 2002, she promoted to Supervisory Border Patrol Agent. In 2005, she promoted to Assistant Chief at U.S. Border Patrol Headquarters in Washington, D.C., assigned to the Office of Strategic Policy, Planning and Analysis and the Special Operations Division-Foreign Operations Branch. In 2007, Chief Chavez returned to the field as an Assistant Chief Patrol Agent in the San Diego Sector. She later transferred as the Patrol Agent in Charge of the Chula Vista Station in San Diego Sector.

Chief Chavez is a member of the Senior Executive Service and has a Bachelor of Science degree in Criminal Justice Administration, magna cum laude, from Columbia Southern University. Chief Chavez holds a Master of Arts degree in Security Studies from the Naval Postgraduate School. She is a graduate of the Senior Executive Fellows Program at the John F. Kennedy School of Government at Harvard University.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, August 16, 2019 9:37 AM
To: BPTasking
Subject: AC2 visit - # (b) (7)(E) (b) (7)(E)
Attachments: 2-Itinerar (b) (7)(E) docx; AC2 El Paso Visit Briefing Memo Day 1 plus wall update.docx; BIO (b) (6), (b) (7)(C) docx; Clem BIO DCPA EPT July 2019.pdf; EPT - Interim CPA Chavez OFFICIAL Bio.pdf; Kobach Bio-open source info.pdf; El Paso Sector Map Aug-2019 (b) (7)(E) Area).pdf; El Paso Sector (b) (7)(E) pdf; El Paso Sector (Zone (b) (7)) Aug 2019.pdf

BPT

These items were submitted and updated for A-Cs visit to the Academy and the El Paso area next week. We probably should send the packet in its entirety for review and clearance.

V/R

(b)(6);(b)(7)(C)
Assistant Chief
USBP HQ
LEOD-Ops Central
(b)(6);(b)(7)(C) (O)
(C)

AMERICAN OVERSIGHT

CBP Deputy Commissioner

Itinerary Day 1: Tuesday, August 20, 2019
(b) (7)(E) Station AOR

Participant (1+):

- Robert Perez CBP Deputy Commissioner
- El Paso Sector Staff
- (b) (7)(E) Station Staff
- El Paso Field Operations Staff (b) (7)(E) Port

Point of Contact:

- (b)(6);(b)(7)(C)
  Assistant Chief Patrol Agent
  Sector Communications
  U.S. Border Patrol – El Paso Sector
  8901 Montana Avenue
  El Paso, TX 79925
  (b)(6);(b)(7)(C) office
  cell
  (b)(6);(b)(7)(C)

Border Patrol POC:

- ACP (b)(6);(b)(7)(C)
- (A)SO (b)(6);(b)(7)(C)
- SBP (b)(6);(b)(7)(C)
- BP (b)(6);(b)(7)(C)

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

Goal:

The purpose of this segment of the visit is to provide you an opportunity to view th (b) (7)(E) We Build the Wall fence segment, se (b) (7)(E), and th (b) (7)(E) area.

1730 You will arrive at t (b) (7)(E). This is where th (b) (7)(E).
- You will be greeted by Chief Chavez, Deputy Chief Clem, an (b) (7)(E) Station PAI (b)(6);(b)(7)(C)
- Tour (b) (7)(E) the "We Build the Wall" fence segme (b) (7)(E), and (b) (7)(E) (the new border wall/fence is in this location as well)
- Brief on El Paso Sector Operations and Specific Challenges experienced.

1815 You will depart th (b) (7)(E) AOR area for your hotel
- En-route to Courtyard by Marriott Hotel, 610 N. Santa Fe St., El Paso, TX, 79901

1840 You will arrive at your hotel.

AMERICAN OVERSIGHT

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August 20, 2019
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(b) (5), (b) (7)(E)

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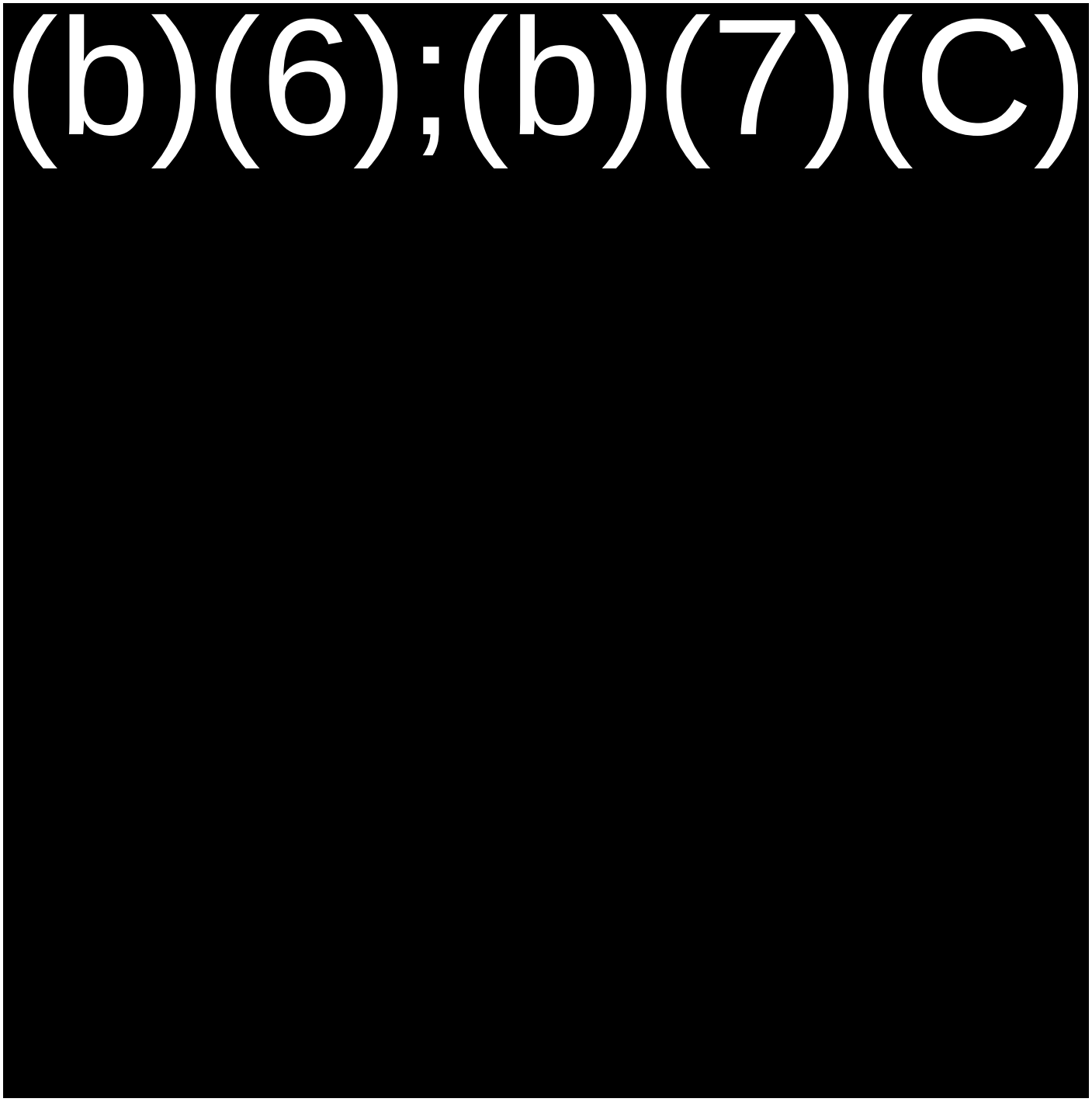
USBP
Gloria Chavez, Chief Patrol Agent, El Paso Sector
Chris T. Clem, Deputy Chief Patrol Agent, El Paso Sector
(b)(6);(b)(7)(C), Patrol Agent in Charg (b) (7)(E) Station

USBP Special Units
Horse Patrol Unit
All-Terrain Vehicles (ATV's) Unit
K-9 Unit
Use of Force Unit

Staff Responsible for Briefing Memo:
Assistant Chief Patrol Age (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Reviewed and approved by: Deputy Chief Patrol Agent Chris Cle (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

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El Paso Sector



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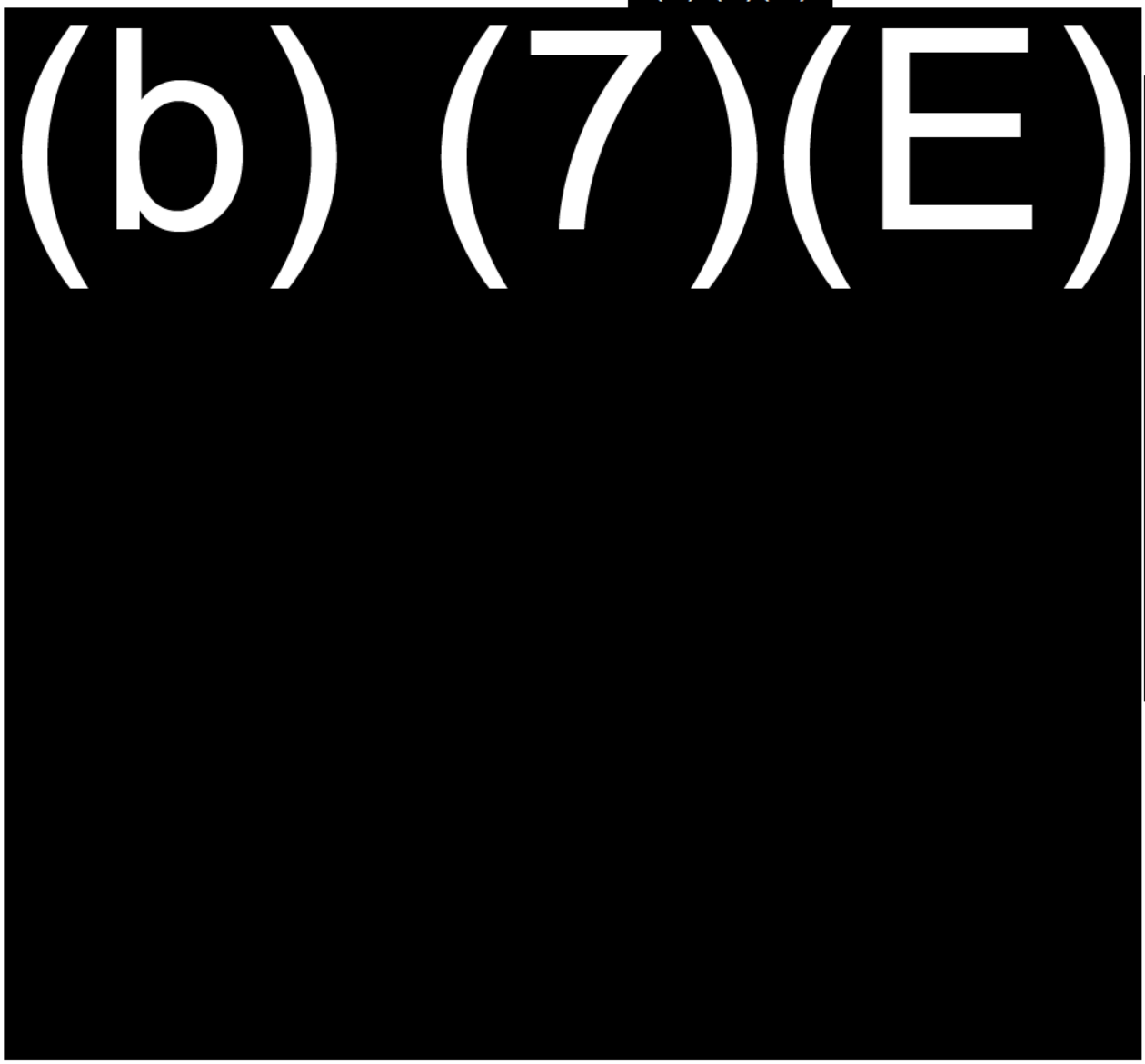
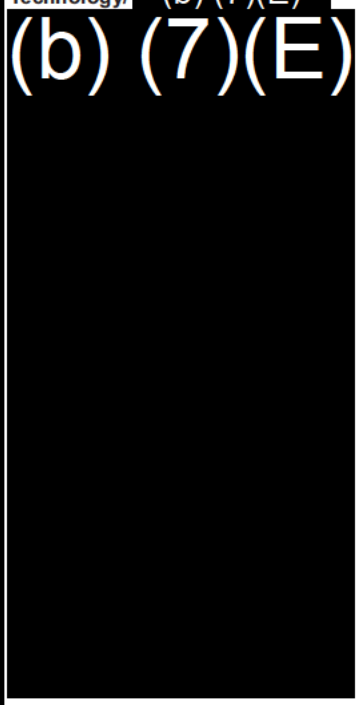
AMERICAN OVERSIGHT

El Paso Sector (b) (7)(E)



Legend

Technology/ (b) (7)(E)



USBP Tactical Infrastructure/ Pedestrian Fencing

- Primary
- Secondary
- Tertiary

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

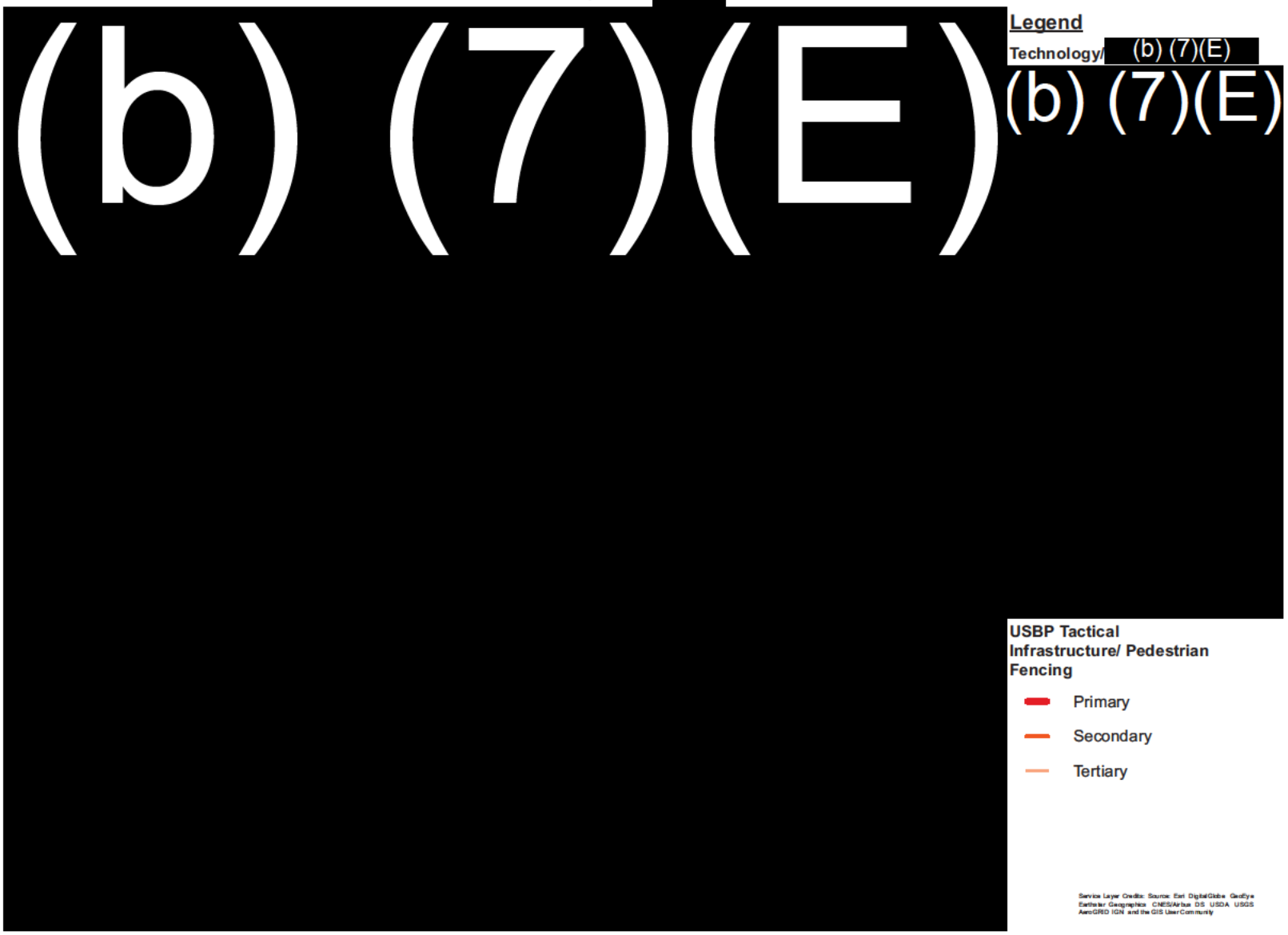
Map Creation Date: August 14, 2019

0 0.05 0.1 0.2 0.3 0.4 Miles

U.S. Customs and Border Protection

AMERICAN OVERSIGHT

El Paso Sector (Zone (b) (7)(E)

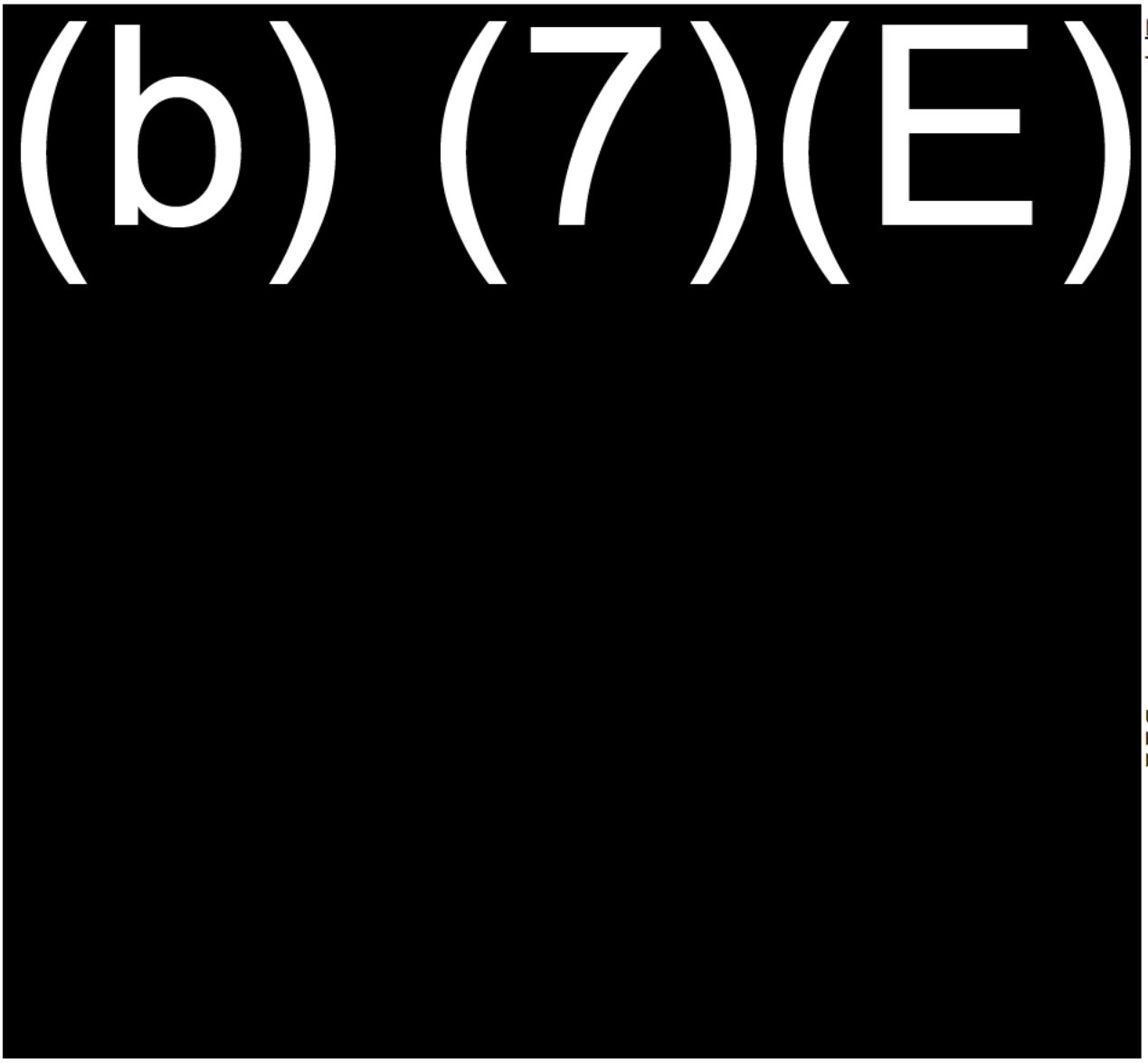


Map Creation Date: August 14, 2019

U.S. Customs and Border Protection

AMERICAN OVERSIGHT

El Paso Sector



Legend

Technology/(b) (7)(E) Sites

(b) (7)(E)

USBP Tactical Infrastructure/ Pedestrian Fencing

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Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

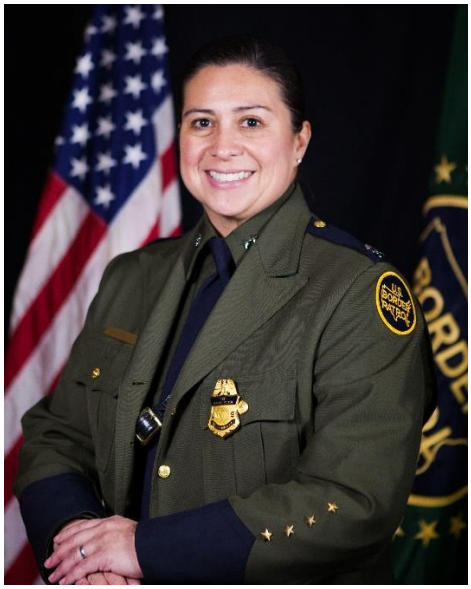
Map Creation Date: August 14, 2019

0 04 08 16 24 32 Miles

U.S. Customs and Border Protection

AMERICAN OVERSIGHT

Gloria I. Chavez
Interim Chief Patrol Agent
El Paso Sector
U.S. Border Patrol



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AMERICAN OVERSIGHT



Kris William Kobach
(koʊbɑːk)
Former Kansas Secretary of State

From Wikipedia-and Open Source Reporting

Kris William Kobach (/ˈkoʊbɑːk/; born March 26, 1966) is an American politician who served as the 31st Secretary of State of Kansas.[1] A former Chairman of the Kansas Republican Party and member of the City Council of Overland Park, Kansas, he was the Republican nominee in Kansas's 3rd congressional district in the 2004 election, losing to Democratic incumbent Dennis Moore.[2]

Kobach came to prominence over his hardline anti-immigration views and his involvement in the diffusion of high-profile anti-immigration ordinances in various American towns.[4] Kobach is also known for his calls for stronger voter ID laws in the United States and a Muslim registry. He has made claims about the extent of voter fraud in the United States that studies and fact-checkers have concluded are false or unsubstantiated.

As Secretary of State of Kansas, Kobach implemented some of the strictest voter identification laws in the United States and fought to remove nearly 20,000 registered voters from the state's voter rolls. Following considerable investigation and prosecution, Kobach secured nine convictions for voter fraud; all were cases of double voting, and most involved voters who had misunderstood their voting rights.

Kobach has litigated numerous lawsuits defending cities and states that adopt laws to discourage illegal immigration.

AMERICAN OVERSIGHT

Sent: Wednesday, August 21, 2019 1:59 PM
To: (b)(6);(b)(7)(C) MARTIN, JERRY B; SINGLETON, RUYNARD R (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: WBTW Project - El Cenizo, Texas
Attachments: WallElCenizoandWBTW.docx

Keeping you all in the know.

BLUF: The city council of El Cenizo, an outpost about 20 miles south of Laredo is planning to meet with WBTW to discuss future planning for wall construction. I didn't see a date for the meeting.

(b)(6);(b)(7)(C), PMP
Business Operations Director
Border Wall Program Management Office
United States Border Patrol
Program Management Office Directorate
Desk (b)(6);(b)(7)(C)
Cell Phone (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: Jose Nunez <jose.nunez@ibwc.gov>
Sent: Wednesday, August 21, 2019 10:11 AM
To (b) (6), (b) (7)(C)
Cc: Rebecca Rizzuti <rebecca.rizzuti@ibwc.gov>; Sainz, Francisco D <SainzFD@state.gov>
Subject: WBTW Project - El Cenizo, Texas

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

The attached article is provided for your information and records only. Regards,

Jose A. Nuñez
Principal Engineer Engineering Department
U.S. Section of IBWC
Headquarters
Office (915) 832-4749
Cel (b) (6)

AMERICAN OVERSIGHT

Texas Border Town's Council to Meet With Crowdfunded 'Build the Wall' Group For a New Border Barrier

By Scott McDonald On 8/19/19 at 8:03 PM EDT NEWSWEEK

SHARE

U.S.BORDER WALLU.S.-MEXICO BORDERTEXAS

A small town on the Texas border has agreed to meet with an organization that raises funds through the internet to privately fund President Donald Trump's proposed wall along the country's southern border with Mexico.

The city council of El Cenizo, an outpost about 20 miles south of Laredo along the Rio Grande, said at its meeting last week it plans to meet with the group called 'We Build the Wall," according to the *Laredo Morning Times*.

The meeting is designed to discuss future planning for wall construction at the end of the city's riverbank picnic area, according to the report.

Brian Kolfage, a U.S. Air Force veteran, started 'We Build the Wall' on GoFundMe last December as a way to privately fund sections of Trump's proposed wall. The site claims to have raised more than $18 million in its first two weeks. Its site goes on to say Kolfage consulted with leaders in law, politics, finance, construction and national security after the site's immediate success.

"This team spent countless hours over the holidays reviewing the many issues and hurdles to the realizing the construction of a Southern Border Wall," the website claims. "Unanimously, they concluded that: the federal government wouldn't be able to timely accept the donations or directly apply the funds to the construction of a wall (and) that we the people and the We Build the Wall team can better utilize the donated funds to build sections of actual wall on the Southern Border."

El Cenizo City Commissioner Salvador Hernandez said that since We Build the Wall is not a government entity, and that it is privately-funded, a wall on the requested area would not cost the city any money.

AMERICAN OVERSIGHT

"[We Build the Wall] will be in charge of putting up the barrier, cleaning the area, putting cameras and making it safe for the residents to be down [at the riverbanks]," Hernandez said. "I know that it's a big issue. People don't use the picnic area because they don't feel comfortable and that barrier would make the city safer."

Hernandez said Border Patrol agents told him that El Cenizo is the main point for narcotics for flowing into the U.S.

"It is more than illegal people just trying to cross here," Hernandez said. "I am not against immigration. I am not against people wanting to come to the country. I am looking to protect my residents."

Hernandez said any potential wall would not be made of cinder blocks, and that they would be able to see through to the other side. He did not specify how it would ultimately be designed, though.

Hernandez added that a border barrier in El Cenizo was, in no way, a show of support for any political side, but rather a way of protecting citizens during outings of family and friends.

We Build the Wall has already funded one structure along the border. The Texas Tribune reported of a stretch of barrier along the Mexican border that crosses the Texas-New Mexico line.

"They created that structure and the outcome was very, very nice, where a lot of the residents were happy about it," Hernandez said.

AMERICAN OVERSIGHT

Subject: WBTW Meeting
Location: Commissioner's Small Conference Room

Start: Tue 8/27/2019 2:00 PM
End: Tue 8/27/2019 3:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: (b)(6);(b)(7)(C) on behalf of CBP DEPUTY COMMISSIONER SCHEDULER (b)(6);(b)(7)(C)

Required Attendees: MARTIN, JERRY B; SINGLETON, RUYNARD R (b)(6);(b)(7)(C) ; kkobach@gmail.com (b)(6);(b)(7)(C) (b) (6)

Please do NOT forward this invitation, should you require assistance with this invitation please conta (b)(6);(b)(7)(C) a (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Attendees:

Deputy Commissioner Robert E. Perez

Chief Jerry "Brian" Martin

Ruynard Singleton

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

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

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

Kris Kobach

Rich Kaye

Mike Furey

AMERICAN OVERSIGHT

From: Google Calendar <calendar-notification@google.com> on behalf of Google Calendar on behalf of (b) (6) (b) (6)

Sent: Tuesday, August 27, 2019 9:47 AM

To: CBP DEPUTY COMMISSIONER SCHEDULER

Subject: Accepted: WBTW Meeting @ Tue Aug 27, 2019 2pm - 3pm (EDT) (CBP DEPUTY COMMISSIONER SCHEDULER)

Attachments: invite.ics

(b) (6) has accepted this invitation.

WBTW Meeting

When Tue Aug 27, 2019 2pm – 3pm Eastern Time - New York

Where Commissioner's Small Conference Room , DCC10A-RMB-COMMISSIONER-CN-RM (map)

Calendar CBP DEPUTY COMMISSIONER SCHEDULER

Who
- CBP DEPUTY COMMISSIONER SCHEDULER - organizer
- (b) (6) - creator
- (b)(6);(b)(7)(C)
- MARTIN, JERRY B
- SINGLETON, RUYNARD R
- kkobach@gmail.com
- (b)(6);(b)(7)(C)
- (b) (6)
- (b)(6);(b)(7)(C)

Please do NOT forward this invitation, should you require assistance with this invitation please contact (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) or (b)(6);(b)(7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry "Brian" Martin
Ruynard Singleton
(b)(6);(b)(7)(C)
Kris Kobach
Rich Kaye
Mike Furey

Invitation from Google Calendar

You are receiving this courtesy email at the account (b) (7)(E) because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/calendar/ and control your notification settings for your entire calendar.

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Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. Learn More.

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WBTW Meeting
Commissioner's Small Conference Room (b) (7)(E)
(b) (7)(E)
CONFIRMED

PRODID
-//Google Inc//Google Calendar 70.9054//EN

Version
2.0

CALSCALE
GREGORIAN

METHOD
REPLY

Start Date/Time
20190827T180000Z

End Date/Time
20190827T190000Z

DTSTAMP
20190827T134658Z

ORGANIZER (CN=CBP DEPUTY COMMISSIONER SCHEDULER)
mailt (b) (7)(E)

UID

(b) (7)(E)

Attendee **mailt** (b) (6)
Role REQ-PARTICIPANT

CREATED
20190827T132303Z

Description
Please do NOT forward this invitation, should you require assistance with this invitation please contac (b)(6);(b)(7)(C) a (b)(6);(b)(7)(C) or
(b)(6);(b)(7)(C)

Attendees:
Deputy Commissioner Robert E. Perez
Chief Jerry “Brian” Martin
Ruynard Singleton
(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)
Kris Kobach
Rich Kaye
Mike Furey

Last Modified
20190827T134655Z

Location
Commissioner's Small Conference Room (b) (7)(E)

Sequence Number
2

Status
CONFIRMED

Summary
WBTW Meeting

Time Transparency
OPAQUE

X-MICROSOFT-CDO-ALLDAYEVENT
FALSE

X-MICROSOFT-CDO-APPT-SEQUENCE
2

X-MICROSOFT-CDO-BUSYSTATUS
TENTATIVE

X-MICROSOFT-CDO-IMPORTANCE
1

X-MICROSOFT-CDO-INSTTYPE
0

X-MICROSOFT-CDO-INTENDEDSTATUS
BUSY

X-MICROSOFT-CDO-OWNERAPPTID
(b) (7)(E)

X-MICROSOFT-DISALLOW-COUNTER
FALSE

X-MICROSOFT-DONOTFORWARDMEETING
FALSE

X-MICROSOFT-LOCATIONS
[{"DisplayName":"Commissioner's Small Conference Room

AMERICAN OVERSIGHT

","LocationAnnotation":"","LocationUri":"","LocationStreet":"","LocationCity":"","LocationState":"","Location Country":"","LocationPostalCode":"","LocationFullAddress":""}]

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, August 29, 2019 6:14 PM
To: (b)(6);(b)(7)(C)
Subject: RE: After Action Report - We Build the Wall

Thank you sir!

Fro (b)(6);(b)(7)(C)
Sent: Thursday, August 29, 2019 4:06 PM
To (b)(6);(b)(7)(C)
Subject: FW: After Action Report - We Build the Wall

This is the AAR and final barrier checklist copy for WBTW.

Respectfully,
(b)(6);(b)(7)(C)
Adjutant to Chief Jerry "Brian" Martin
Strategic Planning & Analysis Directorate
U.S. Border Patrol Headquarters
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, August 28, 2019 8:59 AM
To (b)(6);(b)(7)(C) >
Subject: FW: After Action Report - We Build the Wall

As requested.

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Tuesday, August 27, 2019 6:20 PM
To: PEREZ, ROBERT (b)(6);(b)(7)(C)
Cc: PROVOST, CARLA (USBP) (b)(6);(b)(7)(C) LUCK, SCOTT A (USBP) (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C) SINGLETON, RUYNARD R (b)(6);(b)(7)(C) HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: After Action Report - We Build the Wall

Deputy Commissioner Below please find a high level summary/after action from today's meeting with the team from We Build the Wall for your information and to share as needed.

Meeting Summary/After Action:

CBP Leadership, including Acting Commissioner (AC1) Morgan, Deputy Commissioner Perez, Directorate Chief Brian Martin, and Deputy Executive Directo (b)(6);(b)(7)(C), along with representatives of the Office of Chief Counsel sat down

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with Kris Kobach, Rich Kaye and Mike Fury of We Build the Wall (WBTW) to discuss the privately funded wall project recently completed in Sunland Park, New Mexico.

AC1 Morgan started the meeting by thanking the WBTW for having the meeting and for their positive interaction they have had with CBP. AC1 Morgan provided insight into the enhanced safety WBTW's project provides for the Border Patrol Agents working in that area. WBTW informed CBP of the challenges they went through with the initial "go fund me" process, and the ongoing challenges relating to the land acquisition process.

U.S. Border Patrol (USBP) representatives outlined the results of the operational assessment that was conducted on the project and identified some areas of concern and other approaches USBP takes when undertaking similar projects. WBTW representatives asked for clarification on what a donation offer would need to look like and whether CBP would be amenable to acceptance if an offer were made. Deputy Commissioner Perez expressed that CBP is interested in exploring all available options if an offer were made.

WBTW asked further questions about USBP priorities and border wall system specifications. WBTW asked if CBP would be open to considering a proposal for a project in th (b) (7)(E) New Mexico) area. CBP communicated that we would consider proposals if they were submitted. WBTW asked about specific timeframes regarding the proposal, and was informed that specific timelines are difficult at this stage of the process and that CBP would need the proposal to evaluate first. WBTW indicated that they are exploring projects in the following areas:

- (b) (7)(E)

The meeting concluded on a positive note with WBTW being provided the USBP Barrier Checklist (attached) and expressed a desire for further communication. CBP will reach out to WBTW for follow up in 2-3 weeks.

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 4:00 PM
To: (b)(6);(b)(7)(C)
Subject: FW: Senator Cramer Meeting
Attachments: Senator Cramer Border Wall Paper v [redacted] 11062019.docx

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobil (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 12:44 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C) >; BORDERWALLTASKS (b) (7)(E)
Subject: RE: Senator Cramer Meeting

(b)(6);(b)(7)(C)
Attached is the paper we submitted for AS1's meeting with Senator Cramer back in July.
I made a few updates but I know there have been some additional comms, do you have that info?
Is this what you had in mind?
Thanks!

(b)(6);(b)(7)(C)
Senior Communications Analyst
Agile Group
Border Wall Program Management Office
Program Management Office Directorate
United States Border Patrol
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 11:42 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: Senator Cramer Meeting

We've already got content on this tha (b)(6);(b)(7)(C) put together but we need to dust it of (b)(6);(b)(7)(C) should know where most of it is.

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

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Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b) (6)
Sent: Wednesday, November 6, 2019 11:36 AM
To (b) (6) (b)(6);(b)(7)(C)
Cc (b) (6) >
Subject: Senator Cramer Meeting

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

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

Please Let me know if I need to plug in other people.

(b) (6)

(b) (6)
Advisor to the Under Secretary of Strategy, Policy & Plans
U.S. Department of Homeland Security
Office (b) (6)
Cell (b) (6)

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ACTING SECRETARY MEETING WITH U.S. SENATOR KEVIN CRAMER (R-ND)
BORDER WALL UPDATE
November 7, 2019

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

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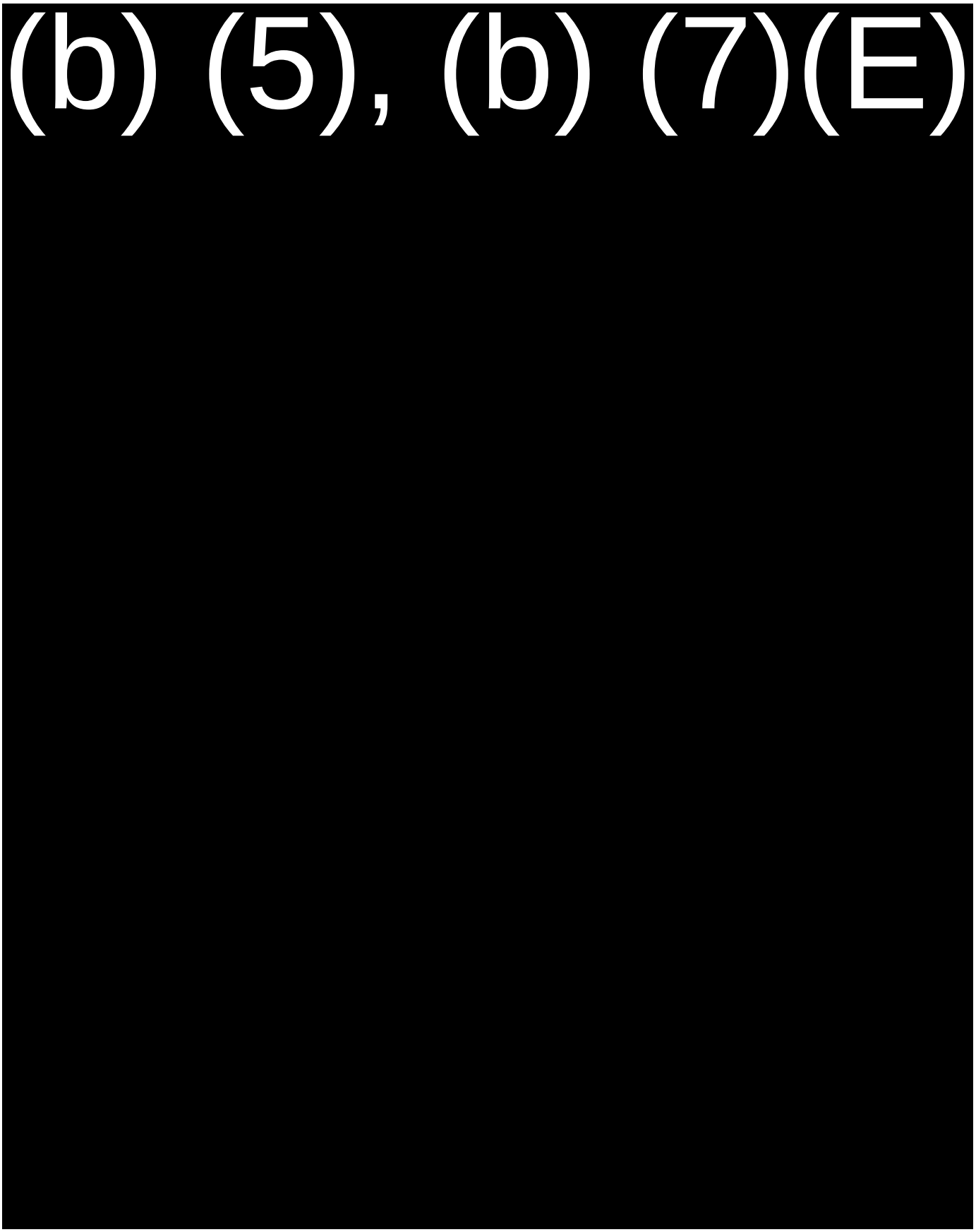
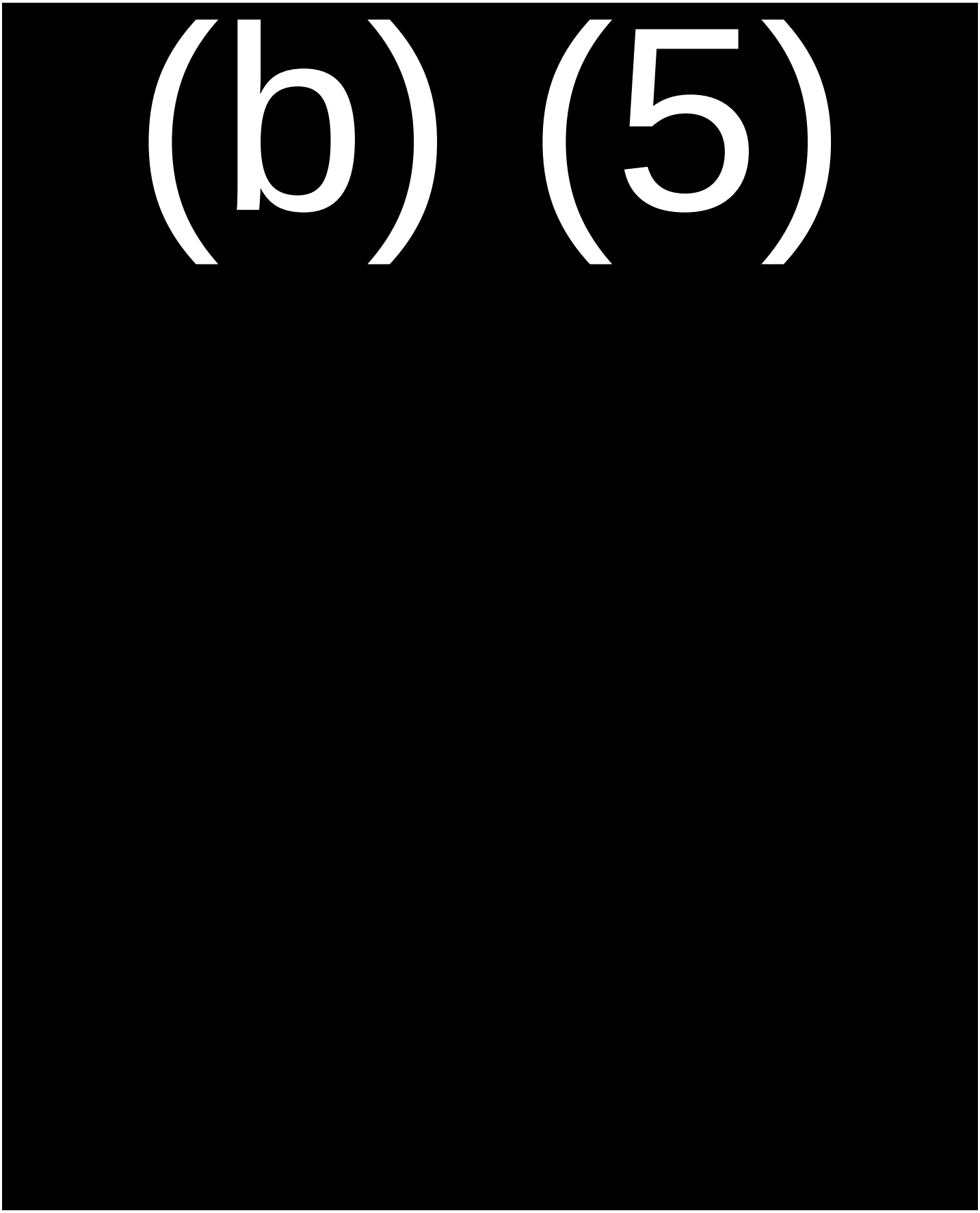
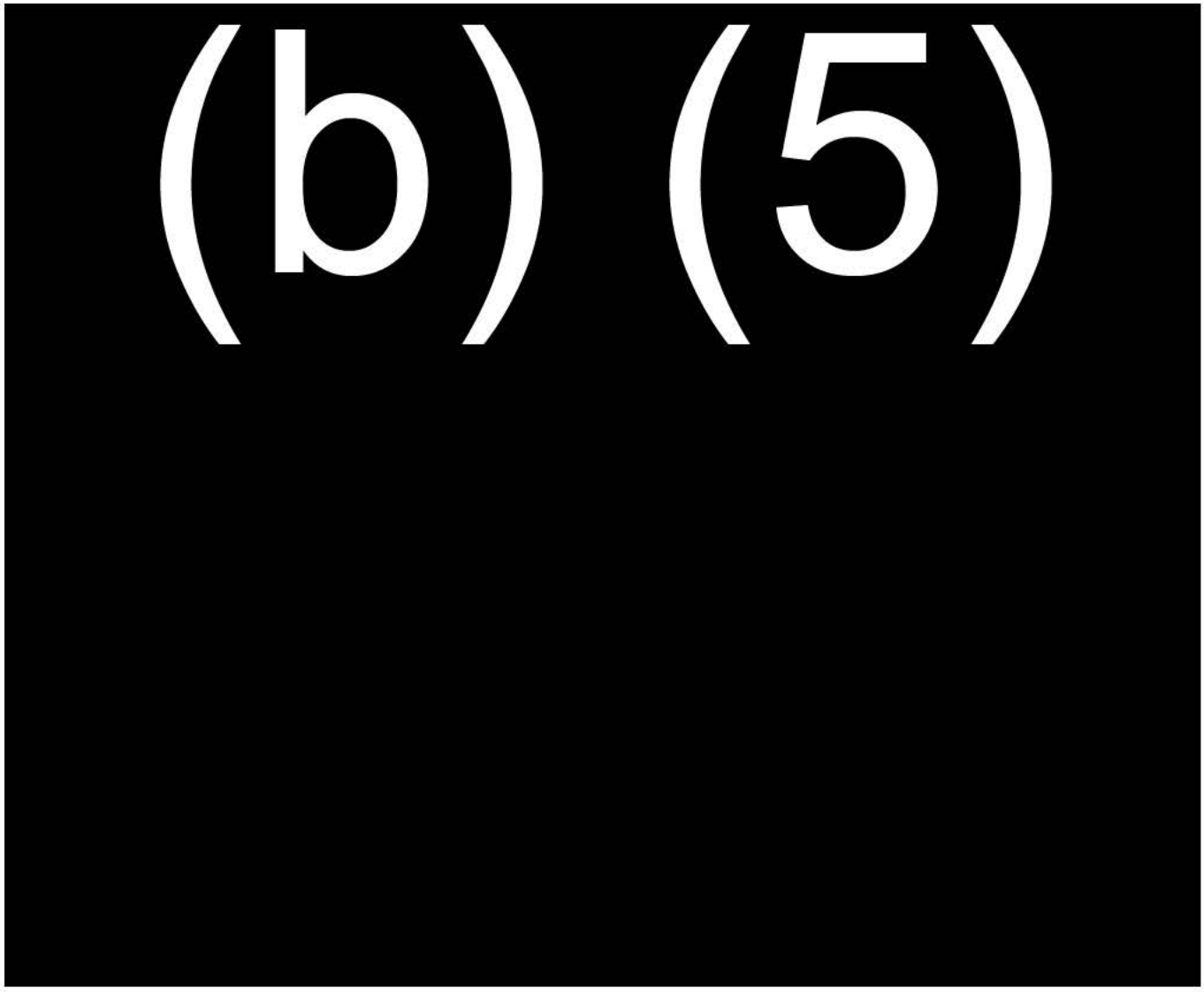


AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



Staff Responsibl (b)(6);(b)(7)(C) Deputy Executive Director, SPAD, U.S. Border Patrol, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 4:01 PM
To: (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

Respectfully,
(b)(6);(b)(7)(C)
Chief of Staff
Laredo Field Office
(b)(6);(b)(7)(C)

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Tuesday, November 5, 2019 10:12 AM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

ADF (b)(6);(b)(7)(C), P (b)(6);(b)(7)(C) DP (b)(6);(b)(7)(C) and company,

I wanted to give a heads up that U.S. Border Patrol Laredo Sector advised that they will not be able to support the Breitbart ridealong next Tuesday, as Chief of the Border Patrol Carla Provost will be in Laredo Nov. 12-14 and there will be an ACTT meeting around the same timeframe and they will not be able to support both endeavors and are asking if the Breitbart visit can be pushed back to the following week.

As I'm writing this, HQ OPA mgmt. has been advised and since Breitbart's travel plans are already set, the recommendation from HQ OPA mgmt. is to keep the rest of schedule next week in Laredo (AMO in the morning, WTB in the afternoon on Nov. 13) and RGV (Nov. 14-15 as is and instead of going to tour Laredo Sector Border Patrol on Tuesday, Nov. 12 to go to Eagle Pass Station/Del Rio Sector Border Patrol AOR instead.

We will be checking with Breitbart and with Del Rio Sector Border Patrol PAO to see if they can support this last-minute change.

I will circle back with any new developments.

Thanks,

(b)(6);(b)(7)(C)
Public Affairs Officer
Office of Public Affairs-Media Division
U.S. Customs and Border Protection

AMERICAN OVERSIGHT

Laredo, TX
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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http://www.cbp.gov/newsroom

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Tuesday, November 5, 2019 9:04 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: Breitbart update

After meeting with Sector leadership yesterday, is there any possible way we can move the Breitbart tour to the following week?

USBP Laredo Sector will NOT be able to participate in the border tour, unfortunately we have B1 coming to Laredo Sector the same time and an ACTT meeting on the same week/days allocating all available resources and manpower to those days which are the same days as Breitbart being here.

We do apologize but unfortunately it is not physically possible to conduct a media border tour and interviews due to schedule conflicts. I kno (b)(6);(b)(7) mentioned he can staff the line tour but we do not have any agents assigned to PAO that can conduct the line tour as they will be at the B1 tour.

Our manpower at Laredo Sector PAO is very minimal at the present time.

Please let me know if you have further questions.

(b)(6);(b)(7)(C)
Public Affairs Officer
Office of Public Affairs-Media Division
Assigned to

207 W. Del Mar Blvd.
Laredo, Texas, 78040
Office: (b)(6);(b)(7)(C)
Text (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Monday, November 4, 2019 4:18 PM
To (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

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

Here below is the itinerary for the Breitbart full meal deal ridealong in Laredo next week.

(b)(6);(b)(just touched base with the Breitbart Produce (b) (6) today to make sure everything is still moving forward and they are planning to come down next week and everything is already locked down as far as their travel.

I understand it was learned just this weekend that B-1 will be arriving in Laredo on Nov. 12 but please advise that we will be able to still proceed with the Laredo Sector part of this ridealong. I will help staff the Breitbart tour a (b)(6);(b)(7)(and other staff tends to the B-1 visit.

AMO PA (b)(6);(b)(7)(C) is locking down the AMO Air Support request for the helicopter ridealong for Nov. 13 within Laredo Air Branch AOR.

Thanks,

(b)(6);(b)(7)(C)
Public Affairs Officer
Office of Public Affairs-Media Division
U.S. Customs and Border Protection
Laredo, TX
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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Itinerary for Laredo Portion of Breitbart Texas visit:

Day One Laredo, Tuesday, Nov. 12, 2019

Morning
Meet and greet with CP (b)(6);(b)(7)(C) at Laredo Sector Border Headquarters Interview with CP (b)(6);(b)(7)(C) or designee

Ridealong to show the existing fencing near Laredo College and then out to Laredo West AOR where the proposed Border Wall project within Laredo Sector AOR would be built. Perhaps an interview with a USBP official on the need for border wall system tactical infrastructure, how it will help agents on the ground, funnel traffic to chokepoint areas where agents are pre-positioned and can respond to it.

Afternoon

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Additional ridealong component to show a typical stash house and have a USBP SME speak to the increase in stash houses cases. Include a run up the IH-35 checkpoint, where the increase in tractor trailer cases can be discussed, efforts to evade, walk around the checkpoint, bailouts, heat exposure dangers, rescues could also be highlighted.

Day Two Laredo, Wednesday, Nov. 13, 2019

Morning
Ridealong with AMO Laredo Air Branch (weather permitting) Show the role AMO plays in providing top cover, illustrating the challenges of terrain, lack of border wall system infrastructure, AMO role in rescues, surveillance work with enforcement partners (HSI, DEA, ATF, etc).

Afternoon
Overview of the volume of trade processed by CBP at Laredo Port of Entry, the efforts to facilitate secure trade through the FAST lanes donation acceptance program project, the narcotics threat faced in cargo environment, the other laws enforcement in the trade environment including IPR and agriculture inspection.

-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Monday, November 4, 2019 11:28 AM
To (b) (6) Brandon Darb (b) (6) (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: Breitbart update

ALCON

Just got off the phone wit (b) (6) from Breitbart was trying to confirm everything for next week. looks like in the RGV they will be here Thursday and Friday with border patrol and Air and marine operations involvement.

Sent from my iPhone

(b)(6);(b)(7)(C)
Public Affairs Officer
Rio Grande Valley-Texas
Office of Public Affairs-Media Division
US Customs and Border Protection
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Subject: Breitbart update

Start: Wed 11/13/2019 3:00 PM
End: Wed 11/13/2019 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 3:01 PM
To (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

Respectfully,
(b)(6);(b)(7)(C)
Chief of Staff
Laredo Field Office
(b)(6);(b)(7)(C)

-----Original Message-----
From (b)(6);(b)(7)(C) >
Sent: Tuesday, November 5, 2019 10:12 AM
To: (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

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Public Affairs Officer
Office of Public Affairs-Media Division
U.S. Customs and Border Protection
Laredo, TX
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)
Public Affairs Officer
Office of Public Affairs-Media Division
Assigned to

207 W. Del Mar Blvd.
Laredo, Texas, 78040
Offic : (b)(6);(b)(7)(C)
Text (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)
Public Affairs Officer
Office of Public Affairs-Media Division
U.S. Customs and Border Protection
Laredo, TX
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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-----Original Message-----
From (b)(6);(b)(7)(C)
Sent: Monday, November 4, 2019 11:28 AM
To (b) (6) Brandon Darb (b) (6) (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: Breitbart update

ALCON

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Sent from my iPhone

(b)(6);(b)(7)(C)
Public Affairs Officer
Rio Grande Valley-Texas
Office of Public Affairs-Media Division
US Customs and Border Protection
(b)(6);(b)(7)(C)

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Subject: P (b)(6);(b)(7)(C), PAO (b)(6);(b)(7)(C): Breitbart Tour
Location: Laredo POE (WTB)

Start: Wed 11/13/2019 3:00 PM
End: Wed 11/13/2019 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: (b)(6);(b)(7)(C)
Required Attendees: (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 3:01 PM
To (b)(6);(b)(7)(C)
Subject: FW: Breitbart update

Respectfully,

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

Chief of Staff

Laredo Field Office

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

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

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

Sent: Tuesday, November 5, 2019 10:12 AM

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

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

AMERICAN OVERSIGHT

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

Subject: FW: Breitbart update

ADFO (b)(6);(b)(7)(C), P (b)(6);(b)(7)(C), DPD (b)(6);(b)(7)(C) and company,

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I will circle back with any new developments.

Thanks,

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

Public Affairs Officer

Office of Public Affairs-Media Division

U.S. Customs and Border Protection

Laredo, TX

AMERICAN OVERSIGHT

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

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

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

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

Sent: Tuesday, November 5, 2019 9:04 AM

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

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

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

Public Affairs Officer

Office of Public Affairs-Media Division

Assigned to

207 W. Del Mar Blvd.

Laredo, Texas, 78040

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

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

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AMERICAN OVERSIGHT

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Thanks,

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Public Affairs Officer

Office of Public Affairs-Media Division

U.S. Customs and Border Protection

Laredo, TX

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

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

AMERICAN OVERSIGHT

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Afternoon

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Day Two Laredo, Wednesday, Nov. 13, 2019

Morning

AMERICAN OVERSIGHT

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Sent: Monday, November 4, 2019 11:28 AM

To (b) (6) Brandon Darb (b) (6) (b)(6);(b)(7)(C)

Cc (b)(6);(b)(7)(C) >

Subject: Breitbart update

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Sent from my iPhone

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

Public Affairs Officer

AMERICAN OVERSIGHT

Rio Grande Valley-Texas

Office of Public Affairs-Media Division

US Customs and Border Protection

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

AMERICAN OVERSIGHT

Subject: CANCELED - PD A [redacted], PA [redacted]: Breitbart Tour
Location: Laredo POE (WTB)

Start: Wed 11/13/2019 3:00 PM
End: Wed 11/13/2019 3:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: [redacted].
Required Attendees: [redacted]

CANCELED (due to weather); will be rescheduled at a later time.

From [redacted]>
Sent: Wednesday, November 6, 2019 3:01 PM
To [redacted]
Subject: FW: Breitbart update

Respectfully,

[redacted]

Chief of Staff

Laredo Field Office

[redacted]

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

From [redacted]

Sent: Tuesday, November 5, 2019 10:12 AM

To: [redacted]

AMERICAN OVERSIGHT

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

Subject: FW: Breitbart update

ADF (b)(6);(b)(7)(C) P (b)(6);(b)(7)(C), DP (b)(6);(b)(7)(C) and company,

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Public Affairs Officer

Office of Public Affairs-Media Division

AMERICAN OVERSIGHT

U.S. Customs and Border Protection

Laredo, TX

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

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Please let me know if you have further questions.

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Public Affairs Officer

Office of Public Affairs-Media Division

Assigned to

207 W. Del Mar Blvd.

Laredo, Texas, 78040

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

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

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AMERICAN OVERSIGHT

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Public Affairs Officer

Office of Public Affairs-Media Division

AMERICAN OVERSIGHT

U.S. Customs and Border Protection

Laredo, TX

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

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AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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

Public Affairs Officer

Rio Grande Valley-Texas

Office of Public Affairs-Media Division

US Customs and Border Protection

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

AMERICAN OVERSIGHT

Subject: P (b)(6);(b)(7)(C), PA (b)(6);(b)(7)(C): Breitbart Tour
Location: Laredo POE (WTB)

Start: Wed 11/13/2019 3:00 PM
End: Wed 11/13/2019 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: (b)(6);(b)(7)(C)
Required Attendees: (b)(6);(b)(7)(C)

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AMERICAN OVERSIGHT

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Office of Public Affairs-Media Division

U.S. Customs and Border Protection

Laredo, TX

AMERICAN OVERSIGHT

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

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Office of Public Affairs-Media Division

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207 W. Del Mar Blvd.

Laredo, Texas, 78040

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U.S. Customs and Border Protection

Laredo, TX

AMERICAN OVERSIGHT

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AMERICAN OVERSIGHT

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Sent: Monday, November 4, 2019 11:28 AM

To [redacted] Brandon Darb [redacted]

Cc [redacted]

Subject: Breitbart update

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Sent from my iPhone

[redacted]

AMERICAN OVERSIGHT

Public Affairs Officer

Rio Grande Valley-Texas

Office of Public Affairs-Media Division

US Customs and Border Protection

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

AMERICAN OVERSIGHT

From: Brandon Darb [redacted] >
Sent: Wednesday, November 6, 2019 7:23 PM
To: [redacted]
Cc: [redacted]
Subject: Re: Breitbart crew

Brandon Michael Darby, Director Breitbart Border and Cartel Chronicles

[redacted] Breitbart Chief Operations Officer

[redacted], Breitbart Video Producer

[redacted], Breitbart Editor-in-Chief

[redacted], Breitbart Journalist

[redacted], Breitbart Journalist

[redacted], SiriusXM Producer

[redacted], SiriusXM Producer

[redacted], Breitbart Journalist

Brandon Darby

> On Nov 6, 2019, at 3:12 P [redacted] >
> wrote:
>
> Brandon Michael Darby
> [redacted]
>
> [redacted]
>
> [redacted]
>
> [redacted]
>
> [redacted]
>
> [redacted]
> [redacted]
> [redacted]

AMERICAN OVERSIGHT

Sent: Thursday, November 7, 2019 8:59 AM
To: Brandon Darby
Cc: (b) (6) (b) (6), (b) (7)(C))
Subject: JTF-W Director Manuel Padilla Jr.

Brandon,

Happy Thursday to you.

Following up and to confirm things for Monday. We have you scheduled to be here on Monday, Nov. 11 at 10 a.m. to set up your equipment for an on-camera interview with Director Padilla once set-up is complete estimated to be about 45 minutes.

How many people are coming here for the interview, and what are their names?

Also, confirming you are doing the interview yourself, correct?

Our address is 1400 East Grayson Street, San Antonio, Texas, 78208. You can park directly in front of the building, as that is where I will meet you upon your arrival and escort you into our facility. The interview will be conducted in Director Padilla's office

(b) (6), (b) (7)(C)
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

From: Brandon Darb (b) (6)
Sent: Monday, October 28, 2019 9:57 AM
To (b) (6), (b) (7)(C) >
C (b) (6) (b) (6), (b) (7)(C) >
Subject: Re: JTF-W Director Manuel Padilla Jr.

AMERICAN OVERSIGHT

Good Morning [redacted].

We are hoping to discuss transnational criminal organizations' reach into Texas, the role that immigration policies and asylum policies play in that, and also the role that direct border security efforts play in challenging such groups.

Our focus will largely be related to the dominant groups that operate in his area of responsibility. Again, the heavy focus will be the reach of such groups into Texas and US as a whole.

Thank you,

Brandon Darby

[redacted]

On Oct 28, 2019, at 9:47 AM [redacted] wrote:

Good morning.

Hello from Joint Task Force-West [redacted] from U.S. Customs and Border Protection's Office of Public Affairs passed along your e-mail addresses with your request to interview Joint Task Force-West Director Manuel Padilla Jr. I will help facilitate that interview for you on Nov. 11, 2019 at Joint Task Force-West headquarters in San Antonio.

I have a couple of questions for you regarding the intervie [redacted] mentioned you're coming to Texas to visit Laredo and the Rio Grande Valley concentrating on the Border Wall construction. Is that also your focus for Director Padilla as well? Is there anything else you're wanting to concentrate on? Also, I was told Mr. Padilla's interview will be for radio, but I understand you'll have a video crew with you. Are your intentions to do an on-camera interview with Director Padilla?

I look forward to working with you in the near future.

Respectfully,

[redacted]
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office [redacted]
Cell [redacted]

<image001.png>

AMERICAN OVERSIGHT

From: Brandon Darb [redacted] >
Sent: Thursday, November 7, 2019 4:27 PM
To: [redacted]
Cc: [redacted]
Subject: Re: Breitbart visit to RGV

[redacted]

Thank you so much for your time today and for sending these materials our way. We will review them.

Brandon Darby

On Nov 7, 2019, at 3:17 PM [redacted] > wrote:

Brandon,

Thanks for the call today. Please do not hesitate to reaching out when putting your story together. I am happy to help expand on AMO.

I have attached two documents. One gives the varying identifying titles, the other is a bit about AMO's mission

Let me know if you need anything else.

[redacted]
Management and Program Analyst
Communications Team
Air and Marine Operations
Desk [redacted]
Cell [redacted]

<Component identifierv2.pdf>
<PPT-1-Pager_06-27-19.pdf>

AMERICAN OVERSIGHT

Sent: Tuesday, November 12, 2019 7:48 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: ASR Breitbart November 15, 2019.docx

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

AMO HQ and SWR recommends approval of the below media ASR for McAllen AMB, November 15th. Breibart news Correspondent Brandon Darby and crew will participate in a border orientation flight of the Rio Grande Valley. Breibart news will highlight the unique skill set and contributions AMO Agents use to the border security mission.

CBP Air and Marine Aviation Support Request

Type of Aviation Support Request: Aviation operational ride along request

Mission Description: Provide an operational aviation ride along to Correspondent Brandon Darby of Breitbart and crew. They are requesting an AMO ride along IOT to show their National viewers a seldom scene perspective of the south Texas border and the Rio Grande Valley. Their focus will be the specific skill sets and contributions to the border security agent's use in their daily duties. Principal interview request during and after flight. Recommend DAO or DDAO for interviews.

Requester: (b)(6);(b)(7)(C) MCAMB PAO (b)(6);(b)(7)(C) CBP PAO
Mobile Phone: (b)(6);(b)(7)(C)

Date of Request: 11/6/19

Date of Execution: 11/15/19

Number of Participants: 4-5

Individual Names of Participants:

1. Brandon Darby Correspondent
2. TBD-Videographer
3. (b) (6) Producer
4. TBD- Sound
5. (b)(6);(b)(7)(C)-CBP PA (b)(6);(b)(7)(C))

Type Aircraft Requested: AS-350 Astar (b) (7)(E)

Cost of Mission: Will be conducted during operational mission. No additional cost will be incurred

Length of Mission: 3-4 hrs. (Approximately)

Area of Operation: RGV AOR

AMERICAN OVERSIGHT

Justification for Aviation Support Request: The AMO air assets are going to provide an operational view of Air and Marine Operation's rescue and border security mission. The flights will be performed during regularly scheduled missions. These flights will provide the reporter and videographer a different perspective of the border security mission and allow them to highlight the unique skillset AMO agents use on a daily basis and share with their national audience.

DAO Recommendation for Approval (Y or N): **Y**

DAO Comments:

SPC Director for Approval: Y

Operational Impact: None

Point of Contact: (b)(6);(b)(7)(C), AMA PAO, AMO McAllen **Office:** (b)(6);(b)(7)(C)

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

(b)(6);(b)(7)(C)
Supervisory Air and Marine Agent
U.S. Customs and Border Protection
Air and Marine Operations, Headquarters
1300 Pennsylvania Ave NW (b)(6);(b)(7)(C)
Washington, DC 20229
(b)(6);(b)(7)(C)
w (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 3:15 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: FW: ASR Breitbart November 15, 2019.docx

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

SWR recommends approval of McAMB ASR in connection to an aviation operational ride along request for Breitbart News. The crew will start the week with Director Padilla at JTF-West followed by Laredo, Del Rio and Eagle pass before coming to the RGV on November 14-15, 2019. They will be conducting ride alongs with BP, AMO and Riverine in Laredo and Del Rio. We have them scheduled for a BP ride along and riverine for the 14th and would like to request an AMO operational ride along for the 15th.

The AMO air assets are going to provide an operational view of Air and Marine Operation's rescue and border security mission. The flights will be performed during

AMERICAN OVERSIGHT

regularly scheduled missions. These flights will provide the reporter and videographer a different perspective of the border security mission and allow them to highlight the unique skillset AMO agents use on a daily basis and share with their national audience.

Passengers:

1. Brandon Darby– Correspondent
2. TBD-Videographer
3. (b) (6) Producer
4. TBD- Sound
5. (b)(6);(b)(7)(C)-CBP PA (b)(6);(b)(7)(C)

V/R,

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

(b)(6);(b)(7)(C)
DHS-CBP Air and Marine Operations
Southwest Region Staff
7301 Boeing Drive
El Paso, TX 79925
(b)(6);(b)(7)(C) *(Cell)*
(b)(6);(b)(7)(C) *(Office)*

From (b)(6);(b)(7)(C) >
Sent: Wednesday, November 6, 2019 1:00 PM
To (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
>
Subject: RE: ASR Breitbart November 15, 2019.docx

SWR concurs and recommends approval, please forward to HQ for routing

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

From (b)(6);(b)(7)(C) >
Sent: Wednesday, November 6, 2019 12:52 PM
To
Cc (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

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

Subject: FW: ASR Breitbart November 15, 2019.docx

Sir,

For your review concurrence. Please see locally approved McAMB Media ASR in connection to an aviation operational ride along request for Breitbart News. The crew will start the week with Director Padilla at JTF-West followed by Laredo, Del Rio and Eagle pass before coming to the RGV on November 14-15, 2019. They will be conducting ride alongs with BP, AMO and Riverine in Laredo and Del Rio. We have them scheduled for a BP ride along and riverine for the 14th and would like to request an AMO operational ride along for the 15th.

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Passengers:

1. Brandon Darby– Correspondent
2. TBD-Videographer
3. (b) (6) Producer
4. TBD- Sound
5. (b)(6);(b)(7)(C)-CBP PA (b)(6);(b)(7)(C))

V/R,

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

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

and Marine Operations
Southwest Region Staff
7301 Boeing Drive
El Paso, TX 79925
(b)(6);(b)(7)(C) *(Cell)*
(Office)

AMERICAN OVERSIGHT

From (b)(6);(b)(7)(C) >
Sent: Wednesday, November 6, 2019 12:09 PM
To (b)(6);(b)(7)(C)
Cc: AMO MCA OP (b) (7)(E)
Subject: FW: ASR Breitbart November 15, 2019.docx

For approval.

(b)(6);(b)(7)(C)
Deputy Director, Air Operations
McAllen Air and Marine Branch
(b)(6);(b)(7)(C) office
cell

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 12:42 PM
T (b)(6);(b)(7)(C)
C
Subject: ASR Breitbart November 15, 2019.docx

ALCON,

Please see attached ASR for Breitbart News. The crew will start its week with Director Padilla at JTF-West followed by Laredo, Del Rio and Eagle pass before coming to the RGV on November 14-15, 2019. They will be doing ride alongs with BP, AMO and Riverine in Laredo and Del Rio. We have them scheduled for a BP ride along and riverine for the 14th and would like to request an AMO operational ride along for the 15th.

CBP Air and Marine Aviation Support Request

Type of Aviation Support Request: Aviation operational ride along request

Mission Description: Provide an operational aviation ride along to Correspondent Brandon Darby of Breitbart and crew. They are requesting an AMO ride along IOT to show their National viewers a seldom scene perspective of the south Texas border and the Rio Grande Valley. Their focus will be the specific skill sets and contributions to the border security agent's use in their daily duties. Principal interview request during and after flight. Recommend DAO or DDAO for interviews.

Requester: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) CBP PAO
Mobile Phone: (b)(6);(b)(7)(C)

Date of Request: 11/6/19

Date of Execution: 11/15/19

Number of Participants: 4-5

Individual Names of Participants:

1. Brandon Darby Correspondent

AMERICAN OVERSIGHT

2. TBD-Videographer
3. (b) (6) Producer
4. TBD- Sound

(b)(6);(b)(7)(C)-CBP PAO (b)(6);(b)(7)(C))

Type Aircraft Requested: AS-350 Astar (b) (7)(E)

Cost of Mission: Will be conducted during operational mission. No additional cost will be incurred

Length of Mission: 3-4 hrs. (Approximately)

Area of Operation: RGV AOR

Justification for Aviation Support Request: The AMO air assets are going to provide an operational view of Air and Marine Operation's rescue and border security mission. The flights will be performed during regularly scheduled missions. These flights will provide the reporter and videographer a different perspective of the border security mission and allow them to highlight the unique skillset AMO agents use on a daily basis and share with their national audience.

DAO Recommendation for Approval (Y or N): **Y**

DAO Comments:

Operational Impact: None

Point of Contact: (b)(6);(b)(7)(C), AMA PAO, AMO McAllen **Office:** (b) (6)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, November 8, 2019 9:24 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Breitbart crew

See highlighted below.
We should probably get confirmation of what the exact number of people is for logistics purposes…

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 6, 2019 4:12 PM
To: Brandon Darby (b) (6) >
Cc (b) (6) (b) (6) (b)(6);(b)(7)(C)
Subject: RE: Breitbart crew

Can we get their titles? Thanks!

Brandon Michael Darby
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)
(b) (6)

From: Brandon Darby (b) (6) >
Sent: Wednesday, November 6, 2019 3:13 PM
To (b)(6);(b)(7)(C)
Cc (b) (6) (b) (6) (b)(6);(b)(7)(C)
Subject: Re: Breitbart crew

Just to be safe, might be good to add:

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

On Nov 6, 2019, at 10:52 AM (b)(6);(b)(7)(C) .gov> wrote:

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Is this the full group? Anyone else? Anyone new or changed? And could we get titles for each person? For example I kno (b) (6) are XM radio, but not sure what their title would be. I appreciate it!

(b) (6)

(b) (6)

Brandon Michael Darby

(b) (6)

(b) (6)

(b) (6)

(b) (6)

From (b) (6) (b) (6)
Sent: Wednesday, November 6, 2019 9:25 AM
To (b)(6);(b)(7)(C)
Cc: Brandon Darb (b) (6)
Subject: Re: Breitbart itinerary

Thank you (b)(6);(b)(7)(C)

Our team is very excited about next week. Appreciate all your help facilitating

(b) (6)

Sent from my iPhone

AMERICAN OVERSIGHT

On Nov 6, 2019, at 6:16 AM [redacted] wrote:

Day Monday, Tuesday, Nov. 11, 2019

Time 10 a.m. show time for set up/10:45 a.m. interview
POC [redacted]
Address: 1400 East Grayson Street, San Antonio, Texas 78208

Interview with Director Manny Padilla of JTF-W

Day One Eagle Pass, Tuesday, Nov. 12, 2019

Morning
Time: 10:00am
POC [redacted]
Address: Meet at Shelby Park boat ramp [redacted]

Boat Ride on Rio Grande in Eagle Pass area. Interview with Sector designee (TBD).

Afternoon
Ride along in northern part of Eagle Pass AOR Quemado/Normandy areas. Interview with Sector designees and SMEs (TBD)

Day Two Laredo, Wednesday, Nov. 13, 2019

Morning
Time: 9:00 a.m.
POC [redacted]
Address: Air and Marine Operations, Laredo Air Branch, 5203 Maher Ave., Hangar #3, Laredo, TX 78041

Ridealong with AMO Laredo Air Branch (weather permitting)
Show the role AMO plays in providing top cover, illustrating the challenges of terrain, lack of border wall system infrastructure, AMO role in rescues, surveillance work with enforcement partners (HSI, DEA, ATF, etc).

Afternoon
Time: 2:00 p.m.
POC [redacted]
Address: World Trade Bridge, meet at the parking lot adjacent to the Import lot exit gate, take Interstate 35 to Loop 20 toward World Trade Bridge, as you see the

AMERICAN OVERSIGHT

trucks exit the import on your left, turn left at the cut in the median and park at the parking lot adjacent to the exit gate right there.

Overview of the volume of trade processed by CBP at Laredo Port of Entry, the efforts to facilitate secure trade through the FAST lanes donation acceptance program project, the narcotics threat faced in cargo environment, the other laws enforcement in the trade environment including IPR and agriculture inspection.

--In RGV crew will be escorted at all times by CBP PA (b)(6);(b)(7)(C) and/or USBP PAO team member.

Day One Rio Grande Valley Thursday, Nov. 14, 2019

Morning
Time: 5:00am
POC: CBP PA (b)(6);(b)(7)(C)
Address: 3000 West Military Highway McAllen, Texas

Meet and greet at the McAllen Border Patrol Station for operational ride along in the MCS AOR.
Operational ridealong in Zone (b)(7)(E). PAO team will monito (b) (7)(E) (b) (7)(E) and respond to traffic.

Afternoon
Time: 12:00-1:00pm
Address: Meet at Anzalduas park or Chimney park boat ramp for operational ridealong with the USBP Riverine Unit..

Day Two Rio Grande Valley, Friday, Nov. 15, 2019

Morning
Time: 7:30am
POC: CBP PA (b)(6);(b)(7)(C)
Address: Crew will be escorted from hotel to the Air Branch

Ridealong with AMO McAllen Air Branch IOT showcase AMO unique skill set it bring to the border security equation. This will provide Breitbart customers a seldom seen perspective of the US -Mexico border in the Rio Grande Valley This will also afford them the opportunity to discuss the AMO role in rescues, and its investigative unit at the air branch.

Afternoon TBD after flight and RGV leadership availability Principal interview at Sector Headquarters with RGV leadership regarding current trends and challenges that the RGV is seeing on a daily basis.

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

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Public Affairs Specialist
U.S. Customs and Border Protection
Washington, DC HQ
Office (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

Sent: Friday, November 15, 2019 4:21 PM
To: BORDERWALLTASKS
Cc: [redacted]
Subject: FW: Timely CNN query on We Build the Wal group

Anything we can say here? Short fuse on this

From [redacted]@cnn.com>
Sent: Friday, November 15, 2019 4:09 PM
To: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Cc [redacted]
Subject: Timely CNN query on We Build the Wall group

Hello,

I'm reaching out regarding claims by We Build The Wall a private group led by Brian Kolfage, that they're in coordination with Customs and Border Protection to build barriers along the southern border.

According to Kolfage, the group is finalizing paperwork with DHS and Border Patrol to work on projects on federal land to install new wall and fix existing portions.

Is CBP aware of the construction underway in RGV by this group? Has Border Patrol been in touch with Kolfage and is the agency finalizing paperwork with the We Build the Wall group?

My deadline is 5 p.m. Feel free to also reach me a [redacted].

Best,

[redacted]

[redacted]
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp [redacted]
[redacted]@cnn.com

AMERICAN OVERSIGHT

Sent: Friday, November 15, 2019 4:52 PM
To: MARTIN, JERRY B
Cc: KARISCH, RODOLF (b)(6);(b)(7)(C)
Subject: WBTW
Attachments: FW: Dinner and Tour Request with We Build The Wall Staff

Chief,
Please see attached.

(b)(6);(b)(7)(C)
Division Chief
Law Enforcement Operational Programs
Rio Grande Valley Sector
United States Border Patrol
(b)(6);(b)(7)(C) office
(b)(6);(b)(7)(C) iPhone

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, November 15, 2019 5:41 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: Timely CNN query on We Build the Wal group

Should we handle or defer to DHS?

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

From (b)(6);(b)(7)(C)
Sent: Friday, November 15, 2019 5:37 PM
To (b)(6);(b)(7)(C)
Cc
Subject: Fwd: Timely CNN query on We Build the Wal group

(b) (5)

Sent from my iPhone

Begin forwarded message:

> **From** (b) (6) @cnn.com>
> **Date:** November 15, 2019 at 5:13:47 PM EST
> **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> **Cc:** (b)(6);(b)(7)(C)
> **Subject: Re: Timely CNN query on We Build the Wall group**
>
> Hello,
>
> Checking back in on this.
>
> (b) (6)
>
> (b) (6)
> Immigration Reporter, CNN Politics
> Cell, Signal, WhatsApp (b) (6)
> (b) (6)
>
> ---
>
> **From** (b) (6) @cnn.com>
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> **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> **Cc** (b) (6), (b) (7)(C) >
> **Subject:** Timely CNN query on We Build the Wall group
>
> Hello,

AMERICAN OVERSIGHT

I'm reaching out regarding claims by We Build The Wall a private group led by Brian Kolfage that they're in coordination with Customs and Border Protection to build barriers along the southern border.

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My deadline is 5 p.m. Feel free to also reach me a (b) (6).

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) @cnn.com

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
Sent: Friday, November 15, 2019 5:42 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Timely CNN query on We Build the Wall group

I just sent it to them. I think first time I saw it was whe (b) (6), (b) (7)(C) just added me. If I got it earlier it completely slipped by me.

(b) (6),

From (b) (6), (b) (7)(C)
Sent: Friday, November 15, 2019 5:40 PM
To (b) (6), (b) (7)(C)
Cc (b) (6), (b) (7)(C)
Subject: Re: Timely CNN query on We Build the Wall group

Nothing from wall team?

Sent from my iPhone

On Nov 15, 2019, at 5:37 P (b) (6), (b) (7)(C) > wrote:

> Maybe Route to DHS public affairs.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From** (b) (6) @cnn.com>
> **Date:** November 15, 2019 at 5:13:47 PM EST
> **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> **Cc:** (b) (6), (b) (7)(C) >
> **Subject: Re: Timely CNN query on We Build the Wall group**
>
> Hello,
>
> Checking back in on this.
>
> (b) (6)
>
> (b) (6)
> Immigration Reporter, CNN Politics
> Cell, Signal, WhatsApp (b) (6)
> (b) (6)

AMERICAN OVERSIGHT

From [redacted]@cnn.com>
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Cc [redacted]
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Is CBP aware of the construction underway in RGV by this group? Has Border Patrol been in touch with Kolfage and is the agency finalizing paperwork with the We Build the Wall group?

My deadline is 5 p.m. Feel free to also reach me a [redacted].

Best,

[redacted]

[redacted]
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp [redacted]
[redacted]@cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, November 15, 2019 5:49 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Timely CNN query on We Build the Wall group

10-4

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

From (b)(6);(b)(7)(C)
Sent: Friday, November 15, 2019 5:44 PM
T (b)(6);(b)(7)(C)
C
Subject: Re: Timely CNN query on We Build the Wall group

We're in the middle of ground truthing what is even going on here. Obviously we can't make the deadline.

Sent from my iPhone

On Nov 15, 2019, at 5:40 PM (b)(6);(b)(7)(C) > wrote:

> Should we handle or defer to DHS?
>
> (b)(6);(b)(7)(C)
>
> ---
>
> **From** (b)(6);(b)(7)(C)
> **Sent:** Friday, November 15, 2019 5:37 PM
> **To** (b)(6);(b)(7)(C) >
> **Cc** (b)(6);(b)(7)(C)
> **Subject:** Fwd: Timely CNN query on We Build the Wall group
>
> (b) (5) .
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** (b) (6) @cnn.com>
> **Date:** November 15, 2019 at 5:13:47 PM EST
> **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> **Cc:** (b) (6), (b) (7)(C)
> **Subject: Re: Timely CNN query on We Build the Wall group**
>
> Hello,

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Checking back in on this.

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) @cnn.com

From (b) (6) @cnn.com>
Sent: Friday, November 15, 2019 4:09 PM
To: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Cc (b) (6), (b) (7)(C) >
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Is CBP aware of the construction underway in RGV by this group? Has Border Patrol been in touch with Kolfage and is the agency finalizing paperwork with the We Build the Wall group?

My deadline is 5 p.m. Feel free to also reach me a (b) (6).

Best,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) @cnn.com

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C))
Sent: Friday, November 15, 2019 5:50 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Timely CNN query on We Build the Wall group

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

Wall Team said they are still trying to ground truth some of this. So, not going to make the deadline.

(b) (6), (b) (7 Putting in your court how to best respond to the reporter.

(b) (6),

From (b) (6), (b) (7)(C)
Sent: Friday, November 15, 2019 5:40 PM
T
Cc (b) (6), (b) (7)(C)
Subject: Re: Timely CNN query on We Build the Wall group

Nothing from wall team?

Sent from my iPhone

On Nov 15, 2019, at 5:37 P (b) (6), (b) (7)(C) > wrote:

> Maybe Route to DHS public affairs.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** (b) (6) @cnn.com>
> **Date:** November 15, 2019 at 5:13:47 PM EST
> **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> **Cc** (b) (6), (b) (7)(C)
> **Subject: Re: Timely CNN query on We Build the Wall group**
>
> Hello,
>
> Checking back in on this.
>
> (b) (6)
>
> (b) (6)
> Immigration Reporter, CNN Politics
> Cell, Signal, WhatsAp (b) (6)
> (b) (6) @cnn.com

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From [redacted]@cnn.com>
Sent: Friday, November 15, 2019 4:09 PM
To: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Cc [redacted]
Subject: Timely CNN query on We Build the Wall group

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Is CBP aware of the construction underway in RGV by this group? Has Border Patrol been in touch with Kolfage and is the agency finalizing paperwork with the We Build the Wall group?

My deadline is 5 p.m. Feel free to also reach me a [redacted].

Best,

[redacted]

[redacted]
Immigration Reporter, CNN Politics
Cell, Signal, WhatsAp [redacted]
[redacted]@cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Friday, November 15, 2019 6:12 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Re: Timely CNN query on We Build the Wal group

We've already busted the deadline and wall team is trying to "figure out the ground truth." Trying to find what we've said previously, should have momentarily.

Sent from my iPhone

On Nov 15, 2019, at 5:50 PM (b)(6);(b)(7)(C) > wrote:

> They have raised 25 million to build a wall (b) (5) They built the monument 1 wall in NM, and have now moved on to south Texas.
>
> Get Outlook for iOS
>
> ---
>
> **From** (b)(6);(b)(7)(C)
> **Sent:** Friday, November 15, 2019 5:46:03 PM
> **To** (b)(6);(b)(7)(C)
> **Subject:** Fwd: Timely CNN query on We Build the Wall group
>
> What do we know about this group?
>
> Begin forwarded message:
>
> > **From** (b) (6) @cnn.com>
> > **Date:** November 15, 2019 at 5:14:03 PM EST
> > **To:** cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
> > **Cc** (b)(6);(b)(7)(C) >
> > **Subject: Re: Timely CNN query on We Build the Wall group**
> >
> > Hello,
> >
> > Checking back in on this.
> >
> > (b) (6)
> >
> > (b) (6)
> > Immigration Reporter, CNN Politics
> > Cell, Signal, WhatsApp (b) (6)

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[redacted]@cnn.com

From [redacted]@cnn.com>
Sent: Friday, November 15, 2019 4:09 PM
To: cbpmediarelations <cbpmediarelations@cbp.dhs.gov>
Cc [redacted]>
Subject: Timely CNN query on We Build the Wall group

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My deadline is 5 p.m. Feel free to also reach me a [redacted].

Best,

[redacted]

[redacted]
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp [redacted]
[redacted]@cnn.com

AMERICAN OVERSIGHT

Sent: Thursday, November 21, 2019 12:32 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: El Paso Sector Interaction with "We Build the Wall" entities

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

Operational Posture:

- (b) (7)(E) agents deployed to Zon (b) (7) per shift, which encompasses th (b) (7)(E) area as well a (b) (7)(E)
- This accounts for approximatel (b) (7)(E) of border i (b) (7)(E) s AOR. Privately funded wall accounts for (b) (7)(E) of infrastructure/wall in Zon (b) (7)(E) The remainin (b) (7)(E) infrastructure/wall.
- Agents assigned to the area normally patro (b) (7)(E).
- The gate at th (b) (7)(E) end of the privately funded wall is jointly operated by USBP and IBWC personnel. (b) (7)(E).
- Situational awareness in Zon (b) (7)(E)
- Illegal entries to th (b) (7)(E) is located i (b) (7)(E) s AOR and response to those entries is normall (b) (7)(E).

OPCON Efforts for Traffic Diverted by Privately Funded Wall:

Situational Awareness

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

Impedance and Denial

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

Response and Resolution

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

AMERICAN OVERSIGHT

V/R,

(b) (6), (b) (7)(C)
Acting Watch Commander
(b) (7)(E) Station
El Paso Sector
(b) (6), (b) (7)(C)

From (b) (6), (b) (7)(C) >
Sent: Thursday, November 21, 2019 9:27 AM
To (b) (6), (b) (7)(C)
Cc (b) (6), (b) (7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

(b) (6), (b) (7) please provide me some bullets on the highlighted below.

(b) (6), (b) (7) please provide any updates if applicable on the underlined questions below.

Need these today please.

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

From (b) (6), (b) (7)(C)
Sent: Thursday, November 21, 2019 8:36 AM
To (b) (6), (b) (7)(C) >
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

As discussed.....

From (b) (6), (b) (7)(C)
Sent: Wednesday, November 20, 2019 4:08 PM
T (b) (6), (b) (7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

(b) (6), (b) (

We are able to answer most of the questions. Can you assist us in the below?

Need a piece on Operational posture in area:

Now that the wall is u (b) (6), (b) had discussed traffic being diverted t (b) (7)(E) . How is OPCON being achieved?

Any information past August?

Is the owner still trying to sell the land?

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
Executive Officer
United States Border Patrol
El Paso Sector
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)
Email (b) (6), (b) (7)(C)

From (b) (6), (b) (7)(C)
Sent: Wednesday, November 20, 2019 3:17 PM
To (b) (6), (b) (7)(C)
Cc: EPT-LEO (b) (7)(E)
Subject: RE: El Paso Sector Interaction with "We Build the Wall" entities

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

Here is what I discussed with you.

Th (b) (7)(E) Private Wall IP appears to cover most of what is being asked but only goes through August (Statistical Analysis). This would need to be updated.

Need a piece on Operational posture in area: Now that the wall is u (b) (6), (b) had discussed traffic being diverted t (b) (7)(E) (b) (7)(E) How is OPCON being achieved?

Any information past August?

Also another question that might arise, is the owner still trying to sell the land?

June 18, 2019 (b) (6), (b) (7)(C) met wit (b) (6) and was informed tha (b) (6) intended to sell the land that the wall is on to the "We Build the Wall" organization within the next two weeks. He was concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property. He was also concerned about the eight million dollar improvement made to his property and how this would affect future tax assessments. He further stated he is including verbiage within the sale contract that would require the "We Build the Wall" organization to re-sell the property to the U.S. Government for one (1) dollar. He was again informed b (b) (6), (b) (7)(C) that his intent to donate or sell the land to anyone, including the U.S. Government, was not being encouraged.

V/R,

(b) (6), (b) (7)(C)
(A) Operations Officer
Law Enforcement Operations Divisions
El Paso Sector
(O (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

From: (b) (6) @yahoonews.com>
Sent: Thursday, November 21, 2019 3:36 PM
To: (b) (6)
Cc: (b) (6) (b)(6);(b)(7)(C) F; Brian Kolfage
Subject: Re: [EXTERNAL]Referred by Brian Kolfage

Aha, that explains why my email bounce-backed!

On Thu, Nov 21, 2019 at 3:13 PM (b) (6) > wrote:

(b) (6) sorry, I forgot a "t" i (b)(6);(b)(7)(C) s name. (b)(6);(b)(7)(C), please se (b) (6) s email below. Sorry for the error.

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct (b) (6) | Mobile (b) (6) | Fax (b) (6)



Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

From (b) (6) @yahoonews.com>
Sent: Thursday, November 21, 2019 2:53 PM
To (b) (6) >
Cc (b) (6) @yahoonews.com (b) (6), (b) (7)(C) ; Brian Kolfag (b) (6)
Subject: Re: [EXTERNAL]Referred by Brian Kolfage

Thanks (b) (6)! Really appreciate you taking the time to chat just now.

(b) (6), (b) (7)(C), can you offer any additional information on CBP's involvement and interest in We Build the Wall's private wall projects? Specifically, I'm interested in any details you can provide on Acting Secretary Chad Wolf's visit to the private wall site in Sunland Park yesterday, which will be the focus on the story I'm planning to publish this afternoon.

Thanks again to both of you for all of your help on this!

AMERICAN OVERSIGHT

(b) (6)

On Thu, Nov 21, 2019 at 2:21 PM (b) (6) > wrote:

(b) (6) I just tried to call you. For all DHS/CBP questions please contac (b) (6), (b) (7)(C) who is copied on this email Thanks

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct (b) (6) | Mobil (b) (6) | Fax (b) (6)



Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

From (b) (6) @yahoonews.com>
Sent: Thursday, November 21, 2019 11:23 AM
To (b) (6) ckson@yahoonews.com>
Cc (b) (6) >
Subject: Re: [EXTERNAL]Referred by Brian Kolfage

Also, I forgot to include a question about the transfer of the completed wall and gate on IBWC property to CBP-- what has that process involved and what is the current status?

thanks again!

On Thu, Nov 21, 2019 at 11:17 A (b) (6) @yahoonews.com> wrote:

of course, I totally understand. Including my questions below.

AMERICAN OVERSIGHT

Brian said that We Build the Wal has been in communication with officials at DHS and CBP since July about possibly building sections of border wall for free (without a government contract) on federal land, is that right?

Can you tell me more about your communications with CBP and DHS over the last several months? Who have you been working with at these agencies? What has their interest been with regard to working with We Build the Wall?

Brian also said that you guys have had to submit various documents and paperwork to DHS, and were getting close to finalizing a deal to build on federal land. Can you tell me more about what this process has entailed and what the current status is?

I know DHS Acting Secretary Chad Wolf visited the private wall site in Sunland Park yesterday were you involved in coordinating that visit? What has been Mr. Wolf's involvement with We Build the Wall, both before and since becoming acting secretary?

On Thu, Nov 21, 2019 at 10:44 AM (b) (6) > wrote:

(b) (6), please provide me with the questions you have. I am tied up, but will call you during a break. This would be a big help as I am concentrating on other matters. Thank you

(b) (6) | Partner
Barnes & Thornburg LLP
Prominence in Buckhead, 3475 Piedmont Road N.E., Suite 1700, Atlanta, GA 30305-3327
Direct (b) (6) | Mobile (b) (6) | Fax (b) (6)



Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington, D.C.

From [redacted] @yahoonews.com]
Sent: Thursday, November 21, 2019 10:33 AM
To [redacted]
Cc [redacted]
Subject: Re: [EXTERNAL]Referred by Brian Kolfage

H [redacted] just following up I'm looking to publish something on this by end of day today so if you have any time to chat before then that would be great. Let me know. Thanks!

On Wed, Nov 20, 2019 at 2:23 P [redacted] @yahoonews.com> wrote:

> Thanks [redacted]. Really appreciate you getting back me as soon as you have a chance. If possible, would be ideal to talk later this afternoon or evening, but tomorrow works too if not.
>
> On Wed, Nov 20, 2019 at 2:08 P [redacted] @btlaw.com> wrote:
>
> > [redacted] in a mediation. Ill try and get back to you bf cob tomorrow. Thanks for your patience
> >
> > Sent from the road b [redacted], Esq., Barnes &Thornburg LL [redacted]
> >
> > On Wed, Nov 20, 2019 at 1:01 PM -050 [redacted] @yahoonews.com> wrote:
> >
> > H [redacted]
> >
> > I just got off the phone with Brian Kolfage, who was filling me in on some of the latest developments with We Build the Wall's new private construction projects, as well as the ongoing discussions between WBW and DHS about possibly building border wall on sections of federal land.
> >
> > Brian said you would be the best person to talk to about the conversations with DHS. Do you have a few minutes to chat about this today? Happy to start off on background.
> >
> > Let me know when works for you or feel free to give me a call at your convenience. I hope to hear from you soon.

AMERICAN OVERSIGHT

(b) (6)

--

(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

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(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

--

(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

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AMERICAN OVERSIGHT

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(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

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(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

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--

(b) (6)

Senior Reporter, Yahoo News

(b) (6) @yahoonews.com (b) (6)

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privilege by the transmission of this message.

--

(b) (6)
Senior Reporter, Yahoo News
(b) (6) @yahoonews.com (b) (6)

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
Sent: Wednesday, December 4, 2019 6:04 PM
To: Brandon Darby
Cc: (b) (6), (b) (7)(C)
Subject: RE: Nov. 11 Breitbart interview with JTF-W Director Padilla Jr.

Brandon,

Thank you again. I appreciate your following up once again.

Respectfully,

(b) (6), (b) (7)(C)
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

From: Brandon Darb (b) (6) >
Sent: Wednesday, December 4, 2019 1:50 PM
To (b) (6), (b) (7)(C)
Cc (b) (6), (b) (7)(C)
Subject: Re: Nov. 11 Breitbart interview with JTF-W Director Padilla Jr.

H (b) (6), (b)

Here is the complete list of everything we've published from our interview with Director Padilla.

https://www.breitbart.com/border/2019/11/26/exclusive-video-full-interview-with-joint-task-force-west-director-manuel-padilla/

https://www.breitbart.com/border/2019/11/18/exclusive-video-border-is-matter-of-national-security-says-jtfw-director/

https://www.breitbart.com/border/2019/11/19/exclusive-video-yes-physical-barriers-matter-on-the-border-says-jtfw-director/

AMERICAN OVERSIGHT

https://www.breitbart.com/border/2019/11/18/exclusive-video-illegal-immigration-hurts-migrants-home-countries-says-jtfw-director/

https://www.breitbart.com/politics/2019/11/18/exclusive-video-pregnant-migrant-beaten-for-crossing-texas-border-without-paying-gulf-cartel-fee-says-jtfw-director/

Thank you.

Brandon Darby
Director, Breitbart Border and Cartel Chronicles

On Nov 18, 2019, at 6:19 PM [redacted] > wrote:

Thank you Brandon. I appreciate you following up with me/us!

I've already seen a couple of the stories, and look forward to see all the products!

Respectfully,

[redacted]

Sent from my iPhone

On Nov 18, 2019, at 5:26 PM, Brandon Darb [redacted] > wrote:

[redacted]

We have a number of pieces up with segments of the interview. We are working on a comprehensive piece on the entire interview and getting that video up for our readers/viewers.

I will send you all of the links once we complete that process.

Thank you,

Brandon Darby

On Nov 13, 2019, at 7:48 AM [redacted] wrote:

Brandon,

Thank you for the follow up. I do have the app and am listening to it now.

[redacted]

AMERICAN OVERSIGHT

Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

<image001.png>

From: Brandon Darb (b) (6)
Sent: Wednesday, November 13, 2019 7:38 AM
To (b) (6), (b) (7)(C)
Cc (b) (6), (b) (7)(C)
>
Subject: Re: Nov. 11 Breitbart interview with JTF-W Director Padilla Jr.

Aside from the content we will be releasing as produced products, we used 4-5 clips of Director Padilla on our radio special yesterday evening, and I discussed my perspectives on the Director at length.

Do you have access to SiriusXM's app? If so, Breitbart News show on ch. 125 aired from 9-12 pm Eastern and it can be heard on the app.

Brandon

On Nov 12, 2019, at 4:10 PM (b) (6), (b) (7)(C)
> wrote:

Brandon,

Fantastic, I'm looking forward to it.

Thank you again.

(b) (6), (b) (7)(C)
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

<image001.png>

From: Brandon Darb (b) (6) >
Sent: Tuesday, November 12, 2019 3:49 PM
To (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

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

Subject: Re: Nov. 11 Breitbart interview with JTF-W Director Padilla Jr.

Yes, indeed. It was so kind of all of you to take the time on a holiday. Thank you again.

We should have something this week. I will make sure to send you folks the content.

On Nov 12, 2019, at 8:33 AM (b) (6), (b) (7)(C) wrote:

Hi Brandon,

It was nice meeting you yesterday.

Following up, when do you expect to have products published or aired.

Thanks again,

(b) (6), (b) (7)(C)
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas 78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

<image001.png>

From: Brandon Darby (b) (6) >
Sent: Thursday, November 7, 2019 1:29 PM
To (b) (6), (b) (7)(C)
Cc (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

[redacted]
Subject: Re: Nov. 11 Breitbart interview with JTF-W Director Padilla Jr.

H [redacted]

Greetings and yes, I intend to do the interview myself.

We can expect four people on our team [redacted], a sound tech (yet to be determined), and me.

This looks great and we are all set.

Brandon

On Nov 7, 2019, at 8:07 AM [redacted] wrote:

Brandon,

Happy Thursday to you.

Just following up and confirming things for Monday, Nov. 11. We have you scheduled to be here at JTF-West headquarters at 10 a.m. to set up your equipment for an on-camera interview with Director Padilla estimated set-up time to be about 45 minutes.

How many people are coming here for the interview, and what are their names?

AMERICAN OVERSIGHT

Also, confirming you are doing the interview yourself, correct?

Our address is 1400 East Grayson Street, San Antonio, Texas, 78208. You can park directly in front of the building, as that is where I will meet you upon your arrival and escort you into our facility. The interview will be conducted in Director Padilla's office.

Just so you know, the weather forecast for that day is showers with a high of 70 degrees. The low for that day is 34 degrees.

Please let me know if you have any questions.

Respectfully,

(b)(6);(b)(7)(C)
Strategic Communications
Joint Task Force-West
1400 E. Grayson Street
San Antonio, Texas
78208
Office (b) (6), (b) (7)(C)
Cell (b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, June 20, 2019 8:36 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Phone Call for the Chief

From (b)(6);(b)(7)(C)
Sent: Tuesday, June 18, 2019 2:35 PM
To: HULL, AARON (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: RE: Phone Call for the Chief

Chief,

Just got done with a meeting with American Eagle Brick Plant owner. A few items of interest that may be relevant to any discussion Chief Martin would have about the wall are as follows:

- The owner intends to sell the land that the wall is on to the "we build the wall" organization within the next two weeks.
  - He is concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property in the process.
  - He is concerned about the value of his land in regards to tax purposes with the "8 Million Dollar" improvements.
  - He stated he is including verbiage within that contract that would require "We Build The Wall" , in the event they were to re-sell the property, to sell it to the U.S. Government.

- IBWC i (b) (7)(E) .
  - (b) (7)(E), (b) (5)

- We Build the Wall continues to seek media attention for their wall project and there is a planned "telethon" (unknown via what media) to occur next Monday, Tuesday and Wednesday; (24, 25, 26 of June 2019).

- (b) (7)(E) below chart re: Brazilian entries that shows a distinct relocation of Brazilian National illegal aliens moving fro (b) (7)(E) an (b) (7)(E) after construction on this specific portion of wall became complete.

Station & Zone	Brazilians						Grand Total
	Jan	Feb	Mar	Apr	May	Jun	
(b) (7)(E)							

AMERICAN OVERSIGHT

(b) (7)(E)

Grand Total	631	905	1271	1814	2111	1619	8351

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

(b) (7)(E) Border Patrol Station

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

AMERICAN OVERSIGHT

Sent: Friday, November 22, 2019 3:43 PM
To: HASTINGS, BRIAN S
Subject: Sunland Park Gate
Attachments: Sunland Park Wall Final.docx

Chief-

Attached El Paso

(b)(6);(b)(

(b)(6);(b)(7)(C)
Acting Deputy Chief of Operations
Law Enforcement Operations Directorate
U.S. Border Patrol Headquarters
Washington, DC
(b)(6);(b)(7)(C) Office
Cellular

AMERICAN OVERSIGHT

U. S. CUSTOMS AND BORDER PROTECTION
U.S. BORDER PATROL
EL PASO SECTOR

Sunland Park Wall

On May 19, 2019, Fisher Industries commenced construction on a private border wall, funded by the "We Build the Wall" non-profit organization, ne (b) (7)(E) in Sunland Park, New Mexico in zon (b) (7)(E) of th (b) (7)(E), New Mexico Border Patrol Station (b) (7)(E) area of responsibility on land owned by the American Eagle Brick Company.

Timeline

- May 19, 2019 - Fisher Industries commenced earth work in anticipation of constructing a privately funded border wall nea (b) (7)(E)
- May 20, 2019 (b) (7)(E) reported th (b) (7)(E) due to the earth work completed in the construction zone.
- May 24, 2019 (b) (7)(E) completed due to national media awareness of construction and inquires posed to agents in the area.
- May 28, 2019 - cease and desist order was issued by the City of Sunland Park, New Mexico for failure to obtain proper construction permits. (b) (7)(E) Chief's Note was completed to document the local media interest.
- May 31, 2019 - Fisher Industries was issued the proper permitting and allowed to continue construction.
- June 4, 2019 - We Build the Wall announces near completion of the wall pending installatio (b) (7)(E) on the Rio Grande River.
- June 7, 2019 - Wall and road construction is complet (b) (7)(E) are pending installation.
- (b) (7)(E)
- July 8, 2019, CBP Deputy Commissioner Robert Perez sent a letter to Kris Kobach notifying him that CBP will be developing a checklist of requirements for previous and future border wall construction. CBP will engage in the coming weeks with the We Build the Wall.
- CBP is currently developing a checklist to determine if/when CBP is able to accept a private barrier donation.
- July 8, 2019, USBP sent a team out to Sunland Park, New Mexico to inspect the completed segment.
- CBP's Deputy Commissioner Perez had a meeting with We Build the Wall (Kobach) and USBP on August 27, 2019 to discuss donations and possible donation acceptance.
- Sale of wall property to We Build the Wall by American Eagle Brick Company pending due to litigation involving Sunland Park zoning requirements.

AMERICAN OVERSIGHT

Operational Posture:

- (b) (7)(E) deployed to Zon (b) (7)(E) per shift, which encompasses the (b) (7)(E) area as well a (b) (7)(E)
- This accounts for approximate (b) (7)(E) of border i (b) (7)(E) AOR. Privately funded wall accounts for approximate (b) (7)(E) of infrastructure/wall in Zo (b) (7)(E) The remainin (b) (7)(E)
- Agents assigned to the area normall (b) (7)(E)
- Coordination with IBWC is conducted during business hours so that their operation and border security is maintain (b) (7)(E)
- (b) (7)(E)
- Situational awareness in Zon (b) (7)(E) is provided b (b) (7)(E)
- Illegal entrie (b) (7)(E)
- Alien traffic th (b) (7)(E)
- Currently there ar (b) (7)(E)

OPCON Efforts for Traffic Diverted by Privately Funded Wall:

Situational Awareness

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

Impedance and Denial

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

Response and Resolution

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

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STATISTICAL ANYALISIS:

Pre-Wall Stats 10/1/18-4/30/19:

ZONE	Total Entries	Total Apps
(b) (7)(E)		

- (b) (7)(E) Brazilian nationals apprehended

Construction and Post-Wall Stats 5/1/19-11/20/19:

ZONE	Total Entries	Total Apps
(b) (7)(E)		

- (b) (7)(E) Brazilian nationals apprehended

(b) (7)(E)

Conclusion

(b) (7)(E)

Meetings are held betwee (b) (7)(E) . Chief Patrol Agent Hull sent a letter to the IBWC commissioner outlining the requirements listed below.

- Gate to remain closed and secured at all times unless official access t (b) (7)(E) is required
- USBP be notified prior to the gate being opened
- USBP have access to open or close the gate, for border security requirements or lifesaving incidents

Currently IBWC is still meeting all these requirements.

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LOCATION:
GP (b) (7)(E)
Sunland Park, New Mexico - EPT Zo (b) (7)(E)



AMERICAN OVERSIGHT

BEFORE PHOTO:



FINAL WALL PHOTO:



CONSTRUCTION PHOTO:



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C) on behalf of CBPTASKING
Sent: Thursday, July 11, 2019 2:05 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: [COS CLEARANCE] AS1BB - 7/16/2019 5:00 PM - Meeting with Senator Cramer (ND) [DUE 7/11, 0900]
Attachments: 07.16.19 - Meeting with Senator Cramer - C.docx; 07.16.19 - Meeting with Senator Cramer - D.pdf; 07.16.19 - Meeting with Senator Cramer - BM (OFO OCC OI INA OCAedits).docx; 07.16.19 - Meeting with Senator Cramer - A OCC OI OCA comments.docx; Senator Cramer Border Wall Paper v (b)(6);(b)071119.docx

Adding an additional attachment from BP (5th attachment).

(b)(6);(b)(7)(C) > **On Behalf Of** CBPTASKING
Sent: Thursday, July 11, 2019 1:41 PM
T (b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
Subject: [COS CLEARANCE] AS1BB - 7/16/2019 5:00 PM - Meeting with Senator Cramer (ND) [DUE 7/11, 0900]
Importance: High

OVERDUE

FOR CLEARANCE: Please see the attached comments (last 2 docs) from OCA coordinated with BP, OCC, OI, INA and OFO.

(b)(6);(b)(7)(C)
CBPTASKING & OC Briefing Staff
Office of the Executive Secretariat
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

From (b) (6)
Sent: Wednesday, July 10, 2019 2:58 PM
To: CBPTASKIN (b) (7)(E) >; ICE Exec Se (b) (7)(E) I&A Exec Sec (b) (7)(E) ; I&A Exec Se (b) (7)(E) >; MGMTExecSe (b) (7)(E) ZZ_PlcyExecSec_Placeholder (b) (7)(E) OGC Exec Sec (b) (7)(E)
Cc: CBPEXECSE (b) (7)(E) ; (b) (6)
Subject: [FOR COORDINATION] AS1BB - 7/16/2019 5:00 PM - Meeting with Senator Cramer (ND) [DUE 7/11, 0900]
Importance: High

CBP, I&A, ICE, MGMT, PLCY, and OGC:

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Please see the attached AS1 briefing materials as drafted by OLA for review, substantive comment, and/or clearance. **OLA kindly requests your input/clearance no later than tomorrow, July 11 at 0900**.

CBP – please work with CBP OCA to get input on outreach Senator Cramer has done on behalf of a North Dakota company seeking to potentially help build a border wall; DA/S Wonnenberg believes CBP OCA has communicated to the company and Sen. Cramer that the company will need to go through the bidding process, etc., and he would like to see that included in the BM and talking points.

Thank you.

Best,

(b) (6)
Special Assistant
Office of Legislative Affairs
U.S. Department of Homeland Security
Offic (b) (6) | Mobil (b) (6) | Email (b) (6)

From: Briefing Book Tracking System (b) (7)(E)
Sent: Monday, July 8, 2019 6:48 PM
To (b) (6)
OLA Exec Sec <OLAExecSec@HQ.DHS.GOV> (b) (6)
>; Wonnenberg, David
(b) (6) v>
Cc: (b) (6)
(b)(6);(b)(7)(C)
(b) (6)
MGMTExecSec
(b) (7)(E) >; OGC Exec Se (b) (7)(E) (b) (6)
Subject: S1BB - 7/16/2019 5:00 PM - Meeting with Senator Cramer (ND) - Lead Component: Draft BMS Material (Due: 7/11/2019 12:00 PM)

OLA has been assigned Lead Component: Draft BMS Material for 7/16/2019 5:00 PM Meeting with Senator Cramer (ND).

You have NLT ***24 hours*** to request this task be reassigned to another Component; please include a justification in your request.

AMERICAN OVERSIGHT

Required Coordination CBP;IA;ICE;MGMT;OGC;PLCY

Requested Products Briefing Memo;Talking Points;Biographies;Participant List;Correspondence

Objectives/Instruction Objective: Meeting with Senator Cramer (ND) to discuss the border situation

Attendees:
A/Secretary McAleenan
Christine Ciccone
David Wonnenberg

Senator Cramer

Task Lead Component: Draft BMS Material

Due Date 7/11/2019 12:00 PM

Tasking Notes

none

These Briefing Materials will not move until you mark your task complete.

Briefing Material Set Link: Meeting with Senator Cramer (ND)

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MEETING WITH SENATOR CRAMER (R-ND)

TBD

Topline Talking Points

Summary:

- DHS requests Congressional support for solutions to the ongoing asylum and humanitarian crisis at the southern border.

- DHS requests your assistance in continuing to educate the public about the magnitude of the crisis, DHS actions to manage it, and the role of Congress in fixing it.

- DHS appreciates your support for the passage of the supplemental funding for FY 2019 to address the urgent humanitarian crisis at the southern border.

Issues:

Border Wall Construction

- The Administration is pursuing a strategic and phased approach to border wall construction in FY 2019, using various authorities and funding sources as necessary and as they become available. All decisions about border wall construction will be based upon the core national security interests of the United States.
- To date, CBP has received approximately $3.7 billion for border wall construction/planning for approximately 205 total miles.
- Every mile of border is different, and there is no "one size fits all" cost per mile.

Crisis at the Southwest Border

- The migration flow of an unprecedented number of aliens entering through the Southwest border has resulted in a crisis that is increasingly dire; and is rapidly overwhelming the ability of the Federal Government, particularly DHS and HHS, to respond.

- As you are aware, the current crisis is different because of the demographic we are seeing is no longer predominantly single adult males from Mexico. In May 2019, USBP apprehensions consisted of 64% family units and 9 % unaccompanied alien children (UAC). We do not have the facilities and infrastructure to be able to support the different needs of those groups in the huge numbers we are seeing on a daily basis.
    - In May 2019, USBP apprehended 132,875 aliens at the Southwest border. We are doing everything we can to manage the situation at the border, but it is not sustainable, even with the current supplemental.
    - HHS' lack of capacity has resulted in larger numbers of children having to stay at CBP facilities for longer periods of time than statutorily-imposed.

Root Causes and Efforts with Northern Triangle Countries

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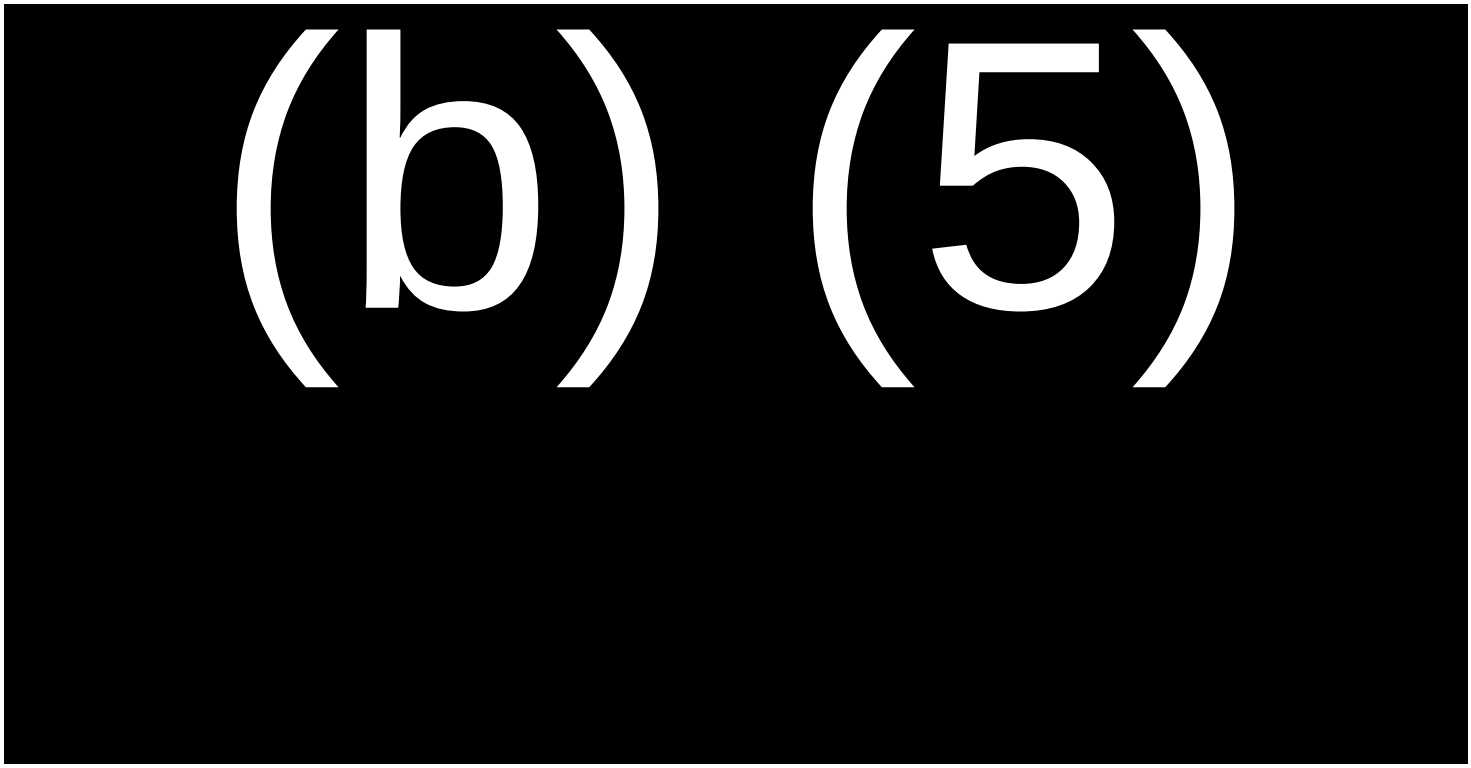
- There is a need to address the root causes to the dramatic increases in the number of family units and UACs illegally entering the U.S. through the Southwest border.

- DHS works closely with Protocols, to expand access to protection in Central America and Mexico by building the capacity of regional asylum systems.

- DHS entered into a Memorandum of Cooperation (MOC) with El Salvador, Guatemala, and Honduras to address issues with and receive support from migrants' countries of origins. The efforts under the MOC include:
  - Combatting human trafficking and smuggling
  - Combatting transnational criminal organizations and gangs
  - Expanding information and intelligence sharing
  - Strengthening air, land, and maritime border security.

- DHS is working on implementing the Irregular Migration Mitigation Concept of Operations Plan targeting irregular migratory flows from and through Guatemala.

Ongoing Discussions with Guatemala



Efforts with Mexico

- DHS continues to communicate with Mexican officials on the urgent need to patrol their Southern border and sustain migration management efforts to reduce operational constraints on the U.S.-Mexico border.

- We have been working with Mexico, and they have agreed:

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- to deploy their national guard throughout the country with priority given to its southern border;
- to accept arriving aliens who have been placed in U.S. removal proceedings to aliens await in Mexico the conclusion of their removal proceedings; and
- to continue discussion on other ways to address the irregular migrant flows and asylum issues.

CBP Congressional Engagement

- 5/15/2019: Deputy Executive Directo (b) (6), (b) (7)(C) (USBP) provided Sen. Cramer and staff with a background/current status briefing on the wall program.

(b) (5)

Legislative Recommendations

(b) (5)

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MEETING WITH SENATOR CRAMER (R-ND)

BOTTOM LINE UP FRONT:

- The top issues for this meeting are updates on the wall construction, crisis at the southwest border, and recommendations to fix legislative defects.

AGENDA:

- The meeting is scheduled for Tuesday, July 16, 2019 at 5 p.m.
- You are meeting with the Senator Cramer at his request.
- There will be no press at this meeting.

DHS PRIORITIES

Border Wall Construction

- The use of border barriers (fencing, wall, and related infrastructure) within U.S. Customs and Border Protection's (CBP) border security strategy has been tried, tested, and developed over nearly 30 years. Since the first barriers were constructed in San Diego in 1991, U.S. Border Patrol (USBP) field commanders have continued to advocate for border wall and the enduring capability it creates to impede and/or deny attempted illegal entries while allowing additional time to affect a law enforcement resolution.
- The bipartisan Secure Fence Act (SFA) was signed into law in 2006 and required that DHS achieve and maintain operational control of the border to include the deployment of surveillance technology, unmanned aerial vehicles, ground-based sensors and cameras, and physical infrastructure. DHS invested $2.3B to construct approximately 515 miles of border barriers, which resulted in a total of 654 miles 354 miles of primary and secondary barrier and 300 miles of far less expensive vehicle barrier.
- The wall has been successful to decrease the rate of illegal crossings:
  - San Diego (built in 1992): Illegal crossings dropped 95% over the past 23 years;
  - El Paso (built 1993): Illegal crossings dropped 72% in one year and 95% over 22 years;
  - Tucson (built 2000): Illegal crossings dropped 90% over 15 years; and
  - Yuma (built 2005): Illegal crossings dropped 96% over 9 years.
- The proposed construction method by Fisher does appear to be real and provide benefits. But in evaluating the overall proposal several issues jump out:

(b) (5)

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(b) (5)

Crisis at the Southwest Border

- The rapid growth in the flow of an unprecedented number of aliens entering through the southwest border has created a humanitarian crisis as well as a border security crisis that strains DHS Operational Component resources.
- During the first half of Fiscal Year (FY) 2019, DHS apprehended more than 360,000 aliens illegally crossing the southwest border. This is 187,000 more than the first half of FY 2018, and 162,000 more than FY 2017.
- Specifically, CBP total enforcement actions in March 2019 were of aliens who entered illegally or without proper documents totaled 103,724, 109,460 in April 2019, 144,271 in May 2019, and 104,344 in June 2019.

Root Causes and Efforts with Northern Triangle Countries

- Violence and a lack of economic opportunities remain significant push factors for migrants leaving their homes in the Northern Triangle. Due to the overwhelming humanitarian crisis on the southwest border, DHS is pursuing a comprehensive approach to migration management with partners in the region, including novel initiatives to foster economic opportunities.
- During FY 2019 to July 2, 2019, USBP has experienced 197 large groups in El Paso, Del Rio, Laredo, Rio Grande Valley, San Diego, Tucson and Yuma sectors totaling over 35,000 illegal alien apprehensions, most of which are family units (FMUA) and unaccompanied alien children (UAC) from Northern Triangle countries.
- Given the backlog in the immigration courts, migrants who are apprehended or deemed inadmissible at the southwest border and claim fear are able to reside in the United States for years.
- FMUA Expedited Docket Initiative**:** Starting in September 2018, the immigration courts in 10 cities across the country (Atlanta, Baltimore, Chicago, Denver, Houston, Los Angeles, Miami, New Orleans, New York, and San Francisco) committed to prioritizing FMUA cases, with the goal of completing such cases within a year of initiation.
    - Under this initiative, as of June 17, 2019, immigration judges with the Executive Office for Immigration Review (EOIR) have received 56,286 cases and have completed an initial review of 13,313 cases.
    - The majority have been master calendar hearings (preliminary hearings to resolve issues of removability, obtain counsel and/or submit applications and evidence for relief), but there have been several individual hearings held and completed.
    - Overall, EOIR has completed over 10,000 cases (approximately 87% of which are *in absentia* orders of removal from the United States that were entered when the aliens failed to appear as required in court, generally for their initial master calendar hearing).
        - Of the completed cases, only 289 (2.8%) have been granted relief
            - 219 (2.14%) - voluntary departure;
            - 70 (.68%)-asylum/protection;
        - 9,829 (96%) are orders of removal (this includes the *in absentia* orders). The number of aliens granted relief will likely increase

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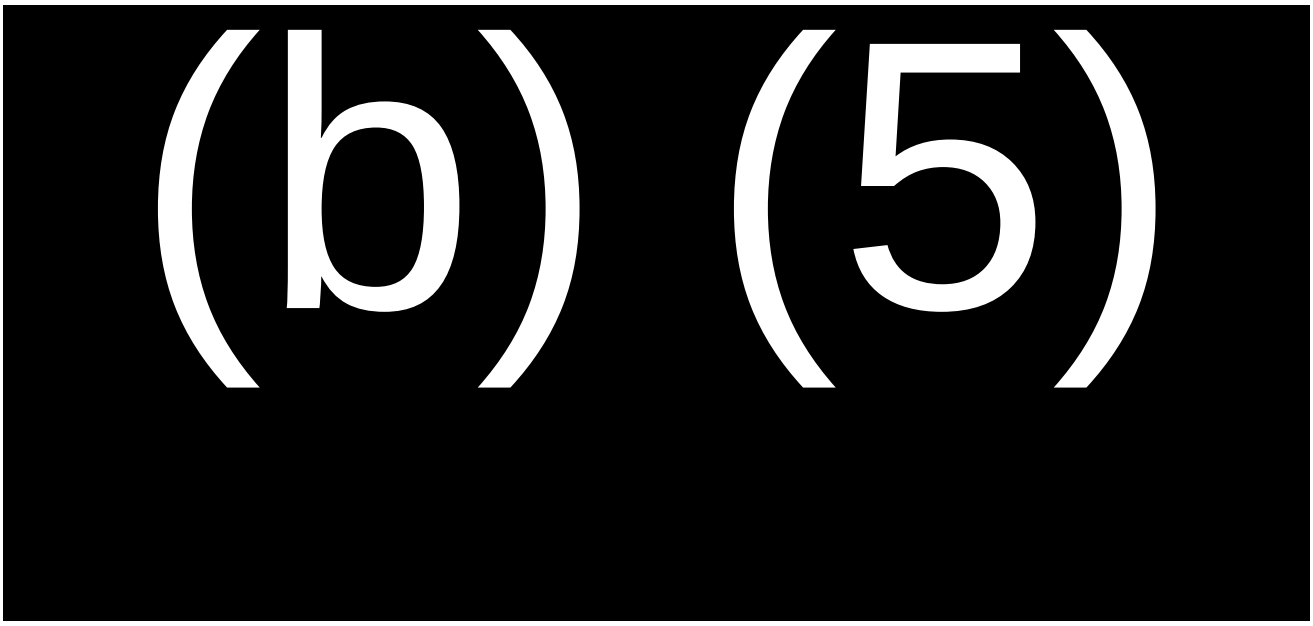
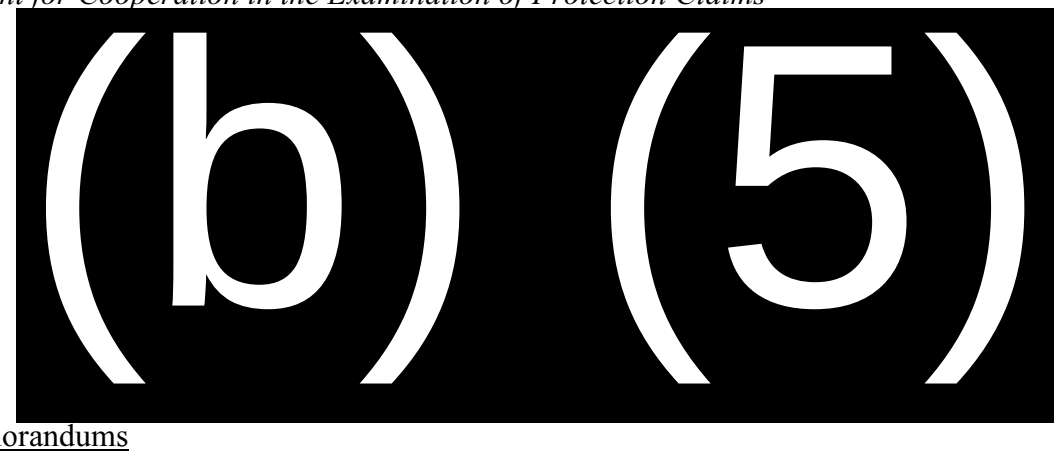
steadily over the course of the FY as more and more FMUA cases are heard on the merits.

- Recognizing the difficult policy and legal issues at play (including limitations posed by the *Flores* settlement agreement), U.S. Immigration and Customs Enforcement (ICE) is nevertheless exploring enforcement options related to the FMUAs that failed to appear for their hearings and were ordered removed *in absentia*.

Ongoing Discussions with Guatemala



- *Agreement for Cooperation in the Examination of Protection Claims*
  - 

Signed Memorandums

- *Northern Triangle Memorandum of Cooperation (MOC)*
  - On March 27, 2019, Secretary Nielsen signed the Northern Triangle MOC which organizes the U.S. Government (DHS, DOJ, DOS) engagement with the countries of El Salvador, Guatemala, and Honduras into four focus areas:
    1. Human Trafficking / Smuggling
    2. Transnational Organized Crimes and Gangs
    3. Information and Intelligence Sharing

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4. Air, Land, and Maritime Border Security

- The MOC agreement has the U.S. Government interacting with the Northern Triangle Governments at both the highest level of government (Executive Leadership Group) and at the working level with various different technical level meetings corresponding to the four focus areas. This allows the U.S. Government:
  - To learn about new programs and initiatives that the governments are undertaking in the region before they are implemented.
  - To use these meetings / engagements as a platform to push U.S. Government priorities in the region
  - To have consistent engagements with the Northern Triangle governments to hold them accountable to their commitments.
  - To gain valuable insight and information into what the governments are seeing in-country as related to the four focus groups.

- DHS-Guatemala Ministry of Government MOC
  - In late May 2019, Acting Secretary Kevin K. McAleenan signed an agreement between DHS and the Ministry of Government of Guatemala.
  - The agreement, which will expand areas of collaboration between the United States and the Northern Triangle country to target human smuggling and trafficking networks.
  - The meetings will highlight the root causes driving the current high rate of irregular migration to the U.S., as well as viable options for enhancing protections of vulnerable populations.
  - According to the MOC, both countries have agreed to take concrete actions necessary to combat the scourge of human trafficking and smuggling, interdict illicit drug trafficking, and target illegal trade and financial flows.
  - This will include law enforcement training and collaboration to improve criminal investigations.
  - Other areas of cooperation include increasing the security of the Guatemalan border to stem the flow of irregular migration while ensuring proper preparation to improve the ability of both countries to identify and better understand their root causes.

Efforts with Mexico

- On December 20, 2018, the U.S. Government announced its decision to implement the Migrant Protection Protocols (MPP) to address a humanitarian and border security crisis.
  - MPP is currently being implemented in San Diego (at the San Ysidro port of entry and in USBP San Diego Sector), in Calexico (at the Calexico POE and in USBP El Centro Sector) and El Paso (at the Paso del Norte port of entry and in USBP El Paso Sector).
  - Returns to Mexico are currently performed daily at the San Ysidro, Calexico, and El Paso ports of entry.
  - Court hearings are held in the San Diego and El Paso non-detained immigration courts operated by the EOIR within DOJ.

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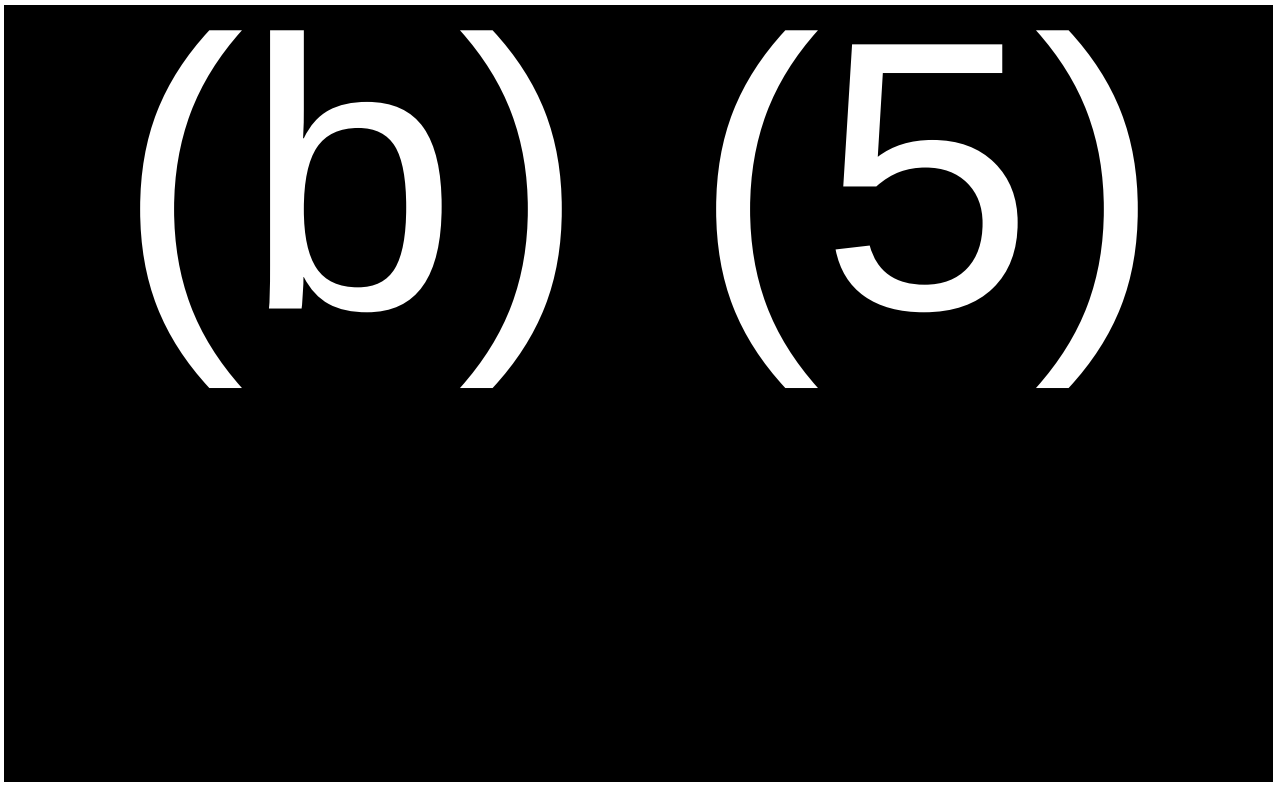
- On June 7, the U.S. and Mexican Governments reached an unprecedented agreement to address the shared challenges of irregular migration through the following actions:
    - GOM deployed approximately 6,000 National Guard to its northern and southern border areas to curb irregular migration.
    - Both governments have increasingly shared biometrics and statistics and coordinated actions to better secure the shared border.
    - U.S. Government and GOM are currently working closely together to rapidly expand MPP across the entire southwest border and increase amenable aliens at the locations that are currently operational.

Legislative Recommendations



ATTACHMENTS:
A. Topline Talking Points
B. Participant List
C. Biography
D. DHS Resource Footprint - ND

Staff Responsible for Briefing Memo (b) (6), Senior Advisor, Office of Legislative Affair (b) (6)

Reviewed and approved by:

OGC Reviewer:

AMERICAN OVERSIGHT

SEN. KEVIN CRAMER (R-ND)



Birthdate:	January 21, 1961
Birthplace:	Rolette, North Dakota
Education:	Concordia College, BA University of Mary, MA
Family:	Married (Kris), 5 children (1 deceased)
# of Terms:	1st term (elected in 2018)
Committees:	• Environment and Public Works • Armed Services • Budget • Veterans' Affairs • Banking, Housing, and Urban Affairs

Biography

Kevin Cramer has bolstered his political reputation in solidly Republican North Dakota by siding with President Donald Trump on nearly every issue.

In three terms as the state's sole representative in the House, Cramer was a dependable Republican vote and in the 115th Congress he voted with Trump and the GOP on issues across the board, from the death penalty and taxes to natural resources and small businesses.

Helped introduce the Fairness for High-Skilled Immigrants Act. "Without increasing the number of employment-based visas, the Fairness for High-Skilled Immigrants Act creates a merit-based system that would level the playing field for high skilled immigrants – regardless of their country of origin – by eliminating the per-country caps. This means immigrants receive Green Cards on a "first-come, first-serve" basis, rather than having their wait times depend on where they are from. What's more, the bill contains important safeguards for immigrants who are already at the "front of the line" to ensure that the transition to a system without country caps is fair to them."

Believes that "[DHS] [should not] subcontract [construction of the border wall] out to the Army Corps and to instead find a reputable and capable private contractor that DHS can work with directly." He highlighted examples of wasted funds and reduced efficiencies to make this determination.

Cramer once wanted to be a Lutheran minister and went to college at the Lutheran-affiliated Concordia College, just across the Red River in Minnesota. He graduated in 1983 and returned to North Dakota, where he became active in local Republican Party politics. He worked on campaigns and then full-time for the state party organization. In 1991, at the age of 30, he became chairman of the North Dakota Republican Party. After his stint at the helm of the state party, Cramer served in the cabinet of Republican Governor Ed Schafer. Between 1993 and 2000 he held the posts of State Tourism Director and State Economic Development and Finance Director. Then, he worked as a fundraiser and foundation director at the University of Mary. At the same time he was a student there and earned a master's degree in management in 2003.

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DHS Resource Footprint

Select a State or Congressional District

ND 00

DHS Resource Value by Congressional District



Hover over the map to use the navigation controls located in the upper left corner

Selected State: NORTH DAKOTA **Real ID Status:** COMPLIANT **Selected District:** ND-00

DHS Resource Description

Within the United States, the total amount of DHS resources are valued at $62,723,627,279 Employee Salaries are valued at $17,356,193,123 Annual Operating Costs for Properties are valued at $2,795,368,408. The total value of all active Grant Obligations are $25,701,601,265. The total value of all active Contract Obligations are $16,870,464,484.

Within NORTH DAKOTA , DHS resources including Contract Obligations, Grants Obligations, current Employee Salaries and Benefits, and Property Operating Costs are valued at a total of $129,412,576.

NORTH DAKOTA is compliant with the REAL ID Act Federal agencies can accept driver's licenses and identification cards from NORTH DAKOTA at Federal facilities and for boarding federally regulated commercial aircraft Starting October 1, 2020, the ID, itself, must be REAL ID compliant unless an alternative acceptable document such as a passport is used Individuals with older, non-REAL ID compliant identification will need to replace those with a new REAL ID compliant ID for entrance to Federal facilities and boarding aircraft.

Within Congressional District ND-00, DHS resources including Contract Obligations, Grants Obligations, current Employee Salaries and Benefits, and Property Operating Costs are valued at a total of $129,412,576.

DHS Resource Summary

Personnel

Personnel: 733

Employee Salaries: $59,423,149

Property

Buildings, Land, Structures: 159

Annual Operating Costs: $11,311,862

Grants

Active Grants: 57

Grant Awards: $50,479,564

Contracts

Active Contracts: 62

Award Value: $8,198,001

DHS Resource Breakdown

Personnel Counts by Communities of Practice

Law Enforcement	Admin	Mission Support	Legal	Intel
644	78	5	3	2

Personnel Counts by Component

CBP	TSA	ICE	FEMA	NPPD
462	222	29	11	4

Property Counts by Asset Type

All Other	Land Port of Entry	Communications Systems	Aviation Security Related	Border / Inspection Station
59	32	29	9	9

Property by Component Operating Costs

CBP	ICE	TSA	USCG	USCIS
$10,419,850	$434,067	$340,882	$54,908	$41,101

Grants by Award Type Value

Presidentially Declared Disasters - Public Assistance	Homeland Security	Cooperating Technical Partners	Pre-disaster Mitigation	Emergency Management Performance
$12,952,352	$11,086,994	$9,600,662	$7,286,858	$6,213,058

Grants by Component Award Value

FEMA	USCG
$48,688,620	$1,790,944

Contracts by Award Type Value

Industrial Products & Services	Professional & Office Area Support	IT & Telecom	Office Management & Misc Products	Logistics Operations & Package Delivery Services
$1,177,520	$147,883	$106,885	$25,165	$12,342

Contracts by Component Award Value

CBP	Other Gov	MGMT	TSA	USCG - Military
$7,587,158	$586,684	$10,635	$8,594	$2,758

Prepared by: The DHS Cube. ~~For Official Use Only.~~ (b) (7)(E) Reported on July 9,2019

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 11, 2019 4:22 PM
To: HASTINGS, BRIAN S
Cc: PROVOST, CARLA (USBP); SCOTT, RODNEY S; MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C); FRIEL, MICHAEL J
Subject: Re: HAPPENING NOW: We build the Wall Construction Continues as BP makes apprehension #WallsWork

I will follow up with OCC on what DOJ's next steps might be.

Sent from my iPhone

On Dec 11, 2019, at 4:17 PM, HASTINGS, BRIAN S (b)(6);(b)(7)(C) wrote:

> Chief, Deputy, AC
>
> More for information than anything as I don't believe we can effect anything here, but as Photographer John Moore was doing a ride along with USBP today in RGV, he took pictures of the we build a wall folks doing construction. It appears that they are continuing construction even after the judge ordered them to halt.
>
> Because John Moore and his pictures are utilized by media companies worldwide, RGV wanted to make sure that both OPA and USBP Stratcom and SPAD were aware.
>
> V/r,
> Brian

From (b)(6);(b)(7)(C)
Sent: Wednesday, December 11, 2019 2:11 PM
To (b)(6);(b)(7)(C) KARISCH, RODOLFO; (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: HAPPENING NOW: We build the Wall Construction Continues as BP makes apprehension #WallsWork

Chiefs,
Heads up - RGV PAO, CBP OPA' (b)(6);(b)(7)(C), Tx National Guard PAO were conducting a ride along with John Moore of Getting Images.
This is the same photographer whose photo taken in the RGV of a little girl made the cover of Time magazine to criticize the President on Family Separations.
<image002.jpg>

**During today's ride along, the photos below were taken of a group of 11 being apprehended near the "We Build the Wall" construction in Mission, Texas.

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https://www.washingtonpost.com/nation/2019/12/04/brian-kolfage-we-build-wall-temporary-order-butterfly-center-texas/
As you know, a judged ordered the contractor to halt construction but it appears it's ongoing.

Because this is John Moore and his pictures are utilized by media companies worldwide, I think it's important that we give HQ awareness.
(b) (6), (b) (has sent the pics to OPA but not with the details attached to this email,

(b)(6);(b)(7)(C) | **RGV Sector Border Patrol**
Communications Director
(b)(6);(b)(7)(C) Desk
Cell

<image006.jpg>

<image007.jpg>

<image008.jpg>

<image009.jpg>
Sent from my iPhone

(b)(6);(b)(7)(C)
Public Affairs Officer
Rio Grande Valley-Texas
Office of Public Affairs-Media Division
US Customs and Border Protection
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 12, 2019 9:40 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Getty Images

This is the Getty Images caption:

US Border Agents Patrol Rio Grande Valley As Migrant Crossings Drop

MISSION, TEXAS - DECEMBER 11: A U.S. Border Patrol agents detains an undocumented immigrant caught near a section of privately-built border wall under construction on December 11, 2019 near Mission, Texas. The hardline immigration group We Build The Wall is funding construction of the wall on private land along the Rio Grande, which forms the border with Mexico. The group, led by former Trump strategist Stephen Bannon claims to have raised tens of millions of dollars in a GoFundMe drive to build sections of wall along stretches of the southwest border with MexicoPhoto by John Moore/Getty Images)

(b)(6);(b)(7)(C)
Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division
Southwest Border Branch Chief
(b)(6);(b)(7)(C) (iPhone)
(Desk)

From (b)(6);(b)(7)(C)
Sent: Thursday, December 12, 2019 9:24 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Getty Images

Good Morning Team RGV,

I believe you alerted us of these images. Wondering if we attempted to correct the gross oversight of some basic facts, agency name with Moore or the paper?

Thank you (b)(6)

(b)(6);(b)(7)(C)
Director, Strategic Communications
United States Border Patrol Headquarters
(b)(6);(b)(7)(C) (office) (b)(6);(b)(7)(C) (cell)

AMERICAN OVERSIGHT

From: [redacted]@wsj.com>
Sent: Monday, December 16, 2019 1:26 PM
To: [redacted]
Subject: Re: wall statement

Follow Up Flag: Follow up
Flag Status: Flagged

Private Texas Border Wall Caught in Legal Fight

Government wins restraining order halting construction over concerns $40 million barrier, being built with private funds, could change course of the Rio Grande

McALLEN, Texas An effort to build a privately funded wall along the U.S.-Mexico border, as the Trump administration's efforts progress slowly, is running into trouble over concerns that its design may alter the border itself.

Construction of the three-mile section in South Texas was halted last week after a U.S. attorney for Texas's southern district obtained a temporary restraining order Dec. 5 against its builder, Fisher Industries, a North Dakota-based contractor.

The attorney's office argued that the wall is being built too close to the Rio Grande and could violate a treaty with Mexico by eroding soil and potentially altering the course of the waterway, which demarcates the U.S. border in Texas, when it floods.

Meanwhile, a group called We Build the Wall has raised $25 million online and said it has contributed $2 million toward the South Texas wall's construction.

Such private moves to build sections of wall come as supporters of President Trump, who agree with him that more secure barriers could help stop illegal immigration and related crimes, seek to speed construction. The federal government has built or strengthened only 90 miles of wall since Mr. Trump took office nearly three years ago, and virtually none in Texas, due in part to resistance from landowners.

Fisher Industries this month won a $400 million contract from the U.S. Army Corps of Engineers to build 31 miles of government-funded border wall near Yuma, Ariz. The Pentagon's internal watchdog

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said Thursday it would investigate the contract award after reports that Fisher Industries, which received the award after vocal support from Mr. Trump, hadn't previously met qualification criteria. Fisher Industries hopes it can demonstrate the value of the company's preferred construction style to help it win future federal contracts. "Most people wouldn't invest $40 million on the fly unless they really believe in it," the company's president, Tommy Fisher, said, referring to the projected cost of the wall.

The property being used for construction is owned by a family who support Mr. Fisher's work. The riverbanks themselves, however, belong to the government, under the treaty with Mexico. Mr. Fisher began construction last month by clear-cutting the thick brush that lines the river and making the natural vertical bank into a beach. He hasn't yet begun installing the wall's vertical panels.

Mr. Fisher said he is attempting to conduct an environmental analysis to prove that his wall won't pose a flood danger. Federal attorneys said in a court hearing last week that they fear that Fisher Industries's flattening of the natural riverbank and dredging behind it has already done irreparable damage.

The government typically builds its border walls up to a mile north of the Rio Grande to avoid affecting the river and causing potential ecological damage.

The fight between some of the most ardent supporters of Mr. Trump's border-security policy and his own administration's U.S. attorney illustrates how divisive the issue has become and how difficult constructing a wall can be in practice.

Much of the rallying for private wall construction has come from the group We Build the Wall. In addition to its online fundraising, the group has posted frequently on social media about the Fisher Industries South Texas barrier, referring to it as "our" wall and seeking donations to continue building it. We Build the Wall also regularly posts videos of a man nicknamed "Foreman Mike" giving updates on the wall's construction.

However, Mr. Fisher said that "Foreman Mike" has no role in the construction of the wall and came to the site only to film videos.

The U.S. attorney's office initially included We Build the Wall in its lawsuit seeking to halt the Fisher Industries wall. However, the court removed the group from the lawsuit after its attorneys said it has almost nothing to do with the project.

AMERICAN OVERSIGHT

Brian Kolfage, who founded We Build the Wall, said in an interview that his group didn't hire Fisher Industries, doesn't have any authority over the project and has paid only about 5% of its projected cost. He said his group didn't want to invest more because he knew "it was going to be dicey" with potential lawsuits.

However, Mr. Kolfage defended his group's public association with Fisher Industries's wall. "We created this movement," he said of the private-wall movement. "It doesn't matter how much money we put down, we're taking ownership."

The group previously paid for half a mile of private border wall that Fisher Industries built in Sunland, N.M. That work cost about $9 million, Mr. Kolfage said. He said the group has spent $2 million on the South Texas wall and $1 million hosting events and paying lawyers. It has $8 million saved and $5 million in pledges not yet received, he said.

(b) (6)
TEXAS REPORTER

M (b) (6) O (b) (6)
(b) (6) @wsj.com
T (b) (6)
A: 1200 Smith St., Ste. 615, Houston, TX 77002

DOW JONES

On Mon, Dec 16, 2019 at 12:00 PM (b)(6);(b)(7)(C) > wrote:

> Would you be a friend and copy and paste the story into an email? We don't have an online WSJ subscription (working on it) so I've hit the pay wall.
>
> **From** (b) (6) @wsj.com>
> **Sent:** Monday, December 16, 2019 12:46 PM
> **To** (b)(6);(b)(7)(C)
> **Subject:** Re: wall statement
>
> Thank (b)(6);(b)(7)(C)! That helps. We have a story up about the legal battle over the Fisher wall: https://www.wsj.com/articles/private-texas-border-wall-caught-in-legal-fight-11576500510?mod_hp_lead_pos7

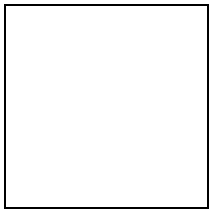
AMERICAN OVERSIGHT

Hope all's well with you too.

(b) (6)

(b) (6)

TEXAS REPORTER



M (b) (6) O (b) (6)
E (b) (6) @wsj.com
(b) (6)
A: 1200 Smith St., Ste. 615, Houston, TX 77002



On Mon, Dec 16, 2019 at 11:23 AM (b)(6);(b)(7)(C) wrote:

> Good da (b) (6),
>
> Hope all is well on this dreary Monday!
>
> Attributable to CBP:
>
> Would CBP have any response to Fisher's claims that his personal wall design is superior to the government's because there is not a no climb plate and the steel is different? He basically says the plate just gives people a place to hook ladders, so freestanding bollards are better, and the galvanized steel won't rust.

AMERICAN OVERSIGHT

The U.S. Border Patrol (USBP) has used physical barriers in support of its mission for many years and has learned valuable lessons on how best to deploy effective barriers to meet operational needs. While early barrier deployments fell short of providing the necessary impedance levels the agents in the field require to secure the border, they did provide a foundation for years of lessons learned which evolved the legacy border barrier into the effective border wall system deployed today.

U.S. Customs and Border Protection's (CBP) design for new border wall system, which includes 18 to 30 foot tall steel bollards and an optional anti-climb plate, new and improved roads, lighting, enforcement cameras and other detection technology, leverages these lessons learned to provide the USBP with improved impedance and denial capability.

CBP conducted testing on border wall prototypes to assess the utility of the anti-climb plate and determined that this attribute provides an additional layer of impedance to the wall system by preventing unassisted climbing attempts at illegal entry. CBP has also determined that a bollard comprised of galvanized steel is more costly to construct and more challenging to repair than the steel bollard currently being deployed.

Also, are there specs/dimensions somewhere for the wall being built in Donna re: its height, bollard width, spacing, etc? We'd like to compare those to the Fisher wall, if possible.

Please see press release here.

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

Public Affairs Specialist

U.S. Customs and Border Protection

Washington, DC HQ

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

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 18, 2019 6:36 PM
To: (b)(6);(b)(7)(C))
Subject: RE: UPDATE 106 TCA-SIU/CIG Border Wall Protest (17DEC19)

Thank (b)(6);(b)(7)(C). Appreciate the feedback.

Respectfully,

(b)(6);(b)(7)(C)
SBPA-I
Tucson Sector Intelligence Unit
Cell (b)(6);(b)(7)(C)

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: (b)(6);(b)(7)(C)
Date: 12/18/19 4:32 PM (GMT-07:00)
To: (b)(6);(b)(7)(C) >
Subject: RE: UPDATE 106 TCA-SIU/CIG Border Wall Protest (17DEC19)

(b)(6);(

(b) (5)

V/r,

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

(b)(6);(b)(7)(C)
Senior Attorney
Office of Associate Chief Counsel
U.S. Customs and Border Protection
4742 N. Oracle Rd. Suit (b)(6);(b)
Tucson, AZ 85705
(b)(6);(b)(7)(C) (Office)
(Mobile)
(Fax)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 9, 2020 12:35 PM
To: (b)(6);(b)(7)(C))
Subject: FW: Follow Up
Attachments: Fisher RGV border barrier project vFINAL01.07.2020.docx

Here it is

(b)(6);(b)(7)(C)
Associate Chief Counsel - Trade and Finance
Office of the Chief Counsel
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

~~ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT~~

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From (b)(6);(b)(7)(C)
Sent: Wednesday, January 8, 2020 9:09 AM
To: PEREZ, ROBERT (b)(6);(b)(7)(C) >
Cc: SCOTT, RODNEY (b)(6);(b)(7)(C); PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C) (b)(6);(b)(7)(C
Subject: RE: Follow Up

Sir Per our discussion last week, attached please find the initial impact assessment of a Fisher constructed border barrier in RGV. This paper was originally developed to help guide a conversation wit (b) (6), one of the new Deputy General Counsels at DHS (b) (5), (b)(6);(b)(7)(C)

(b) (5)

Please let us know if you have any questions or concerns and if you concur with release t (b) (6)

Best,
(b)(6);(b)(7)(C

AMERICAN OVERSIGHT

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

From: PEREZ, ROBERT (b) (6), (b) (7)(C)
Sent: Friday, January 3, 2020 6:36 PM
To (b) (6), (b) (7)(C) >
Cc: SCOTT, RODNEY (b) (6), (b) (7)(C) >; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C) (b) (6), (b) (7)
Subject: RE: Follow Up

Got i (b) (6), (b) (7)(once we have a better idea of likely path forward, we'll need to more specifically quantify the miles potentially impacted. Thanks.

REP

Robert E. Perez
Deputy Commissioner
U.S. Customs & Border Protection

From (b) (6), (b) (7)(C) >
Sent: Friday, January 3, 2020 4:50 PM
To: PEREZ, ROBERT (b) (6), (b) (7)(C) >
Cc: SCOTT, RODNEY (b) (6), (b) (7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C) (b) (6), (b) (7)
Subject: RE: Follow Up

Sir A couple follow ups on the content below.

First, I sent a follow up email to Kris Kobach this morning with you in the blind as discussed. I will let you know if we hear anything. My guess is with the holidays they've been focused on other things, but we'll keep a close eye on this and follow up with text/call next week if we still don't hear anything back.

(b) (5)

As I mentioned below, we're putting together a paper with more details which should be available Monday, but we wanted you to have a quick heads up in the interim, as soon as we heard from DOJ.

Best,
(b)(6); (b) (7)

AMERICAN OVERSIGHT

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

From (b) (6), (b) (7)(C)
Sent: Monday, December 30, 2019 11:01 AM
To: PEREZ, ROBERT (b) (6), (b) (7)(C) >
Cc: SCOTT, RODNEY (b) (6), (b) (7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Sir As promised, OCC has provided the latest.

(b) (5)

AMERICAN OVERSIGHT

- (b) (5)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C) >
Sent: Monday, December 30, 2019 9:32 AM
To: PEREZ, ROBERT E (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY (b) (6), (b) (7)(C) ; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: Re: Follow Up

Sir - We have not heard reply from WBTW. Given the holidays our plan is to check back at week's end if nothing has been received.

There have been a number of hearings regarding the TRO in RGV - we'll check in with OCC to get the latest from DOJ.

On a related note, there has also been some interest in Fisher's RGV mileage from the new Deputy General Counsel. We're putting together a paper to share via the OCC chain that explains the complications this construction causes to include both the implications it may have on our current construction as well as the obvious operational challenges. We'll share that later this week/early next week as well.

More to come shortly.

Thanks,
(b)(6);(b)(7)(C)

Get Outlook for iOS

From: PEREZ, ROBERT (b)(6);(b)(7)(C)
Sent: Monday, December 30, 2019 8:23:57 AM
T (b)(6);(b)(7)(C) >; MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: SCOTT, RODNEY (b) (6), (b) (7)(C) >; PROVOST, CARLA (USBP) (b)(6);(b)(7)(C)
HASTINGS, BRIAN S (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Chi (b)(6);(b)(7)(C) checking if you've heard back from WBTW on this. Also, any update on the RGV activity? Thanks.

REP

Robert E. Perez
Deputy Commissioner

AMERICAN OVERSIGHT

Fro (b)(6);(b)(7)(C)
Sent: Friday, December 13, 2019 3:39 PM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris,

In response to your inquiry last week abou (b) (7)(E) the attorneys and I touched base again today. It is my understanding that there is path by which DHS/CBP could potentially approve construction in the Roosevelt Reservation if it is part of a donation of border barrier. However, as with all things, whether it is a viable path will depend on the details. At this point, then, if WBTW wants to move forward i (b) (7)(E) in a way that includes construction on the Roosevelt Reservation, I think the best thing for WBTW to do would be to send DHS/CBP a formal donation package that speaks to its plans fo (b) (7)(E) and what would be donated DHS/CBP. With a formal package in hand, DHS/CBP could actually evaluate whether the proposed donation is something DHS/CBP could accept.

As to the criteria DHS/CBP would use to evaluate WBTW's donation package, including any aspect that would include construction in the Roosevelt Reservation, I would point you back to the checklist we provided to WBTW during our August 27, 2019 meeting. The checklist provides detailed recitation of the factors DHS/CBP would consider in evaluating the donation package. For example, to the extent that WBTW will be constructing on private land, DHS/CBP would be looking at things like evidence of ownership, whether Phase I environmental assessment has been formed, what it shows, etc. It also goes without saying that construction should meet DHS/CBP operational requirements. Here again, the checklist we previously provided includes a detailed recitation of the design specifications that would guide DHS/CBP's evaluation of the proposed donation.

Let me know if you have any questions once you've had some time to digest.

Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Friday, December 6, 2019 12:08 PM
To (b)(6);(b)(7)(C) >
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: Follow Up

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

Thanks for the update. Let's circle back next week.

Kris

From (b)(6);(b)(7)(C)
Sent: Friday, December 6, 2019 10:03 AM
To: kkobach@gmail.com

AMERICAN OVERSIGHT

Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: RE: Follow Up

Kris Thanks for the chat yesterday. As discussed, I did reach out to our attorneys on the Roosevelt question. They have put their heads together but need some more time in order to provide a complete answer. I wanted to get you an interim response but we expect to have more to share next week.

Thanks,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, December 5, 2019 9:34 AM
To: kkobach@gmail.com
Cc: MARTIN, JERRY B (b)(6);(b)(7)(C)
Subject: Follow Up

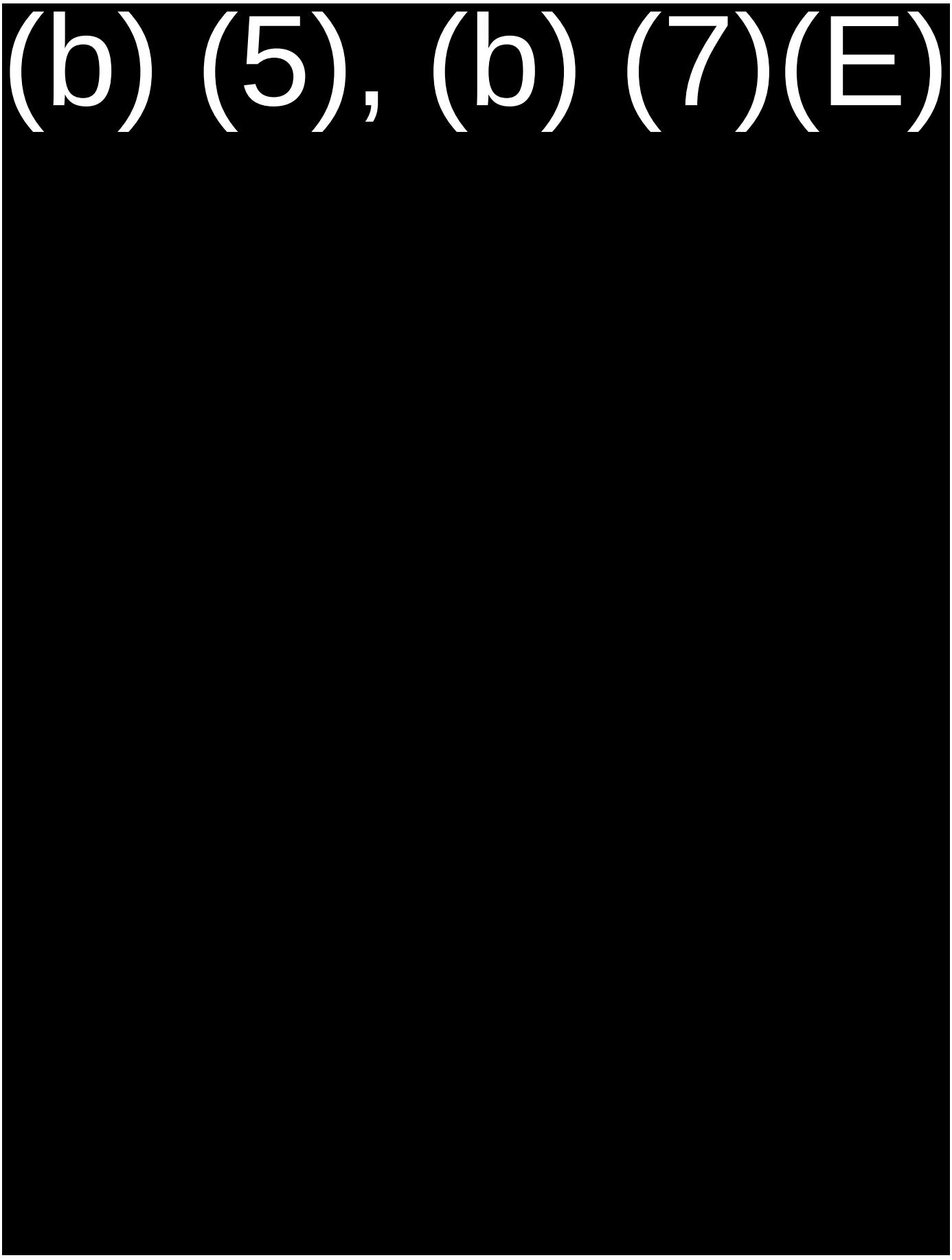
Good Morning Kris

Following up on your call with Deputy Commissioner Perez, do you have a few minutes today or tomorrow we could schedule to chat abo (b) (7)(E)

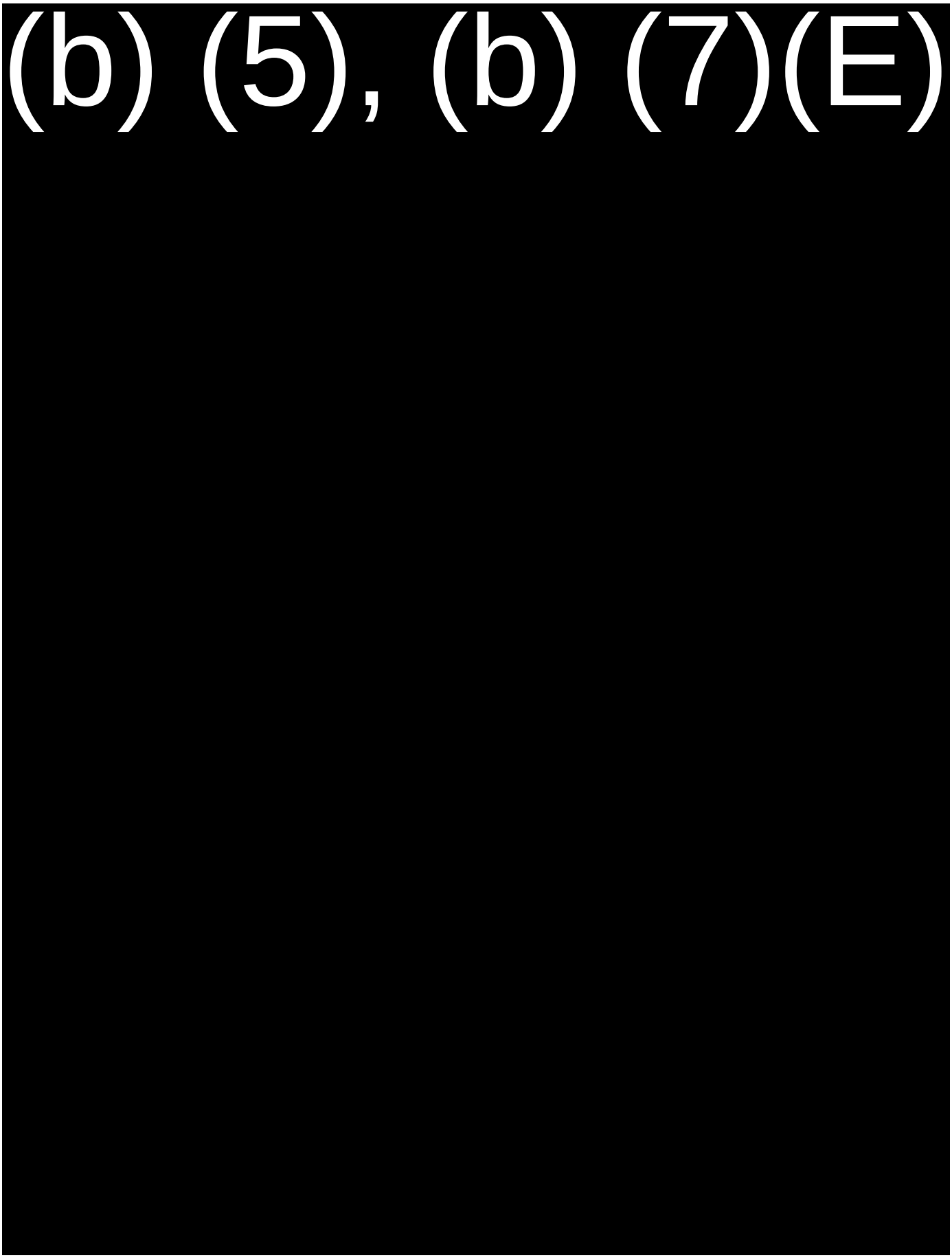
Best,
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Deputy Executive Director, Strategic Planning & Analysis
U.S. Border Patrol
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

(b) (5)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 1:30 PM
Cc: (b)(6);(b)(7)(C)
Subject: Re: Escort o (b) (6) a (b) (7)(E)

Get Outlook for iOS

From (b)(6);(b)(7)(C)
Sent: Thursday, January 16, 2020 11:21:40 AM
T (b)(6);(b)(7)(C)
C (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: Fwd: Escort o (b) (6) a (b) (7)(E)

Good mornin (b)(6);(b)(7)(C)

I just received a call from Kris Kobach with We Build the Wall. As you can see below, they would like to perform a site visit tomorrow, Friday the 17th, at the end of the wall i (b) (7)(E) Essentially the same walk BPA (b)(6);(b)(7)(C) did earlier this week wit (b) (6) I apologize for the late notice, but can you hav (b)(6);(b)(7)(C) available too accommodate this visit? As you can see, they are available any time tomorrow. Please let us know as soon as possible so we can advise them of the time.

Thanks (b)(6);(b)(7)(C)
Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57 AM
To (b)(6);(b)(7)(C)
Cc (b) (6)
Subject: Escort o (b) (6) a (b) (7)(E)

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.

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

Great talking with you on the phone. As I mentione (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on th (b) (7)(E) . The area starts where the existing border wall ends and goe (b) (7)(E) . I have attached a photo. The area is where the blue line is.

You can reac (b) (6) at home a (b) (6) Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cel (b) (6)

AMERICAN OVERSIGHT

Sent: Thursday, January 16, 2020 4:49 PM
To: STN STAFF
Cc: (b)(6);(b)(7)(C)
Subject: FW: Escort o (b) (6) a (b) (7)(E)
Attachments: OnX image of WBTW (b) (7)(E) site.pdf

A representative from We Build the Wall will be surveying the area south o (b) (7)(E) tomorrow morning. BPAs (b)(6);(b)(7)(C) an (b)(6);(b)(7)(C) will be escortin (b) (6)

V/R,

(b)(6);(b)(7)(C) | Supervisory Border Patrol Agent | Program Management Office | Santa Teresa Station | (b)(6);(b)(7)(C) - Office

From (b)(6);(b)(7)(C) >
Sent: Thursday, January 16, 2020 11:22 AM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: Fwd: Escort o (b) (6) a (b) (7)(E)

Good mornin (b)(6);(b)(7)(C)

I just received a call from Kris Kobach with We Build the Wall. As you can see below, they would like to perform a site visit tomorrow, Friday the 17th, at the end of the wall i (b) (7)(E) Essentially the same walk BP (b)(6);(b)(7)(C) did earlier this week wit (b) (6). I apologize for the late notice, but can you hav (b)(6);(b)(7)(C) available too accommodate this visit? As you can see, they are available any time tomorrow. Please let us know as soon as possible so we can advise them of the time.

Thank (b)(6);(b)(7)(C)
Get Outlook for iOS

From: kkobach@gmail.com <kkobach@gmail.com>
Sent: Thursday, January 16, 2020 10:57 AM
To (b)(6);(b)(7)(C)
Cc (b) (6)
Subject: Escort o (b) (6) a (b) (7)(E)

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.

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

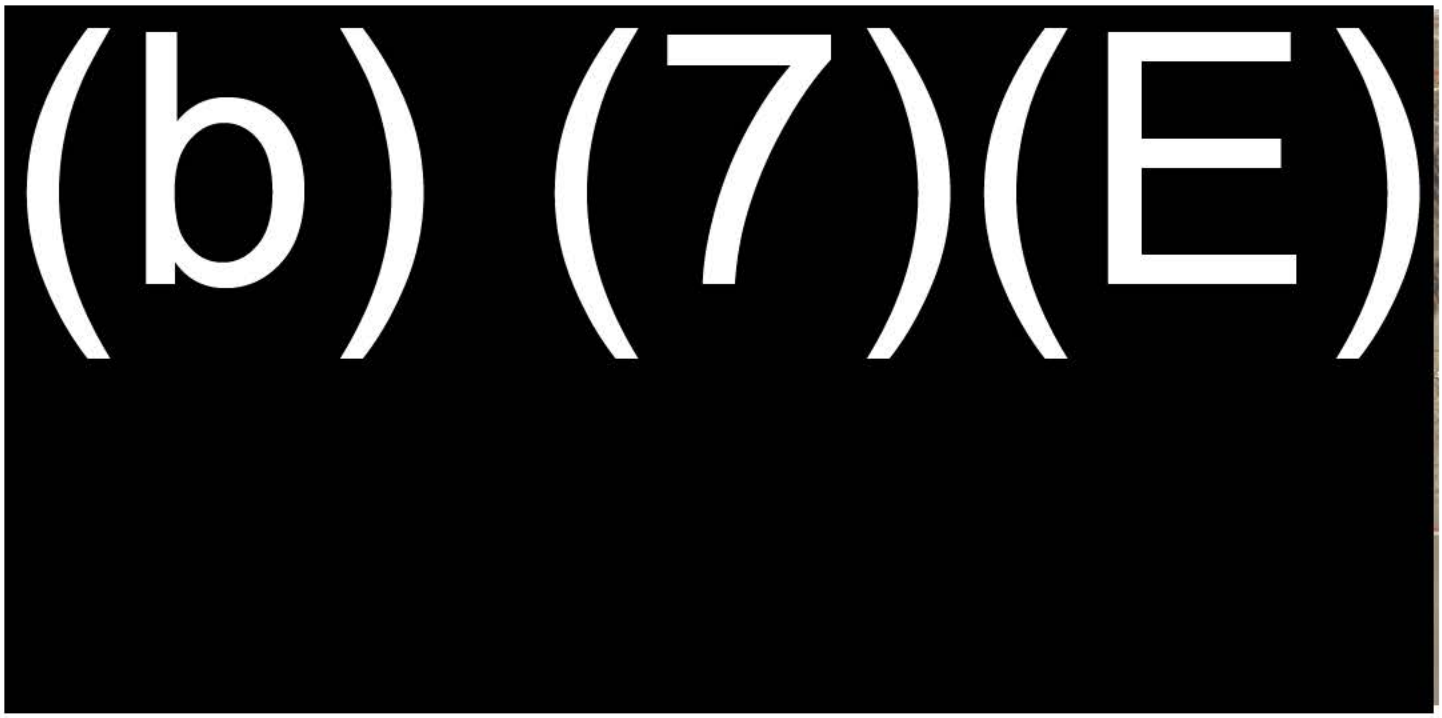
Great talking with you on the phone. As I mentioned (b) (6) (cc'd in this message) is available all day tomorrow to do his inspection/study of the area on th (b) (7)(E). The area starts where the existing border wall ends and goe (b) (7)(E). I have attached a photo. The area is where the blue line is.

AMERICAN OVERSIGHT

You can rea (b) (6) at home a (b) (6) Please let him know via email or phone when and where to meet tomorrow. Thanks for your help!

Kris Kobach
General Counsel, We Build the Wall
Cel (b) (6)

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Sunday, January 26, 2020 9:54 PM
To: (b) (6)
Subject: Fwd: Laredo mayor

More below

Get Outlook for iOS

From (b)(6);(b)(7)(C)
Sent: Sunday, January 26, 2020 9:44:26 PM
To: MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
Subject: Re: Laredo mayor

10-4. Thanks for the heads up.

(b)(6);(b)(7)(C)
(A) Chief of Staff, CBP
(b)(6);(b)(7)(C)

From: MARTIN, JERRY B (b)(6);(b)(7)(C)
Sent: Sunday, January 26, 2020 9:42:30 PM
To (b)(6);(b)(7)(C)
Cc (b)(6);(b)(7)(C)
>
Subject: Re: Laredo mayor

I received an informal debrief from Chie (b)(6);(b)(7)(C) regarding the Laredo City Council Meeting last week which was open to the public. In short, it didn't go well and the city voted to not sign any ROEs for any border wall related land acquisition (b) (5)
(b) (5)

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

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

Sent from my iPhone

On Jan 26, 2020, at 9:18 PM (b)(6);(b)(7)(C) > wrote:

AMERICAN OVERSIGHT

Chief [redacted]

Please see AC1's note below. [redacted] and team will be in touch to schedule a briefing for tomorrow.

I will send a separate email to you both on a related topic.

Thank you,
[redacted]
(A) Chief of Staff, CBP
[redacted]

From: MORGAN, MARK A [redacted]
Sent: Sunday, January 26, 2020 9:11:44 PM
To [redacted]
Cc: PEREZ, ROBERT [redacted]
[redacted]
Subject: Fwd: Laredo mayor

[redacted]- I'll need a wall update on the below issues as well as CBPs current analysis re: our projection of how many miles of wall will be built by the end of 2020. Need this tomorrow if we can in the afternoon.

Sent from my iPhone

Begin forwarded message:

> **From** [redacted]
> **Date:** January 26, 2020 at 8:47:06 PM EST
> **To:** AS2KT [redacted], [redacted]
> [redacted]
> **Subject: Fwd: Laredo mayor**
>
> **CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact theCBP Security Operations Center with questions or concerns.
>
> Here's an update question for you. I don't know if you remember us talking about this a while back.
>
> [redacted]
>
> ---------- Forwarded message ---------
> From [redacted]
> Date: Sat, Jan 25, 2020, 11:48 AM
> Subject: Laredo mayor
> To [redacted]>
> Cc [redacted]
>
> [redacted], Laredo mayor Pete Saenz has just been invited to a USMCA ceremony in dc

AMERICAN OVERSIGHT

next week. This is short notice but would you have time to visit with us wednesday Jan 29 afternoon? Want to see if any news re the bulkhead/wall and moving refugees to empty building that you toured. Many thanks (b) (6)

AMERICAN OVERSIGHT

From: (b) (6), (b) (7)(C)
Sent: Friday, January 31, 2020 3:06 PM
To: (b) (6), (b) (7)(C)
Cc: MARTIN, JERRY B
Subject: RE: CNN query on CBP correspondence with We Build the Wall

Adding Chief Martin. I think we can get something put together for this.

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

From (b) (6), (b) (7)(C)
Sent: Friday, January 31, 2020 3:04 PM
To (b) (6), (b) (7)(C)
Subject: Fwd: CNN query on CBP correspondence with We Build the Wall

Not distributing widely.

They don't mention the emails. She needs the responses by Monday at 2pm.

Sent from my iPhone

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

Begin forwarded message:

> **From** (b) (6) @cnn.com>
> **Date:** January 31, 2020 at 2:49:22 PM EST
> **To:** (b) (6), (b) (7)(C)
> **Subject: CNN query on CBP correspondence with We Build the Wall**
>
> **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.
>
> (b) (6), (b) (7
>
> As we discussed, I'm working on a story about We Build the Wall and have seen correspondence between Kris Kobach, who is on the group's team, and CBP officials, includin (b) (6), (b) (7)(C), regarding one of their upcoming projects. The correspondence occurred last October. Here are the questions I have:
>
> - Can you describe CBP's coordination with the group?

AMERICAN OVERSIGHT

- What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

- How will this fit with the border security improvement plan?

- Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?

- Does CBP intend to acquire the wall project once it's finished? Is their precedent to that?

- Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?

- Is CBP still in communication with Kris Kobach about We Build the Wall projects?

My deadline is 2 p.m. Monday. Feel free to also reach me a (b) (6).

Thank you,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) @cnn.com

AMERICAN OVERSIGHT

Sent: Friday, January 31, 2020 4:17 PM
To: (b) (6), (b) (7)(C)
Subject: RE: CNN query on CBP correspondence with We Build the Wall

(b) (6), (b) (7)(C) We have received the questions below from CNN. The reporters deadline is 2PM Monday. Obviously, we need your review. Can you provide your comments back NLT 10AM Monday so that

- Can you describe CBP's coordination with the group?

See number 2.

- What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

(b) (5)

- How will this fit with the border security improvement plan?

(b) (5)

- Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?

(b) (5)

- Does CBP intend to acquire the wall project once it's finished? Is their precedent to that?

(b) (5)

- Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?

(b) (5)

- Is CBP still in communication with Kris Kobach about We Build the Wall projects?

(b) (5)

(b)(6);(b)(7)(C)
Desk (b)(6);(b)(7)(C)
Mobile (b)(6);(b)(7)(C)

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, February 3, 2020 5:45 PM
To: (b) (6)
Subject: Re: CNN query on CBP correspondence with We Build the Wall

1) Can you describe CBP's coordination with the group?

See number 2.

2) What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

WBTW has stated to CBP their interest in donating privately constructed barriers to the government. CBP has provided information to WBTW regarding what is necessary to consider any potential donation in accordance with DHS's gift acceptance policies and procedures as well as applicable statutes and regulations. This includes redirecting WBTW to the appropriate parties to address questions or concerns that are outside of CBP's purview. While the type of donation in question here is novel, and therefore requires additional review, this is the same type of communication we would engage in with other external entities seeking to donate to the government.

3) How will this fit with the border security improvement plan?

The U.S. Border Patrol has operational requirements in the areas in which WBTW has expressed interest in donating privately constructed barriers.

4) Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?

As stated, the U.S. Border Patrol has operational requirements in the areas in which WBTW has expressed interest in donating privately constructed barriers. In evaluating any donation, CBP will consider how the donation addresses USBP's operational needs. CBP will determine how to address any potential changes to its requirements in future appropriations requests once the process of reviewing any offer from WBTW is complete.

5) Does CBP intend to acquire the wall project once it's finished? Is their precedent to that?

While the type of donation in question here is novel, and therefore requires additional review, CBP will review and adjudicate any donation request and make a determination regarding acceptance in

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accordance with DHS's gift acceptance authority, codified at 6 U.S.C. § 453 and Section 507 of Public Law 108-90, the DHS Appropriations Act of 2004.

6) Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?

In the event that WBTW seeks to build private barrier on Federal lands, the government would have to provide access to the property for construction.

7) Is CBP still in communication with Kris Kobach about We Build the Wall projects?

CBP continues to respond to questions as they are received from WBTW.

Sent from my iPhone

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

On Jan 31, 2020, at 2:49 PM (b) (6) @cnn.com> wrote:

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.

H (b) (6), (b) (7)

As we discussed, I'm working on a story about We Build the Wall and have seen correspondence between Kris Kobach, who is on the group's team, and CBP officials, includin (b) (6), (b) (7)(C), regarding one of their upcoming projects. The correspondence occurred last October. Here are the questions I have:

- Can you describe CBP's coordination with the group?
- What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?
- How will this fit with the border security improvement plan?
- Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?
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- Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?

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- Is CBP still in communication with Kris Kobach about We Build the Wall projects?

My deadline is 2 p.m. Monday. Feel free to also reach me a (b) (6).

Thank you,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsApp (b) (6)
(b) (6) @cnn.com

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Monday, February 3, 2020 5:47 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: CNN query on CBP correspondence with We Build the Wall

Send to CNN

Begin forwarded message:

From (b)(6);(b)(7)(C)
Date: February 3, 2020 at 2:32:29 PM EST
To: (b) (6)
Subject: Fwd: CNN query on CBP correspondence with We Build the Wall

Can you guys concur on these answers for CNN?

We're all clear from CBP.

1) Can you describe CBP's coordination with the group?

See number 2.

2) What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

WBTW has stated to CBP their interest in donating privately constructed barriers to the government. CBP has provided information to WBTW regarding what is necessary to consider any potential donation in accordance with DHS's gift acceptance policies and procedures as well as applicable statutes and regulations. This includes redirecting WBTW to the appropriate parties to address questions or concerns that are outside of CBP's purview. While the type of donation in question here is novel, and therefore requires additional review, this is the same type of communication we would engage in with other external entities seeking to donate to the government.

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As stated, the U.S. Border Patrol has operational requirements in the areas in which WBTW has expressed interest in donating privately constructed barriers. In evaluating any donation, CBP will consider how the donation addresses USBP's operational needs. CBP will determine how to address any potential changes to its requirements in future appropriations requests once the process of reviewing any offer from WBTW is complete.

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In the event that WBTW seeks to build private barrier on Federal lands, the government would have to provide access to the property for construction.

7) Is CBP still in communication with Kris Kobach about We Build the Wall projects?

CBP continues to respond to questions as they are received from WBTW.

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 4, 2020 9:41 AM
To: (b)(6);(b)(7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

(b)(6);(b)(7)(C)
Supervisory Border Patrol Agent
Santa Teresa Border Patrol Station
(b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Thursday, November 21, 2019 1:30 PM
To (b)(6);(b)(7)(C)
Cc: EPT-LEO (b) (7)(E) STN STAF (b) (7)(E) >
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

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

See bullets below regarding operational posture and OPCON.

As far we know through casual conversation the brick plant owner expressed his intention to donate the wall and the land for border security purposes. This has been from the onset.

There are no new updates since August in relation to the New Border Wall. Give me a call if you have any questions.

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

(b)(6);(b)(7)(C)
(b) (6), (b) (7)(C
U.S. Border Patrol
Santa Teresa Station
O (b)(6);(b)(7)(C)
Cell: (b)(6);(b)(7)(C)

Fro (b)(6);(b)(7)(C)
Sent: Thursday, November 21, 2019 12:38 PM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: RE: El Paso Sector Interaction with "We Build the Wall" entities

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

Operational Posture:

- (b) (7)(E) agents deployed to Zon (b) (7)(E) per shift, which encompasses th (b) (7)(E) area as well a (b) (7)(E)
- This accounts for approximatel (b) (7)(E) of border i (b) (7)(E) AOR. Privately funded wall accounts for approximatel (b) (7)(E) of infrastructure/wall in Zon (b) (7)(E) The remainin (b) (7)(E).
- Agents assigned to the area normally patro (b) (7)(E)
- Coordination with IBWC is conducted during business hours so that their operation and border security is maintaine (b) (7)(E).
- (b) (7)(E)
- Situational awareness in Zon (b) (7)(E)
- Illegal entries to th (b) (7)(E) is located i (b) (7)(E) AOR and response to those entries is normall (b) (7)(E)
- (b) (7)(E)
- (b) (7)(E)

OPCON Efforts for Traffic Diverted by Privately Funded Wall:

Situational Awareness

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

Impedance and Denial

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

Response and Resolution

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

V/R,

AMERICAN OVERSIGHT

(b)(6);(b)(7)(C)
Acting Watch Commander
Santa Teresa Station
El Paso Sector
O (b)(6);(b)(7)(C)
C

From (b)(6);(b)(7)(C)
Sent: Thursday, November 21, 2019 9:27 AM
To (b)(6);(b)(7)(C)
>
Cc (b)(6);(b)(7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

(b)(6);(b)(7)(C) please provide me some bullets on the highlighted below.

(b)(6);(b)(7)(please provide any updates if applicable on the underlined questions below.

Need these today please.

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

From (b)(6);(b)(7)(C)
Sent: Thursday, November 21, 2019 8:36 AM
To (b)(6);(b)(7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

As discussed.....

From (b)(6);(b)(7)(C) >
Sent: Wednesday, November 20, 2019 4:08 PM
To (b)(6);(b)(7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

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

We are able to answer most of the questions. Can you assist us in the below?

Need a piece on Operational posture in area:

Now that the wall is u (b)(6);(b)(7) had discussed traffic being diverted t (b) (7)(E) How is OPCON being achieved?

Any information past August?

Is the owner still trying to sell the land?

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

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Executive Officer
United States Border Patrol
El Paso Sector
Office (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)
Email (b)(6);(b)(7)(C)

From (b)(6);(b)(7)(C)
Sent: Wednesday, November 20, 2019 3:17 PM
To (b)(6);(b)(7)(C)
Cc: EPT-LEO (b) (7)(E) >
Subject: RE: El Paso Sector Interaction with "We Build the Wall" entities

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

Here is what I discussed with you.

Th (b)(7)(E) Private Wall IP appears to cover most of what is being asked but only goes through August (Statistical Analysis). This would need to be updated.

Need a piece on Operational posture in area: Now that the wall is u (b)(6);(b) had discussed traffic being diverted t (b) (7)(E) (b) (7)(E) . How is OPCON being achieved?

Any information past August?

Also another question that might arise, is the owner still trying to sell the land?

June 18, 2019 (b)(6);(b)(7)(C) met wit (b) (6) and was informed tha (b) (6) intended to sell the land that the wall is on to the "We Build the Wall" organization within the next two weeks. He was concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property. He was also concerned about the eight million dollar improvement made to his property and how this would affect future tax assessments. He further stated he is including verbiage within the sale contract that would require the "We Build the Wall" organization to re-sell the property to the U.S. Government for one (1) dollar. He was again informed b (b) (6), (b) (7)(C) that his intent to donate or sell the land to anyone, including the U.S. Government, was not being encouraged.

V/R,

(b) (6), (b) (7)(C)
(A) Operations Officer
Law Enforcement Operations Divisions
El Paso Sector
(O (b) (6), (b) (7)(C)

Fro (b) (6), (b) (7)(C)
Sent: Wednesday, November 20, 2019 2:53 PM

AMERICAN OVERSIGHT

To (b) (6), (b) (7)(C)
Cc: EPT-LEO (b) (7)(E) > (b) (6), (b) (7)(C)
>
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

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

Please see the entire historical "we build the wall" IP, EPT communications, and emails. The actual gate that was built was built on IBWC land. We had a meeting and agreed upon operating conditions of the gate. Chief Hull sent a letter to the IBWC commissioner outlining those requirements listed below. I have attached a draft of that letter, but I do not have the final copy.

- Gate to remain closed and secured at all times unless official access t (b) (7)(E) is required
- USBP be notified prior to the gate being opened
- USBP have access to open or close the gate, for border security requirements or lifesaving incidents

Currently IBWC is still meeting all these requirements. Please let me know if you need any further info? Hope all is well.

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

From: HULL, AARON (b) (6), (b) (7)(C)
Sent: Thursday, June 20, 2019 10:03 AM
To (b) (6), (b) (7)(C)

Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

FYI

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol
(b) (6), (b) (7)(C)

From: HULL, AARON A
Sent: Thursday, June 20, 2019 10:00 AM
To: HASTINGS, BRIAN S (b)(6);(b)(7)(C) MARTIN, JERRY B (b)(6);(b)(7)(C)
Cc: SINGLETON, RUYNARD R (b)(6);(b)(7)(C) (b) (6), (b) (7)(C)
,

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
Subject: FW: El Paso Sector Interaction with "We Build the Wall" entities

Chiefs:

We have attached all known communication and updates to this email concerning interactions with any entity associated with "We Build the Wall" by El Paso Sector (EPT) employees, to include a catalogue of these interactions broken down by Pre-, During-, and Post-Construction communication. El Paso Sector and specifically Santa Teresa Station (STN) management continue to interact with land owne (b) (6) on a regular basis. He is a key land owner in the STN area of responsibility (AOR) and amicable interaction is key to continued access to his land that abuts the international boundary. At no point in any communication has any El Paso Sector employee conveyed to any entity that we encouraged or discourage (b) (6) private actions on his land. We did not convey any information t (b) (6) or "We Build the Wall" personnel regarding wall construction or about intentions to accept ownership of the wall. We did ensure EP (b) (7)(E) agents would continue to have unfettered access to all areas o (b) (6) land before, during, and after construction.

Pre-Construction Communication:

April 10, 2019 - American Eagle Brick Plant owne (b) (6) contacted EPT Division Chief of Operation (b) (6), (b) (7)(C) telephonically, informing him of his intent to build a wall along the border inside his privately owned property. (b) (6) was informed that he is responsible for the decisions made to improvements within his property and that EPT did not encourage or discourage his private actions. (b) (6) informed D (b) (6), (b) (7)(C) of his intent to transfer ownership of the wall to the U.S. Government. DC (b) (6), (b) (7)(C) informed him it is a lengthy process to do so, but that EPT was not encouraging him to do so and would not be involved in any of his private efforts.

April 10, 2019 - STN (A) Patrol Agent in Charg (b) (6), (b) (7)(C) contacte (b) (6) (b) (6) notified (A) PAI (b) (6), (b) (7)(C) of his intent to allow a private group to erect a wall on his property and that he would like an opportunity to discuss further. (A) PAI (b) (6), (b) (7)(C) reiterated D (b) (6), (b) (7)(C) communication wit (b) (6) from earlier in the day.

April 17, 2019 (b) (6) inquired via telephone as to the process required to gift/donate land to the U.S. Government. (A) PAI (b) (6), (b) (7)(C) informe (b) (6) that this process may be possible but would require him to submit something formally in writing to be forwarded to the appropriate government real estate entity who oversees this type of action. (b) (6) inquired as to our ability to provide input for wall design. (b) (6) was again informed that what he did on his private land was neither encouraged nor discouraged by the U.S. Border Patrol and that our only concern would be continued access to the land in order to secure the U.S. / Mexico Border. He was not provided design information.

On or About April 17-19) - Kris Kobach, from the We Build the Wall project, telephoned (A) PAI (b) (6), (b) (7)(C) relaying to him tha (b) (6) had shared his contact information with him. Mr. Kobach requested information regarding the design of wall within the STN AOR. (A) PAI (b) (6), (b) (7)(C) informed Mr. Kobach that he would be unable to provide design specifications. The conversation was very cordial and Mr. Kobach stated that he understood. Later that evening, a group of gentlemen (Mr. Kobach included) with the We Build the Wall project arrived at STN requesting a tour of the station. This request was denied; (A) PAI (b) (6), (b) (7)(C) telephoned Mr. Kobach and informed him that such a request would need to be routed through EPT. Mr. Kobach remained cordial and stated that he understood.

During Construction Communication:

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On or About May 17, 2019 - Chief Patrol Agent Aaron Hull, Deputy Chief Patrol Agen (b) (6), (b) (7)(C), and other EPT staff stopped b (b) (7)(E) to see the construction that had begun. Earth was being moved at that time, but no sections of the wall had been built. An individual made contact when he saw EPT staff arrive. He appeared to be speaking on behalf of the "We Build the Wall" project. EPT staff was subsequently approached by Tommy Fisher, CEO of Fisher Industries, and an individual who identified himself as an attorney. At one point, Mr. Fisher showed Chief Hull a brief video of previous construction efforts on his mobile phone. EPT staff listened to the individuals and said very little in response. EPT staff did not provide any specifications or recommendations to any of the individuals involved in the wall project regarding how it could or should be constructed or used. The individuals were friendly and cordial. The visit t (b) (7)(E) lasted approximately 20 minutes.

May 19, 2019 – STN agents assigned to th (b) (7)(E) advised tha (b) (7)(E) agents responded to the are (b) (7)(E) Conversation was cordial; Fisher Industries personnel were apologetic and made efforts to assis (b) (7)(E)

May 20, 2019 - (A) PAI (b) (6), (b) (7)(C) visited the site and was approached by American Eagle Brick Plant employe (b) (6) (last name unknown) and Mr. Fisher. (A) PAI (b) (6), (b) (7)(C) was informed that plans for the build include wall construction with corresponding infrastructure (25-foot cement driveway, lighting and smart sensor technology). Mr. Fisher was very optimistic that the entire project would be completed in one week (Monday, May 27). During the brief conversation, Mr. Fisher discussed his company's ability to build a better more cost effective design than what had previously been built by other contractors. No further communication or requests occurred in this conversation.

May 21, 2019 - Chief Patrol Agent Hull, Deputy Chief Patrol Age (b) (6), (b) (7)(C), and Strategic Planning and Analysis Chief Brian Martin visite (b) (7)(E) as part of Chief Martin's tour of the EPT AOR. Mr. Fisher and one or two other individuals approached the USBP personnel present and initiated conversation about the wall construction. One of the individuals present indicated that he worked fo (b) (6) USBP personnel did not provide any specifications or recommendations regarding the project.

Post-Construction Communication:

June 17, 2019 Mr. Fisher contacted EPT to ask if Chief Hull was interested in meeting with him to tour the wall and talk about a future project i (b) (7)(E) Chief Hull advised HQ LEOD and SPA leadership of the offer and declined it.

June 18, 2019 (b) (6), (b) (7)(C) met wit (b) (6) and was informed tha (b) (6) intended to sell the land that the wall is on to the "We Build the Wall" organization within the next two weeks. He was concerned about the liability he would incur should someone attempt to climb the wall and become injured on his property. He was also concerned about the eight million dollar improvement made to his property and how this would affect future tax assessments. He further stated he is including verbiage within the sale contract that would require the "We Build the Wall" organization to re-sell the property to the U.S. Government for one (1) dollar. He was again informed b (b) (6), (b) (7)(C) that his intent to donate or sell the land to anyone, including the U.S. Government, was not being encouraged.

Thanks.

Aaron A. Hull
Chief Patrol Agent
El Paso Sector
U.S. Border Patrol

AMERICAN OVERSIGHT

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

AMERICAN OVERSIGHT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 5, 2020 6:31 AM
To: (b) (6)
Subject: RE: CNN query on CBP correspondence with We Build the Wall

I passed it along yesterday, but there was no deadline…not going to get it this morning. Wall stuff has to go through multiple layers. I'll see if I can kick if along faster.

(b)(6);(b)(7)(C)
Assistant Chief, USBPHQ
CBP Office of Public Affairs - Media Division
(b)(6);(b)(7)(C) iPhone)
(Desk)
(b) (6), (b) (7)(C)

From (b) (6) @cnn.com>
Sent: Tuesday, February 4, 2020 3:30 PM
To (b)(6);(b)(7)(C)
Subject: Re: CNN query on CBP correspondence with We Build the Wall

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.

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

Wanted to make sure you received my follow-up questions below. My deadline is tomorrow morning.

(b) (6)

From (b) (6) @cnn.com>
Date: Tuesday, February 4, 2020 at 12:10 PM
To (b)(6);(b)(7)(C)
Subject: Re: CNN query on CBP correspondence with We Build the Wall

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

I reviewed the directive you referenced below and have some follow-up questions.

- The directive says that the DHS Under Secretary for Management needs to ensure "authorized agency officials file the semi-annual property report of the gifts accepted for the department during the preceding six months in a timely fashion." Have CBP officials filled out this report yet? And if so, what's the timeline?
- The directive also says that heads of the components need to "develop a written process for evaluating proposed gifts." Given that CBP appears to be considering this donation, where is the process in writing?
- Has the secretary or deputy secretary been made aware of the donation? And if so, how have they been made aware?

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In response to No. 4, you mention that "CBP will determine how to address any potential changes to its requirements in future appropriations requests once the process of reviewing any offer from WBTW is complete." How is that handled? Are there specs assessing the cost of the project to adjust future appropriation requests?

Happy to discuss these over the phone as well. My number i (b) (6)

Thank you,

(b) (6)

From: (b)(6);(b)(7)(C) >
Date: Monday, February 3, 2020 at 5:45 PM
To (b) (6) @cnn.com>
Subject: Re: CNN query on CBP correspondence with We Build the Wall

1) Can you describe CBP's coordination with the group?

See number 2.

2) What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

WBTW has stated to CBP their interest in donating privately constructed barriers to the government. CBP has provided information to WBTW regarding what is necessary to consider any potential donation in accordance with DHS's gift acceptance policies and procedures as well as applicable statutes and regulations. This includes redirecting WBTW to the appropriate parties to address questions or concerns that are outside of CBP's purview. While the type of donation in question here is novel, and therefore requires additional review, this is the same type of communication we would engage in with other external entities seeking to donate to the government.

3) How will this fit with the border security improvement plan?

The U.S. Border Patrol has operational requirements in the areas in which WBTW has expressed interest in donating privately constructed barriers.

4) Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?

As stated, the U.S. Border Patrol has operational requirements in the areas in which WBTW has expressed interest in donating privately constructed barriers. In evaluating any donation, CBP

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will consider how the donation addresses USBP's operational needs. CBP will determine how to address any potential changes to its requirements in future appropriations requests once the process of reviewing any offer from WBTW is complete.

5) Does CBP intend to acquire the wall project once it's finished? Is their precedent to that?

While the type of donation in question here is novel, and therefore requires additional review, CBP will review and adjudicate any donation request and make a determination regarding acceptance in accordance with DHS's gift acceptance authority, codified at 6 U.S.C. § 453 and Section 507 of Public Law 108 90, the DHS Appropriations Act of 2004.

6) Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?

In the event that WBTW seeks to build private barrier on Federal lands, the government would have to provide access to the property for construction.

7) Is CBP still in communication with Kris Kobach about We Build the Wall projects?

CBP continues to respond to questions as they are received from WBTW.

Sent from my iPhone

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

On Jan 31, 2020, at 2:49 PM (b) (6) @cnn.com> wrote:

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.

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

As we discussed, I'm working on a story about We Build the Wall and have seen correspondence between Kris Kobach, who is on the group's team, and CBP officials, includin (b) (6), (b) (7)(C) regarding one of their upcoming projects. The correspondence occurred last October. Here are the questions I have:

- Can you describe CBP's coordination with the group?
- What is CBP's role in We Build the Wall's private project? Is the agency working with We Build the Wall on a project?

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- How will this fit with the border security improvement plan?
- Is it going to be in a high priority area and will CBP adjust its requirements to the appropriators based on this new project?
- Does CBP intend to acquire the wall project once it's finished? Is their precedent to that?
- Brian Kolfage, We Build the Wall's founder, alleges the project will be on federal land. Is CBP assisting with that?
- Is CBP still in communication with Kris Kobach about We Build the Wall projects?

My deadline is 2 p.m. Monday. Feel free to also reach me a (b) (6).

Thank you,

(b) (6)

(b) (6)
Immigration Reporter, CNN Politics
Cell, Signal, WhatsAp (b) (6)
(b) (6) @cnn.com

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From: Brian Kolfage Jr.
To: BORDERWALLDESIGNBUILD
Subject: RFP for bollard wall
Date: Wednesday, January 30, 2019 5:26:58 PM

Can you send me the RFP for the bollard wall design?

Brian Kolfage
We Build The Wall

Sent from my iPhone

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From: (b) (6), (b) (7)(C)
Sent: Monday, February 10, 2020 9:44 PM
To: AS1CFW
Subject: Re: CNN: Private group wants to build border wall on US government land and donate it

Rgr. Good idea.

Sent from my iPhone

On Feb 10, 2020, at 8:54 PM, AS1CFW (b) (6) wrote:

(b) (6) is setting up a sync on this issue for us.
Either late this week or early next.
Want to ensure that I'm tracking all issues.

From (b) (6)
Sent: Monday, February 10, 2020 1:45 PM
Subject: CNN: Private group wants to build border wall on US government land and donate it

CNN: Private group wants to build border wall on US government land and donate it

By Nick Valencia & Priscilla Alvarez | February 10, 2020

(CNN) A private group that supports President Donald Trump's border wall effort is communicating with the administration on plans to build a wall along the southern border and donate it to the US government, according to interviews and correspondence obtained exclusively by CNN.

We Build the Wall Inc., a group founded by Air Force veteran Brian Kolfage, has been communicating with the Department of Homeland Security and its border agency, US Customs and Border Protection, since at least October and has received guidance from federal officials on how to move forward with wall construction.

The group gained national attention after raising millions of dollars in a GoFundMe campaign, and launching two private wall projects in New Mexico and Texas. Those projects were constructed on private land -- a strategy that largely shields them from government intervention.

Kolfage claims his group's latest endeavor will be built on federal land and then given to the federal government. But such a move would require the controversial group to meet a slew of rules and regulations, and possibly require the government to ask for bids for the project.

Three years into Trump's presidency, the majority of the administration's efforts along the border have been replacing dilapidated barriers with new, enhanced wall systems. Legal challenges have also slowed down construction along some areas of the US-Mexico border, as states and organizations push back against the President's signature wall.

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A private group contributing to that goal is unusual and raises questions as to whether it's legally possible. Unlike We Build the Wall's previous projects on private land, the group would need to meet a series of other rules and regulations to build on federal land.

When asked if CBP is allowing or assisting with the project on federal land, CBP did not directly respond, but said, "In the event that (We Build the Wall) seeks to build private barrier on Federal lands, the government would have to provide access to the property for construction."

Kolfage has come under scrutiny for his inflammatory rhetoric and promises. In the past, he's been accused by some of his donors as overpromising and underdelivering. Other allegations against him include being clandestine in his operations and unwilling to disclose certain logistics. He often uses his Twitter account, which has more than 77,000 followers, to spar with or confront liberal critics.

In the past, Kolfage has defended himself against criticism. He told CNN that his group is a "game-changer for border security" and is "trying to make America safer."

With his latest endeavor, he says he intends to donate the wall to the government, but any type of donation would need to be in accordance with DHS' gift acceptance authority.

That directive lists a litany of responsibilities, and policy and requirements that need to be met to accept a gift. For example, the DHS under secretary for management is expected to ensure authorized agency officials file a report and component heads need to develop a written process for evaluating proposed gifts.

Asked about the directive's requirements, CBP said "no donation of border wall has been formally offered, adjudicated and/or accepted to date."

"In accordance with DHS directives, if a gift is offered to the Agency, the Agency follows the instructions that accompany the DHS directive and apply throughout DHS when accepting gifts," the agency said, adding: "At such time as a donation is formally offered, appropriate notifications will be made through the Department's chain of command."

Kolfage said DHS and CBP were "highly involved" in getting their upcoming project "pushed through."

"They told us it was going to take a while because the government moves slow. Right off the bat they gave us a checklist," he said. "They said they were going to help us get it done because there was a need to get it done."

CBP said in a statement to CNN that it provided information to We Build the Wall "regarding what is necessary to consider any potential donation in accordance with DHS's gift acceptance policies and procedures as well as applicable statutes and regulations."

"This includes redirecting (We Build the Wall) to the appropriate parties to address questions or concerns that are outside of CBP's purview," the agency added. "While the type of donation in question here is novel, and therefore requires additional review, this is the same type of communication we would engage in with other external entities seeking to donate to the government."

In October 2019, Kris Kobach, the former Kansas secretary of state and counsel for the We Build the Wall team, corresponded with CBP officials on an upcoming private wall project. Officials answered a series of questions posed by We Build the Wall about how to meet CBP's requirements, according to the correspondence that CNN viewed.

While it's not clear from the correspondence which side approached the other about the project, Kolfage said that they brought it up to the Department of Homeland Security in a series of conversations

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over the last several months. Last fall, acting Homeland Security Secretary Chad Wolf visited We Build the Wall's project in Sunland Park, New Mexico.

Kolfage says he's discussed the border wall with officials at CBP and DHS, and with White House senior adviser Jared Kushner. The White House did not respond to requests for comment. The Department of Homeland Security declined to comment and referred to CBP for questions regarding the project.

Kolfage is not publicly disclosing where the new portion of the wall will be built, but called it a "highly trafficked area."

"Frankly, it's something we've focused on, the gaps. People in the government see these holes, and they overlook it. And that's where we come in," he added.

Former national Border Patrol chief David Aguilar said it's not uncommon for CBP to receive donation offers, but they are each scrutinized to ensure that standards and regulations are met, as is expected to be the case for accepting any type of border barrier.

"For every offer that comes in, it is looked at: One, does it benefit the government and therefore the country; two, does it fall under regulations and law for CBP to accept these donations? And what is the benefit? Does it fit our needs? Does it fit the requirements?" Aguilar told CNN.

"The things I'd be looking at these are not to reflect negatively on the company or the organization but specifically we'd be looking at where is this wall; where is this barrier located; is it in a place that fits the need of the Border Patrol?" he added.

A 'novel' donation

There are barriers along more than 650 miles of the US-Mexico border as of January 31, according to CBP figures. Around 576 miles -- some of which includes replacing old barriers -- are planned with funding from several government accounts.

CBP has identified priority areas for additional barriers and requested funds from Congress to complete those projects. The agency said in a statement that US Border Patrol "has operational requirements in the areas in which (We Build the Wall) has expressed interest in donating privately constructed barriers."

Construction on federal land may complicate plans given the slew of requirements that need to be met. It's also unclear whether in that scenario, the government would have to solicit bids for the project.

Marvin Heymann, a US federal government proposal writer, said that if there's building on federal land, the government "absolutely" has to put out a solicitation. "If it's private sector money on government property, they have to compete," he said. "The government is bound to introduce competition at every level when possible," he added.

The project at the center of the discussion between Kobach and the officials is the third by the group. Kolfage claims to have close to $9 million for building. "It will be like our first project where we financed ourselves," he told CNN. Kolfage said he intends to "gift" the wall to the government free of charge.

"What we're doing is trying to uphold our laws and force people to use the front door rather than allowing the cartels to exploit women and children and push people through the back door," Kolfage said. "What we will show and have shown is that our construction process is the best in the world."

Kolfage said the group has already completed a historic review and conducted environmental studies in the area where the new portion of the wall is expected to be built.

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"We will go through the same process that any federal contract has to go through to build this wall," he said. "It could be breaking ground as soon as a month away, that's if everything falls in line. I would say one to two months." That timeline, however, likely depends on whether the group receives permission to build on federal land and meets other requirements.

We Build the Wall's latest venture

Kolfage's We Build the Wall team is staffed with some of Trump's most prominent allies, including Kobach and former White House chief strategist Steve Bannon.

Last May, We Build the Wall broke ground on its first project in Sunland Park. The group contracted Fisher Industries, a North Dakota construction firm, to erect the half-mile. A few months later, We Build the Wall, with Fisher as the main contractor, embarked on a wall project in Texas.

Kolfage has taken to Twitter to herald his team's efforts. In doing so, he's also become a controversial figure for his inflammatory rhetoric and attacks against the National Butterfly Center, a 100-acre wild butterfly habitat near one of their project's locations that sued the group.

The center, along with federal prosecutors, sued over the project. While the project was temporarily halted, a judge later allowed them to proceed with construction.

Kolfage, meanwhile, continues to endeavor to construct more miles of wall, with the intent of donating the barriers to administration. While it's unclear whether Customs and Border Protection will take up the offer, the agency says it'll continue to respond to questions "as they are received from (We Build the Wall)."

Still, Trump touted the administration's progress at his latest State of the Union address, saying a "long, tall, and very powerful wall is being built" and pledging to complete "over 500 miles" by early 2021.

(b) (6)
Assistant Press Secretary
Office of Public Affairs
U.S. Department of Homeland Security

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