U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010

U.S. Citizenship and Immigration Services

October 2, 2023

Control Number: LIT2023000007

Hart Wood
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Dear Hart Wood:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on June 30, 2023, for

1. All email communications sent to any of the following entities, including messages where those individuals/organizations were carbon copied (cc) or blind carbon copied (bcc). This request includes all prior messages (whether incoming or outgoing) reflected in any responsive emails and any attachments to any responsive emails.

a. Any employee or representative of Federation for American Immigration Reform (including any emails sent to or received from an address ending in@fairus.org)

b. Any employee or representative of Immigration Reform Law Institute (including any emails sent to or received from an address ending in@irli.org)

c. Any employee or representative of Center for Immigration Studies (including any emails sent to or received from an address ending in

@cis.org)

d. Any employee or representative of NumbersUSA (including any emails sent to or received from an address ending in @numbersusa.com)

e. Any employee or representative of The Remembrance Project (including any emails sent to or received from an address ending in

@theremembranceproject.org)

f. Any employee or representative of Heritage Foundation (including any emails sent to or received from an address ending in @heritage.org)

g. Any employee or representative of VDARE (including any emails sent to or received from an address ending in @vdare.com)

h. Kris Kobach (including but not limited to emails sent to or received from kkobach@gmail.com, kris@kriskobach.com)

2. Any email communications (including emails, email attachments and calendar invitations), handwritten communications, and/or calendar entries involving any person at the White House Office (including anyone with an email address ending in @who.eop.gov) regarding the Migrant Protection Protocols (MPP).

AMERICAN OVERSIGHT

American Oversight requests that DHS search the records of the following:

i. Ken Cuccinelli

ii. L. Francis Cissna

iii. Robert Law

iv. Jennifer B. Higgins

v. Joseph Edlow

vi. Mark Koumans

vii. John Lafferty

viii. Ted Kim

ix. Elizabeth Mura

x. Jennifer Rellis

xi. Craig Symons

xii. Lora Ries

xiii. Kathy Nuebal Kovarik

xiv. John Zadrozny

xv. anyone serving in the capacity of White House Liaison or Advisor.

We have considered the foreseeable harm standard when reviewing the record set and have applied the FOIA exemptions as required by the statute and the Attorney General's guidance. We have completed the review of all documents and have identified 179 pages that are responsive to your request. Enclosed are 33 pages released in their entirety and 146 pages released in part. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(5), (b)(6), and (b)(7)(C) of the FOIA.

The following exemptions are applicable:

Exemption (b)(5) provides protection for inter-agency or intra-agency memorandums or letters, which would not be available by law to a party other than an agency in litigation with the agency. The types of documents and/or information that we have withheld under this exemption may consist of documents containing pre-decisional information, documents or other memoranda prepared in contemplation of litigation, or confidential communications between attorney and client.

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information that we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

AMERICAN OVERSIGHT

In addition, we are consulting with Department of State on 4 pages, and we are consulting with another agency on 41 pages. We will release these pages as soon as the consultations are complete.

If you have any questions about this production, please contact counsel for USCIS in this matter, Assistant United States Attorney Dedra Curteman at Dedra.Curteman@usdoj.gov.

Sincerely,

Jarrod T Panter
Acting Chief FOIA Officer
Freedom of Information Act & Privacy Act Unit

Enclosure(s)

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Bluey, Rob
Sent: November 25, 2019 12:14 PM (UTC-06:00)

Rob – can we get a positive story in the DS about the MPP program early next week. It is has been tremendously successful and unfortunately, an activist judge may step in and try to stop it. I can give you all the info and Ken would be happy to go on the record to discuss.

From: Bluey, Rob <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 11:31 AM
To: Banister, Diana L <[redacted] (b)(6)
Subject: RE: Conservative Communicators Lunch today at Heritage

Will do.

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

From: Banister, Diana L <[redacted]>
Sent: Monday, November 25, 2019 11:29 AM
To: Bluey, Rob <[redacted]@heritage.org>
Subject: RE: Conservative Communicators Lunch today at Heritage

Hey Rob – can't make it today, but please add my new email to your list. Thank you!

From: Bluey, Rob <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 10:30 AM
To: Bluey, Rob [redacted]@heritage.org>
Subject: Conservative Communicators Lunch today at Heritage

We'll be having our Conservative Communicators Lunch today at 12:30 p.m. at Heritage headquarters in the Zimdahl Room on the 7th floor. Hope you're able to make it!

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Bluey, Rob
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Banister, Diana L
Sent: November 25, 2019 12:39 PM (UTC-06:00)

Thanks for letting me know. Yes, I'll have a reporter follow up with you.

Is this your new email? It's show up a [redacted] (b)(6)

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

From: Banister, Diana L [redacted] (b)(6)
Sent: Monday, November 25, 2019 1:14 PM
To: Bluey, Rob <[redacted]@heritage.org>
Subject: RE: Conservative Communicators Lunch today at Heritage

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The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

(b)(6)

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Bluey, Rob
Sent: November 25, 2019 12:55 PM (UTC-06:00)

☺ we are up at the big house now, Ken was elevated to Acting Deputy Secretary of DHS and I'm with him. Will send you and email from there.

From: Bluey, Rob <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 1:39 PM
To: Banister, Diana L <[redacted] (b)(6)
Subject: RE: Conservative Communicators Lunch today at Heritage

Thanks for letting me know. Yes, I'll have a reporter follow up with you.

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214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Ken Cuccinelli interview
To: Lucas, Fred
Sent: November 25, 2019 1:32 PM (UTC-06:00)

Hey Fred – yes, we are wanting to discuss the MPP program that has been extremely successful.

From: Lucas, Fred <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 1:58 PM
To: Banister, Diana L [redacted] (b)(6)
Subject: Ken Cuccinelli interview

Hi. Rob suggested I contact you about setting up an interview sometime soon.

When you do you he would be available?

Please let me know.

Thank you.

Fred Lucas
[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Lucas, Fred
Subject: RE: Ken Cuccinelli interview
To: Banister, Diana L
Sent: November 25, 2019 1:56 PM (UTC-06:00)

Great. Any info, fact sheets, releases, etc… you have on the Migrant Protection Protocols would be appreciated.

When do you anticipate we could talk? I know holiday weeks are tough. But, please let me know.

Thanks.

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

(b)(6)

From: Banister, Diana L [redacted]
Sent: Monday, November 25, 2019 2:32 PM
To: Lucas, Fred <[redacted]@heritage.org>
Subject: RE: Ken Cuccinelli interview

Hey Fred – yes, we are wanting to discuss the MPP program that has been extremely successful.

From: Lucas, Fred <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 1:58 PM
To: Banister, Diana L [redacted]
Subject: Ken Cuccinelli interview

(b)(6)

Hi. Rob suggested I contact you about setting up an interview sometime soon.

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Fred Lucas
[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Ken Cuccinelli interview
To: Lucas, Fred
Cc: BANISTER, DIANA
Sent: November 25, 2019 4:43 PM (UTC-06:00)

Let's plan it for Wednesday, give you a day to digest and we can talk tomorrow, to walk through it before getting on the phone with AS2 Cuccinelli.

From: Lucas, Fred <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 2:56 PM
To: Banister, Diana L[redacted] (b)(6)
Subject: RE: Ken Cuccinelli interview

Great. Any info, fact sheets, releases, etc… you have on the Migrant Protection Protocols would be appreciated.

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Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

From: Banister, Diana L <[redacted] (b)(6)
Sent: Monday, November 25, 2019 2:32 PM
To: Lucas, Fred <[redacted]@heritage.org>
Subject: RE: Ken Cuccinelli interview (b)(6)

Hey Fred – yes, we are wanting to discuss the MPP program that has been extremely successful.

From: Lucas, Fred <[redacted]@heritage.org>
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To: Banister, Diana[redacted] (b)(6)
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When you do you he would be available?

Please let me know.

Thank you.

Fred Lucas
[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE

AMERICAN OVERSIGHT

Washington, DC 20002
[redacted]
heritage.org

(b)(6)

AMERICAN OVERSIGHT

From: Lucas, Fred
Subject: Re: Ken Cuccinelli interview
To: Banister, Diana L
Sent: November 26, 2019 8:31 AM (UTC-06:00)

Thanks. What's a good time to chat today ahead of the interview?

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

On Nov 25, 2019, at 5:43 PM, Banister, Diana L [redacted] (b)(6) wrote:

Let's plan it for Wednesday, give you a day to digest and we can talk tomorrow, to walk through it before getting on the phone with AS2 Cuccinelli.

From: Lucas, Fred [redacted]@heritage.org>
Sent: Monday, November 25, 2019 2:56 PM
To: Banister, Diana L [redacted] (b)(6)
Subject: RE: Ken Cuccinelli interview

Great. Any info, fact sheets, releases, etc… you have on the Migrant Protection Protocols would be appreciated.

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Thanks.

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White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

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To: Lucas, Fred [redacted]@heritage.org>
Subject: RE: Ken Cuccinelli interview

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Sent: Monday, November 25, 2019 1:58 PM
To: Banister, Diana L [redacted] (b)(6)
Subject: Ken Cuccinelli interview

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AMERICAN OVERSIGHT

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Please let me know.

Thank you.

Fred Lucas
[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office
To: Butler, Annelise
Sent: March 2, 2020 7:15 AM (UTC-06:00)

Good morning Annie and thank you for your response! Let's move forward with Friday, March 13th at 1:30 pm. Could you please send a calendar invite?

Thanks in advance,
Chavonne

From: Butler, Annelise [redacted]@heritage.org>
Sent: Sunday, March 1, 2020 2:23 PM
To: Alford, Chavonne S [redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Hi Chavonne,

No problem.
Dr. Carafano has the following availabilities for the week of March 9:

3/12- 10:00 am – 12:00 pm, 3:00 pm – 5:00 pm
3/13- 10:00 am – 12:00 pm, 1:30 pm – 4:00 pm

Please let me know if any time during these options works on your end. If not, we can look at the following weeks.

Thank you,
Annie

From: Alford, Chavonne S [redacted]
Sent: Friday, February 28, 2020 12:45 PM
To: Butler, Annelise [redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Hi Annie,

I'm sorry for the message I just sent you – I'm a little behind on email. Would love to get something scheduled for March 9th. Currently Mr. Koumans calendar is wide open – please suggest a time that will work on your end.

Best,
Chavonne

From: Butler, Annelise [redacted]@heritage.org>
Sent: Thursday, February 27, 2020 5:21 PM
To: Alford, Chavonne S [redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Dear Chavonne,

I'm happy to help set up a meeting between Mark and Jim.

AMERICAN OVERSIGHT

Jim is travelling a lot during March, but his upcoming availabilities start the week of March 9th. Let me know and I can make some suggestions.

Thank you,
Annie Butler

From: Koumans, Mark [redacted]
Sent: Thursday, February 27, 2020 5:10 PM
To: Carafano, James [redacted]@Heritage.org>; Butler, Annelise [redacted]@heritage.org>; Alford, Chavonne S [redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Thank you.

Adding Chavonne on this end to coordinate with Annelise.

Follow-up: do you have good POC information for Hugo Teufel? I recall him from Bush 43 DHS HQ, but have lost touch with him. I understand he was on the team as well.

MK

From: Carafano, James [redacted]@Heritage.org>
Sent: Thursday, February 27, 2020 4:56 PM
To: Koumans, Mark [redacted]utler, Annelise [redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Of course happy to talk and share my lessons learned

James Carafano
Vice President for the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, and the E. W. Richardson Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

(b)(6)

From: Koumans, Mark [redacted]
Sent: Thursday, February 27, 2020 4:54 PM
To: Carafano, James [redacted]@Heritage.org>
Subject: FW: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

(b)(6)

Dear James,

I hope you are well. Long time no talk since the days that I led the expansion of the VWP at DHS HQ. From there I spent ~4 years at CBP and now nearly a year at USCIS – until this week when AS2 Ken Cuccinelli announced to all (see furthest below) my appointment to lead the Presidential Transition Office.

AMERICAN OVERSIGHT

Per Michael directly below he recommends that we have coffee so I might pick your brain regarding your views on what went well and what did not in the previous transition. I am in touch with Vince Micone, who led the effort for DHS, and others as well.

I look forward to seeing you and hope to be able to discuss the transition process.

Best regards,
Mark

Mark R. Koumans
Deputy Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Washington, DC
Tel. [redacted] (b)(6)

U.S. Citizenship and Immigration Services

From: Dougherty, Michael <[redacted]
Sent: Wednesday, February 26, 2020 6:17 PM (b)(6)
To: Koumans, Mark <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Yes Jim was co-lead, would be good for you to get a coffee with him. I hope that I'm not confusing landing team with beachhead team. He and I were the guys who showed up at DHS right after the election with the Trump team; we were not the guys who showed up January 21.

[redacted]@heritage.org (b)(6)

From: Koumans, Mark <[redacted]
Sent: Wednesday, February 26, 2020 5:11:30 PM (b)(6)
To: Dougherty, Michael <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.
Another new adventure.

I had not realized you were on the landing team. Are more of you around? I would love to meet with you (individually and or as a group) to pick your brains. I think James Carafano was on that team...?

MK

(b)(6)

Sent from my iPhone

On Feb 26, 2020, at 10:12 AM, Dougherty, Michael [redacted]> wrote:

AMERICAN OVERSIGHT

Mark, congratulations on this assignment – I have a feeling that you are going to enjoy it!

If I can be of any assistance to you (recall that I co-led the inbound Landing Team after the last election) please let me know.

Regards,

Michael Dougherty
Ombudsman
Office of the Citizenship and Immigration Services Ombudsman
[redacted]
<image002.png> (b)(6)

From: Office of the Deputy Secretary <[redacted]
Sent: Wednesday, February 26, 2020 10:12 AM
Subject: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

<image001.jpg>

February 26, 2020

Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear Colleagues,

On November 3, 2020, the American people will vote to elect the President of the United States. Seventy-eight days later, the winner of that election will take office. While we do not know who will be elected in November, DHS, along with the rest of the federal government, must be ready for the possible transfer of power from the current Presidential Administration to another. This transition of power has been a hallmark of our American democracy since President George Washington left office on March 4, 1797 and our Department is proud to do its part in continuing that legacy.

To ensure that a potential Presidential transition is efficient and organized, every federal agency is beginning to undertake a meticulous planning process. This includes preparing materials to guide any incoming leaders, as well as preparing the organization for any changes that may occur if a new President takes office.

I am pleased to announce that Mr. Mark Koumans, United States Citizenship and Immigration Services (USCIS) will lead this crucial project as DHS's Presidential Transition Officer for this year's election. DHS has been considered a shining example among federal agencies due to its efforts in preparing for previous transitions, and I am confident Mark and his team will continue this tradition.

We will update you on transition preparations in the coming months. I know that no matter who is elected President this November, the dedicated men and women of this Department will continue to faithfully serve the American people. Thank you for all you do to protect our nation.

Ken Cuccinelli, Senior Official Performing the Duties of the Deputy Secretary
U.S. Department of Homeland Security

AMERICAN OVERSIGHT

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(b)(6)
heritage.org

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
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Washington, DC 20002
heritage.org

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S
Sent: March 2, 2020 8:25 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S; Koumans, Mark
Sent: March 2, 2020 8:25 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 8:28 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 8:28 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office
To: Butler, Annelise
Sent: March 2, 2020 8:29 AM (UTC-06:00)

Annie,

For the location, can you please update the invite with the actual location? I'm not sure what THF means… address would also be helpful.

Thanks again!
Chavonne

From: Butler, Annelise <[redacted]@heritage.org>
Sent: Sunday, March 1, 2020 2:23 PM
To: Alford, Chavonne S [redacted] (b)(6)
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

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AMERICAN OVERSIGHT

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Jim is travelling a lot during March, but his upcoming availabilities start the week of March 9th. Let me know and I can make some suggestions.

Thank you,
Annie Butler

From: Koumans, Mark [redacted]
Sent: Thursday, February 27, 2020 5:10 PM (b)(6)
To: Carafano, James <[redacted]@Heritage.org>; Butler, Annelise <[redacted]@heritage.org>; Alford, Chavonne S <[redacted]>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.

Adding Chavonne on this end to coordinate with Annelise.

Follow-up: do you have good POC information for Hugo Teufel? I recall him from Bush 43 DHS HQ, but have lost touch with him. I understand he was on the team as well.

MK

From: Carafano, James <[redacted]@Heritage.org> (b)(6)
Sent: Thursday, February 27, 2020 4:56 PM
To: Koumans, Mark <[redacted]>; Butler, Annelise <[redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Of course happy to talk and share my lessons learned

James Carafano
Vice President for the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, and the E. W. Richardson Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002 (b)(6)
[redacted]
heritage.org

From: Koumans, Mark <[redacted]>
Sent: Thursday, February 27, 2020 4:54 PM
To: Carafano, James <[redacted]@Heritage.org>
Subject: FW: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear James,

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AMERICAN OVERSIGHT

below) my appointment to lead the Presidential Transition Office.

Per Michael directly below he recommends that we have coffee so I might pick your brain regarding your views on what went well and what did not in the previous transition. I am in touch with Vince Micone, who led the effort for DHS, and others as well.

I look forward to seeing you and hope to be able to discuss the transition process.

Best regards,
Mark

Mark R. Koumans
Deputy Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Washington, DC
Tel. [redacted] (b)(6)

U.S. Citizenship and Immigration Services

From: Dougherty, Michael [redacted]
Sent: Wednesday, February 26, 2020 6:17 PM (b)(6)
To: Koumans, Mark <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

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[redacted]@heritage.org (b)(6)

From: Koumans, Mark <[redacted]
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Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

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Another new adventure.

I had not realized you were on the landing team. Are more of you around? I would love to meet with you (individually and or as a group) to pick your brains. I think James Carafano was on that team...?

MK

Sent from my iPhone (b)(6)

On Feb 26, 2020, at 10:12 AM, Dougherty, Michael <[redacted] wrote:

AMERICAN OVERSIGHT

Mark, congratulations on this assignment – I have a feeling that you are going to enjoy it!

If I can be of any assistance to you (recall that I co-led the inbound Landing Team after the last election) please let me know.

Regards,

Michael Dougherty
Ombudsman
Office of the Citizenship and Immigration Services Ombudsman
[redacted] (b)(6)
<image002.png>

From: Office of the Deputy Secretary [redacted]
Sent: Wednesday, February 26, 2020 10:12 AM
Subject: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

<image001.jpg>

February 26, 2020

Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear Colleagues,

On November 3, 2020, the American people will vote to elect the President of the United States. Seventy-eight days later, the winner of that election will take office. While we do not know who will be elected in November, DHS, along with the rest of the federal government, must be ready for the possible transfer of power from the current Presidential Administration to another. This transition of power has been a hallmark of our American democracy since President George Washington left office on March 4, 1797 and our Department is proud to do its part in continuing that legacy.

To ensure that a potential Presidential transition is efficient and organized, every federal agency is beginning to undertake a meticulous planning process. This includes preparing materials to guide any incoming leaders, as well as preparing the organization for any changes that may occur if a new President takes office.

I am pleased to announce that Mr. Mark Koumans, United States Citizenship and Immigration Services (USCIS) will lead this crucial project as DHS's Presidential Transition Officer for this year's election. DHS has been considered a shining example among federal agencies due to its efforts in preparing for previous transitions, and I am confident Mark and his team will continue this tradition.

We will update you on transition preparations in the coming months. I know that no matter who is elected President this November, the dedicated men and women of this Department will continue to faithfully serve the American people. Thank you for all you do to protect our nation.

Ken Cuccinelli, Senior Official Performing the Duties of the Deputy Secretary
U.S. Department of Homeland Security

AMERICAN OVERSIGHT

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(b) (6)
heritage.org

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Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

(b)(6)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office
To: Butler, Annelise
Sent: March 2, 2020 8:55 AM (UTC-06:00)

Annie,

No need to be sorry, just trying to make sure Mr. Koumans goes to the right place. I appreciate you updating the invite, but can you also include the address of the Heritage Foundation? When I did a quick google search there was still two locations.

Please advise and thanks in advance,
Chavonne

From: Butler, Annelise <[redacted]r@heritage.org> (b)(6)
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To: Alford, Chavonne S <[redacted]>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Chavonne,
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From: Alford, Chavonne S <[redacted]>
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For the location, can you please update the invite with the actual location? I'm not sure what THF means… address would also be helpful.

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Hi Chavonne,

No problem.
Dr. Carafano has the following availabilities for the week of March 9:

3/12- 10:00 am – 12:00 pm, 3:00 pm – 5:00 pm
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AMERICAN OVERSIGHT

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February 26, 2020

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AMERICAN OVERSIGHT

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heritage.org

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S
Sent: March 2, 2020 9:00 AM (UTC-06:00)
Address: 214 Massachusetts Ave. NE, Washington DC 20002

When you arrive, please let the front desk know, and Dr. Carafano or his assistant will come down to greet you.

Thank you!

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S; Koumans, Mark
Sent: March 2, 2020 9:00 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 9:23 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: BOGGS, MATTHEW
Subject: Heritage Foundation: "Remain-in-Mexico" Policy Is Needed to Reduce Illegal Immigration (Opinion)
To:
Sent: March 3, 2020 1:39 PM (UTC-06:00)

Heritage Foundation: "Remain-in-Mexico" Policy Is Needed to Reduce Illegal Immigration

By Hans A. von Spakovsky | March 3, 2020

In a torturous, twisted interpretation of federal immigration law, a three-judge panel of the 9th U.S. Circuit Court of Appeals upheld a preliminary court order Friday to block the Trump administration from continuing to implement its Migrant Protection Protocols, known informally as the Remain-in-Mexico policy.

But shortly after issuing the ruling, the three-judge panel voted 2-1 to put a hold on it, preventing it from going into force until the federal government can file written arguments by the end of Monday in favor of the Remain-in-Mexico policy and plaintiffs can respond by the end of Tuesday arguing in favor of stopping the policy from being carried out.

Implemented last year by the Trump administration, the policy has proven effective in stemming the flood of illegal crossings at our southern border.

One of the biggest drivers of the crisis at the southern border was the “catch and release” policy of President Barack Obama’s administration.

Because the number of illegal immigrants apprehended at the border far exceeded the capacity of federal detention facilities, most of those arrested were simply processed, scheduled for an immigration hearing and then released. The majority then disappeared into the vast interior of our country and never showed up for their immigration hearings.

Naturally, this only encouraged more illegal immigration.

Fighting back, the Trump administration issued a new rule last year that took advantage of the authority granted under 8 U.S.C. Sec. 1225(b)(2). That provision specifies that in the case of immigrants who arrive “on land (whether or not at a designated port of arrival) from a foreign territory contiguous to the United States,” they can be returned “to that territory” while their claims for asylum are pending.

The Migration Protection Protocols (MPP) required that asylum seekers who crossed the southern border had to

AMERICAN OVERSIGHT

return to Mexico until immigration officials determined the validity of their claims.

Moreover, the asylum claims of those who failed to cross through an official port of entry would not be considered credible. This is simply common sense.

After all, why would someone with a valid asylum claim sneak across the border instead of coming in legally at a port of entry? The administration provided exceptions to the MPP for unaccompanied children as well as those with a credible fear of persecution in Mexico.

Once word got out about this new policy, the number of illegal crossings plummeted. With the cooperation of the Mexican government, more than 60,000 illegal immigrants were returned to Mexico over a 13-month period.

New immigration courts at key crossing points like Laredo, Texas, drastically reduced the time needed to process asylum claims, so that refugees with legitimate asylum claims had their cases heard much faster.

Acting Homeland Security Secretary Chad Wolf said the MPP "allowed us to take control of the crisis" at the border that was overwhelming the Border Patrol and our immigration capabilities. So naturally, those who want open borders and no enforcement of our immigration laws sued and found a friendly audience in federal court in San Francisco and in the 9th Circuit.

Given how clear the statute is, one might wonder how a court could say that the MPP is somehow invalid. But that is what the 9th Circuit did in East Bay Sanctuary Covenant v. Trump. It began by ignoring several provisions of federal immigration law that deprive courts of having any say over this issue to begin with.

One of those, 8 U.S.C. Sec. 1252(e)(3), specifically says that regardless of "the nature of the action or claim and without regard to the identity of the party or parties bringing the action, no court may enter declaratory, injunctive, or other equitable relief in any action pertaining to an order to exclude an alien."

Of course, this is exactly what the lower court and 9th Circuit did in issuing an injunction against the order excluding immigrants from entry into the U.S. while their asylum claim is being evaluated.

The court then held that the MPP is an "arbitrary and capricious" interpretation of the law, even though federal immigration law unambiguously and without any limitation gives the federal government the ability to exclude immigrants who have crossed one of our land borders while their asylum claims are being evaluated.

AMERICAN OVERSIGHT

How can applying the clear text of a federal law be arbitrary and capricious?

The court further held that it was also arbitrary and capricious for the executive branch to consider as not credible the asylum claims of those who cross illegally rather than through an official port of entry. This was despite acknowledging that the courts have long recognized that the method someone uses to enter the country is a discretionary factor that the government can consider in deciding whether an immigrant should be granted relief.

Finally, the court substituted its own foreign policy judgment for that of the president by ruling that enforcing these provisions of federal immigration law was "unreasonable" in light of our treaty obligations under the 1951 U.N. Convention Relating to Status of Refugees and the 1967 U.N. protocols Relating to the Status of Refugees.

In fact, the court seems to be substituting its foreign policy judgment not just for that of the president, but also for Congress. That's because the president in this case is acting not only under his constitutional authority to conduct foreign policy and secure our border, but under the specific authority delegated to him by Congress to determine which immigrants will be allowed into the United States.

There is no doubt that the Trump administration will appeal the court's unwise decision. The White House issued a news release saying that if this "hugely successful" policy is stopped, it will "flood the Nation's immigration system, present unchecked coronavirus entry risk, deeply damage our positive relationship with the Government of Mexico and other regional partners, and reignite the humanitarian and security crisis at the border."

News releases are often filled with hyperbole. But in this case, that is an accurate assessment of what will happen if this latest nationwide injunction is not lifted.

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

AMERICAN OVERSIGHT

From: Brokaw, Gloria A
Subject: Re: This is disturbing...
To: Matt O'Brien
Sent: March 4, 2020 4:05 PM (UTC-06:00)

He is a NASA executive. And after looking at his bio I knew him from DHS HQ! Scary indeed

Gloria Brokaw
Branch Chief, IPO FDNS Screening Branch
Sent from my iPhone

On Mar 4, 2020, at 11:26 AM, Matt O'Brien <[redacted]@fairus.org> wrote: (b)(6)

https://www.fox5dc.com/news/man-dead-after-shooting-in-springfield-suspect-charged-fairfax-county-police

Matthew J. O'Brien
Director of Research

<image001.jpg>

25 Massachusetts Ave. N.W., Suite 330
Washington, DC 20001
Tel: [redacted]
Fax (b)(6)
www.fairus.org

CONFIDENTIALITY NOTICE
This message is intended only of the individual or entity to addressed, and may contain inf that is privileged, confidential from disclosure under applicab

AMERICAN OVERSIGHT

From: Federation for American Immigration Reform
Subject: FAIR Take: DHS Raises H-2B Cap by 35,000, Texas's Largest County Approves Deportation Defense Fund, House to Vote on Travel Ban Repeal Bill and more...
To: Munoz-Acevedo, Carlos
Sent: March 10, 2020 1:04 PM (UTC-05:00)

CAUTION: This email originated from outside of the Federal Government. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the USCIS Security Operations Center at 'uscissoc@uscis.dhs.gov' with questions or click the "Report Suspicious Email" button to report it as a phishing attempt.

The best source for all the latest immigration news

<https://default.salsalabs.org/266edd28-ed67-4244-bffa-2e298d0fe8b6/0b761dad-5d47-4629-a06f-b53b1b4d5fc7.jpg>

A weekly update on America's hottest immigration news and stories!

<https://default.salsalabs.org/T4df5a62e-22a8-4b42-8f1e-b19e40b354e3/132d9dea-9c1f-44f0-a15b-fd0d082925ac>

America's Best Border Enforcement Tool Yet

FAIR's Matthew Tragesser and Preston Huennekens discuss the success of the Migrant Protection Protocols (MPPs) and why they should remain intact at our southern border.

Watch the Video <https://default.salsalabs.org/Tc04c53db-2244-4690-b8ab-941

AMERICAN OVERSIGHT

From: Collins, Jessica B
Subject: Flagging--New USCIS Report on approved L-1 petitions
To: 'msk@cis.org'
Sent: March 13, 2020 10:32 AM (UTC-05:00)

Hi Mark,

I wanted to flag a new report on approved L-1 petitions by employers for FY 2019. As part of the Buy American and Hire American executive order, USCIS seeks to provide more transparency on employment-based visas.

Please let me know if you have any questions.

Thanks,
Jessica

Jessica B. Collins
Chief of Public Affairs (A)
Office of Public Affairs
U.S. Citizenship and Immigration Services
Office: [redacted] (b)(6)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office
To: Butler, Annelise
Sent: March 13, 2020 11:02 AM (UTC-05:00)

Hi there,

Yes Ma'am – that is still the plan. Mr. Koumans is planning on bringing a +1.

Best,
Chavonne

From: Butler, Annelise [redacted]@heritage.org> (b)(6)
Sent: Friday, March 13, 2020 11:46 AM
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Hello,

Just confirming that this meeting is still on as planned.

Thank you!

Annelise Butler
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Dear Chavonne,

I'm happy to help set up a meeting between Mark and Jim.

Jim is travelling a lot during March, but his upcoming availabilities start the week of March 9th. Let me know and I can make some suggestions.

Thank you,
Annie Butler

(b)(6)

From: Koumans, Mark [redacted]
Sent: Thursday, February 27, 2020 5:10 PM
To: Carafano, James [redacted]@Heritage.org>; Butler, Annelise [redacted]heritage.org>; Alford, Chavonne S [redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.

Adding Chavonne on this end to coordinate with Annelise.

Follow-up: do you have good POC information for Hugo Teufel? I recall him from Bush 43 DHS HQ, but have lost touch with him. I understand he was on the team as well.

MK

(b)(6)

From: Carafano, James [redacted]
Sent: Thursday, February 27, 2020 4:56 PM
To: Koumans, Mark [redacted]; Butler, Annelise [redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Of course happy to talk and share my lessons learned

James Carafano
Vice President for the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, and the E. W. Richardson Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

(b)(6)

From: Koumans, Mark [redacted]
Sent: Thursday, February 27, 2020 4:54 PM

AMERICAN OVERSIGHT

(b)(6)

To: Carafano, James [redacted]@Heritage.org>
Subject: FW: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear James,

I hope you are well. Long time no talk since the days that I led the expansion of the VWP at DHS HQ. From there I spent ~4 years at CBP and now nearly a year at USCIS – until this week when AS2 Ken Cuccinelli announced to all (see furthest below) my appointment to lead the Presidential Transition Office.

Per Michael directly below he recommends that we have coffee so I might pick your brain regarding your views on what went well and what did not in the previous transition. I am in touch with Vince Micone, who led the effort for DHS, and others as well.

I look forward to seeing you and hope to be able to discuss the transition process.

Best regards,
Mark

Mark R. Koumans
Deputy Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Washington, DC
Tel. [redacted] (b)(6)

U.S. Citizenship and Immigration Services

From: Dougherty, Michael [redacted] (b)(6)
Sent: Wednesday, February 26, 2020 6:17 PM
To: Koumans, Mark [redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Yes Jim was co-lead, would be good for you to get a coffee with him. I hope that I'm not confusing landing team with beachhead team. He and I were the guys who showed up at DHS right after the election with the Trump team; we were not the guys who showed up January 21.

[redacted]@heritage.org (b)(6)

From: Koumans, Mark [redacted]
Sent: Wednesday, February 26, 2020 5:11:30 PM (b)(6)
To: Dougherty, Michael <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.
Another new adventure.

AMERICAN OVERSIGHT

I had not realized you were on the landing team. Are more of you around? I would love to meet with you (individually and or as a group) to pick your brains. I think James Carafano was on that team...?

MK

Sent from my iPhone

(b)(6)

On Feb 26, 2020, at 10:12 AM, Dougherty, Michael < [redacted] > wrote:

Mark, congratulations on this assignment – I have a feeling that you are going to enjoy it!

If I can be of any assistance to you (recall that I co-led the inbound Landing Team after the last election) please let me know.

Regards,

Michael Dougherty
Ombudsman
Office of the Citizenship and Immigration Services Ombudsman

[redacted]

<image002.png> (b)(6)

From: Office of the Deputy Secretary < [redacted]
Sent: Wednesday, February 26, 2020 10:12 AM (b)(6)
Subject: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

<image001.jpg>

February 26, 2020

Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear Colleagues,

On November 3, 2020, the American people will vote to elect the President of the United States. Seventy-eight days later, the winner of that election will take office. While we do not know who will be elected in November, DHS, along with the rest of the federal government, must be ready for the possible transfer of power from the current Presidential Administration to another. This transition of power has been a hallmark of our American democracy since President George Washington left office on March 4, 1797 and our Department is proud to do its part in continuing that legacy.

To ensure that a potential Presidential transition is efficient and organized, every federal agency is beginning to undertake a meticulous planning process. This includes preparing materials to guide any incoming leaders, as well as preparing the organization for any changes that may occur if a new President takes office.

I am pleased to announce that Mr. Mark Koumans, United States Citizenship and Immigration Services

AMERICAN OVERSIGHT

(USCIS) will lead this crucial project as DHS's Presidential Transition Officer for this year's election. DHS has been considered a shining example among federal agencies due to its efforts in preparing for previous transitions, and I am confident Mark and his team will continue this tradition.

We will update you on transition preparations in the coming months. I know that no matter who is elected President this November, the dedicated men and women of this Department will continue to faithfully serve the American people. Thank you for all you do to protect our nation.

Ken Cuccinelli, Senior Official Performing the Duties of the Deputy Secretary
U.S. Department of Homeland Security

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

AMERICAN OVERSIGHT

From: Brokaw, Gloria A
Subject: POC
To: [redacted]@fairus.org (b)(6)
Sent: April 3, 2020 8:56 AM (UTC-05:00)

[redacted]
202-[redacted] (b)(6)
202-

Sincerely,

Gloria A.W. Brokaw

Branch Chief, EB-5 Screening Branch
Immigrant Investor Program Office-Fraud Detection and National Security Division
DHS/U.S. Citizenship and Immigration Services

(Unclass) [redacted]
(HSDN)
(JWICS)

Telephon (b)(6)
Mobile:

AMERICAN OVERSIGHT

From: Higgins, Jennifer B
Subject: RE: Domestic Violence Asylum Claims
To: Ries, Lora
Sent: April 7, 2020 7:24 PM (UTC-05:00)

Hi, Lora. Sorry for the delay in responding! We are hanging in there but figuring out how to homeschool and work all at the same time!

To my knowledge, specific information re DV claims pre and post A-B- are not public. The key thing to keep in mind re A-B- is that it requires a truly case-by-case rigorous analysis of each PSG prong , so it's very difficult to provide group-based generalizations.

I hope this is helpful and you're hanging in there!

From: Ries, Lora <[redacted]heritage.org> (b)(6)
Sent: Wednesday, April 01, 2020 11:28 AM
To: Higgins, Jennifer B <[redacted]>
Subject: Domestic Violence Asylum Claims

CAUTION: This email originated from outside of the Federal Government. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the USCIS Security Operations Center with questions or click the "Report Suspicious Email" button to report it as a phishing attempt.

Hi, Jennifer.
I hope you and your family are all healthy. We are here at chez Ries.
I'm writing a paper on immigration changes during this Admin. I'm looking for domestic violence asylum claims before and after Matter of A-B-.
Is that information public?

Thank you.

Lora Ries
Senior Research Fellow, Homeland Security
The Heritage Foundation
[redacted](M)
(b)(6)

Lora Ries
Senior Research Fellow, Homeland Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Lapp, Meredith M
Subject: Calls for USCIS to Extend Filing Deadlines | Articles
To: [redacted]@fairus.org
Sent: April 9, 2020 8:49 AM (UTC-05:00) (b)(6)

Hi, Dave –

Here are some articles re calls for USCIS to extend or automatically extend filing deadlines. I hope this helps!

Meredith

Source:	Title:	Link:
Daily Beast	Trump Administration Has Turned Immigration Court Into 'Public Health Hazard'	https://www.thedailybeast.com/trump-administration-has-turned-immigration-court-into-public-health-hazard
Forbes	Critics: USCIS Policies Make Immigration Difficult And Dangerous	https://www.forbes.com/sites/stuartanderson/2020/03/23/critics-uscis-policies-make-immigration-difficult-and-dangerous/#3b5d2cb26a46
The Hill	Legal immigrants at risk of losing status during coronavirus pandemic	https://thehill.com/homenews/administration/489569-legal-immigrants-at-risk-of-losing-status-during-coronavirus-pandemic
Roll Call	'Dreamers' fear loss of legal status as USCIS offices stay closed	https://www.rollcall.com/2020/03/30/dreamers-fear-loss-of-legal-status-as-uscis-offices-stay-closed/
Roll Call	Immigration authorities hit pause amid coronavirus concerns	https://www.rollcall.com/2020/03/18/immigration-authorities-hit-pause-amid-coronavirus-concerns/
Washington Post	Suspending immigration filing deadlines would save lives	https://www.washingtonpost.com/outlook/2020/03/24/suspend-immigration-filing-deadlines/

Meredith Lapp
Advisor | Office of Policy & Strategy
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Tel [redacted]
(b)(6)

AMERICAN OVERSIGHT

From: Nebeker, Mark (USADC)
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx
To: Ralph Casale
Cc: Caplen, Robert (USADC)
Sent: April 14, 2020 1:50 PM (UTC-05:00)

[redacted] (b)(5)

I has been a pleasure.

W. Mark Nebeker
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, DC 20530
[redacted] (b)(6)

(b)(6)

From: Ralph Casale [redacted]@irli.org>
Sent: Tuesday, April 14, 2020 2:32 PM
To: Nebeker, Mark (USADC) [redacted]
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

Hi Mark,

Per our conversation, [redacted] (b)(5)

[redacted]

Sincerely,

Ralph L. Casale
Senior Counsel

AMERICAN OVERSIGHT

Sent from my iPhone

Immigration Reform Law Institute
25 Massachusetts Ave., N.W.
Suite 335
Washington, DC 20001
Tel: (202) 232-5590
Fax: (202) 464-3590
www.irli.org

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On Apr 14, 2020, at 2:07 PM, Nebeker, Mark (USADC) [redacted] wrote:

(b)(6)

> Go ahead and make your edit and resend the document, please.
>
> W. Mark Nebeker
> Assistant United States Attorney
> Civil Division
> 555 4th Street, N.W.
> Washington, DC 20530
> [redacted] (b)(6)

(b)(6)

From: Ralph Casale <[redacted]@irli.org>
Sent: Tuesday, April 14, 2020 1:44 PM
To: Nebeker, Mark (USADC) <[redacted]>
Cc: Caplen, Robert (USADC) <[redacted]>
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

I have a suggested edit to the draft that I sent to you. Should I wait for your comments or should I send the suggested edit to you beforehand? Thank you.

Sincerely,

Ralph L. Casale
Senior Counsel

AMERICAN OVERSIGHT

Sent from my iPhone

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On Apr 14, 2020, at 12:48 PM, Ralph Casale <[redacted]@irli.org> wrote:

Hi Mark, (b)(6)

I attach for your review a draft JSR, which I am sending to you with all rights reserved. Kindly please provide me with your comments. I was having email issues a little earlier. Thank you.

<FAIR v USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx>

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

Immigration Reform Law Institute
25 Massachusetts Ave., N.W.
Suite 335
Washington, DC 20001
Tel: (202) 232-5590
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AMERICAN OVERSIGHT

From: Dombek, Christopher D
Subject: AAO SES Job Opening
To: Matt O'Brien
Sent: April 22, 2020 10:33 AM (UTC-05:00)

(b)(6)

This is the Chief for the Administrative Appeals Office [redacted] soon to be former position). You might be a good fit for this one. https://www.usajobs.gov/GetJob/ViewDetails/564114300

Christopher Dombek
Section Chief, Background Check Unit (BCU)
Potomac Service Center
U.S. Citizenship and Immigration Services
Desk [redacted]
Mobil [redacted]

(b)(6)

Innovation: Every success starts with a challenge

AMERICAN OVERSIGHT

From: Austin, Deon T
Subject: Clarification on FOIA request [redacted]
To: [redacted]@irli.org
Sent: May 4, 2020 8:17 AM (UTC-05:00)

(b)(6)

AMERICAN OVERSIGHT

From: Gault, Pamela L
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx
To: Nebeker, Mark (USADC); Ralph Casale
Cc: Caplen, Robert (USADC)
Sent: May 8, 2020 10:38 AM (UTC-05:00)

(b)(5)

. Thanks, Pamela

Pamela Gault
Associate Counsel
Commercial and Administrative Law Division
Office of Chief Counsel
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW, Suite 6090
Washington, DC 20529-2120
Deskline (b)(6)
Mobile:
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From: Nebeker, Mark (USADC)
Sent: Tuesday, April 14, 2020 2:50 PM
To: Ralph Casale @irli.org> (b)(6)
Cc: Caplen, Robert (USADC) <
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

(b)(5)

I has been a pleasure.

W. Mark Nebeker
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, DC 20530
(b)(6)

From: Ralph Casale @irli.org> (b)(6)
Sent: Tuesday, April 14, 2020 2:32 PM
To: Nebeker, Mark (USADC) <
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

Hi Mark,

Per our conversation,

AMERICAN OVERSIGHT

(b)(5)

[redacted]

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

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On Apr 14, 2020, at 2:07 PM, Nebeker, Mark (USADC) <[redacted]> wrote: (b)(6)

> Go ahead and make your edit and resend the document, please.
>
> W. Mark Nebeker
> Assistant United States Attorney

AMERICAN OVERSIGHT

Civil Division
555 4th Street, N.W.
Washington, DC 20530
[redacted]

(b)(6)

(b)(6)

From: Ralph Casale [redacted]@irli.org>
Sent: Tuesday, April 14, 2020 1:44 PM
To: Nebeker, Mark (USADC) <[redacted]
Cc: Caplen, Robert (USADC) <[redacted]
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

I have a suggested edit to the draft that I sent to you. Should I wait for your comments or should I send the suggested edit to you beforehand? Thank you.

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

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(b)(6)

On Apr 14, 2020, at 12:48 PM, Ralph Casale <[redacted]@irli.org> wrote:

Hi Mark,

I attach for your review a draft JSR, which I am sending to you with all rights reserved.

AMERICAN OVERSIGHT

Kindly please provide me with your comments. I was having email issues a little earlier. Thank you.

<FAIR v USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx>

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

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AMERICAN OVERSIGHT

From:
Subject: FW: Clarification on FOIA request [redacted]
To: [redacted]@irli.org
Sent: May 11, 2020 10:21 AM (UTC-05:00)

(b)(6)

Good morning,

I am following up on my previous request for clarification listed below.

Please review the message below and respond at your earliest convenience.

Regards,

Deon T. Austin

Government Information Specialist

U.S. Citizenship and Immigration Services

Immigration Records and Identity Services Directorate

National Records Center

150 Space Center Loop

Lee's Summit, MO 64064

Telework-Monday, Tuesday, Thursday & Friday

[redacted]

(b)(6)

From: Austin, Deon T
Sent: Monday, May 04, 2020 8:17 AM
To: [redacted]@irli.org
Subject: Clarification on FOIA request [redacted]

(b)(6)

Good morning,

This message is an attempt to clarify the FOIA request under [redacted]

Please clarify the following:

"Does the requestor only want a count of applicants with SSNs on both forms, or are they okay with a tally of applicants with a SSN are on either form? Please be aware that we cannot fulfill the request if they want to know the number of the applicants with SSNs on both forms."

Please provide clarification of this request at your earliest convenience.

Regards,

Deon T. Austin

AMERICAN OVERSIGHT

Government Information Specialist

U.S. Citizenship and Immigration Services

Immigration Records and Identity Services Directorate

National Records Center

150 Space Center Loop

Lee's Summit, MO 64064

Telework-Monday, Tuesday, Thursday & Friday

[redacted] (b)(6)

AMERICAN OVERSIGHT

From: Austin, Deon T
Subject: FW: Clarification on FOIA request [redacted]
To: [redacted]@irli.org
Sent: May 11, 2020 10:34 AM (UTC-05:00)

(b)(6)

AMERICAN OVERSIGHT

From: Hunt, Brian J
Subject: RE: Close Hold Review: MOU Concerning a Temporary Agricultural Workers Program
To: Symons, Craig M
Cc: Nuebel Kovarik, Kathy
Sent: June 12, 2019 7:37 PM (UTC-05:00)

Craig,

Thanks for forwarding, this comes up every few years and we were always able to kill the idea, but now it looks like the Govt of Mexico is about to succeed. (b)(5)

[redacted]

Thanks,
Brian

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From: Symons, Craig M [redacted] (b)(6)
Sent: Wednesday, June 12, 2019 7:18 PM
To: Gisser, Sheldon A (Alex) [redacted]; Hunt, Brian J [redacted]
Cc: Nuebel Kovarik, Kathy [redacted]
Subject: Fwd: Close Hold Review: MOU Concerning a Temporary Agricultural Workers Program

Brian and Alex,

This looks to be a new, updated version of the document we worked on before. [redacted]

(b)(5) [redacted] Please let Kathy and I know if you have any edits / comments. Also, if you can anonymize your redlines, that would be helpful.

Thanks!
Craig

Craig M. Symons
Chief Counsel | Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Tel. [redacted] (b)(6)

AMERICAN OVERSIGHT

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Begin forwarded message:

From: "Ries, Lora L" [redacted] (b)(6)
Date: June 12, 2019 at 6:45:00 PM EDT
To: "Cuccinelli, Ken" [redacted], "Koumans, Mark" [redacted]
"Nuebel Kovarik, Kathy" [redacted], "Symons, Craig M"
[redacted], "Zadrozny, John A" [redacted]
Subject: FW: Close Hold Review: MOU Concerning a Temporary Agricultural Workers Program

Please see the attached Ag Workers MOU draft. Comments are due to HQ ExecSec Monday morning. I wouldn't be surprised if they accelerate that deadline, though. This is timely, given the AS1 prep meeting tomorrow on H-2A. Please keep this a close hold.

Thank you.

Lora Ries
Chief of Staff
U.S. Citizenship and Immigration Services
Department of Homeland Security (b)(6)
(M) [redacted]

From: Bobb, Christina [redacted]
Sent: Wednesday, June 12, 2019 5:10 PM
(b)(6) **To:** Flanagan, Patrick [redacted]; Wales, Brandon [redacted]; (b)(6)
Boyd, Valerie [redacted] Kaplan, Sam [redacted]; Ries, Lora L
[redacted]; Duchek, Elizabeth F (Liz) [redacted]; PETERLIN,
(b)(7)(C) MEGHANN K [redacted]; SCHORR, STEPHEN (b)(7)(C)
[redacted]; KING, HEATHER C (OGA)
[redacted]; Blank, Thomas [redacted]; Kelly,
Christopher S [redacted]; Kozanas, Dena [redacted]; Wolf,
Chad [redacted] Mizelle, Chad [redacted]; Fishman, George
[redacted]; Gountanis, John [redacted]; Glabe, Scott
[redacted]
Subject: Fwd: Close Hold Review: MOU Concerning a Temporary Agricultural Workers Program

Good afternoon,
The WH Has circulated the attached close hold document for review. Please have any edits back to me by 11:30 Monday.
Respectfully,
Christina

Christina Bobb
DHS Executive Secretary
(C[redacted]
(C[redacted] (b)(6)

AMERICAN OVERSIGHT

Consultation with another government agency

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From: Lafferty, John L
Subject: Re: Summary of Conclusions: IFR Operational Meeting
To: Zadrozny, John A
Cc: Higgins, Jennifer B; Glabe, Scott; Ries, Lora L; Mizelle, Chad; Fishman, George
Sent: June 28, 2019 7:00 AM (UTC-05:00)

I have the daily MPP call at 9:30 and a meeting with GAO from 10-11.

(b)(6)

Sent from my iPhone

On Jun 28, 2019, at 7:58 AM, Zadrozny, John A [redacted] wrote:

Same here.

JZ
w[redacted]
c: [redacted] (b)(6)

(b)(6) **From:** Higgins, Jennifer B [redacted]
Sent: Friday, June 28, 2019 7:34 AM
To: Zadrozny, John A [redacted]
Cc: Glabe, Scott [redacted] Lafferty, John L [redacted] Ries, Lora L [redacted] Mizelle, Chad [redacted]; Fishman, George [redacted]
Subject: Re: Summary of Conclusions: IFR Operational Meeting

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JZ
w: [redacted]
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AMERICAN OVERSIGHT

From: Zadrozny, John A
Sent: Thursday, June 27, 2019 6:54 PM
To: Glabe, Scott [redacted] Higgins, Jennifer B [redacted]>; Lafferty, John L [redacted]
Cc: Ries, Lora L [redacted]
(b)(6)
Subject: RE: Summary of Conclusions: IFR Operational Meeting

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(b)(5) [redacted]

John A. Zadrozny
Deputy Chief of Staff
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6) [redacted]

From: Glabe, Scott <[redacted]
Sent: Thursday, June 27, 2019 4:48 PM
(b)(6)
To: Zadrozny, John A [redacted]>

AMERICAN OVERSIGHT

Consultation with another government agency

AMERICAN OVERSIGHT

From: Zadrozny, John A
Subject: RE: Summary of Conclusions: IFR Operational Meeting
To: Glabe, Scott
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Sent: June 28, 2019 7:02 AM (UTC-05:00)

Scott:

How about 11:00 a.m.?

JZ
w:
c: (b)(6)

From: Lafferty, John L
Sent: Friday, June 28, 2019 8:00 AM
To: Zadrozny, John A
(b)(6) **Cc:** Higgins, Jennifer B; Glabe, Scott Ries, Lora L
Mizelle, Chad ; Fishman, George
Subject: Re: Summary of Conclusions: IFR Operational Meeting

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Get Outlook for iOS

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Sent: Thursday, June 27, 2019 6:54 PM
To: Glabe, Scott [redacted]; Higgins, Jennifer B
(b)(6) [redacted]; Lafferty, John L [redacted]
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Consultation with another government agency

AMERICAN OVERSIGHT

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Subject: RE: Summary of Conclusions: IFR Operational Meeting
To: Glabe, Scott
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Sent: June 28, 2019 7:06 AM (UTC-05:00)

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JZ
w
c: (b)(6)

From: Glabe, Scott < (b)(6)
Sent: Friday, June 28, 2019 8:04 AM
To: Zadrozny, John A
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L >; Mizelle, Chad < Fishman, George
Subject: Re: Summary of Conclusions: IFR Operational Meeting

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From: Zadrozny, John A
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(b)(6) ; Lafferty, John L
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Subject: RE: Summary of Conclusions: IFR Operational Meeting

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Consultation with another government agency

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From: Glabe, Scott
Subject: Re: Summary of Conclusions: IFR Operational Meeting
To: Zadrozny, John A
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Sent: June 28, 2019 7:07 AM (UTC-05:00)

Dial-In:
Access Code: (b)(6)

Get Outlook for iOS

From: Zadrozny, John A
Sent: Friday, June 28, 2019 8:05:49 AM
To: Glabe, Scott
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Subject: RE: Summary of Conclusions: IFR Operational Meeting

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Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
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From: Lafferty, John L
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To: Zadrozny, John A (b)(6)

AMERICAN OVERSIGHT

Cc: Higgins, Jennifer B [redacted]; Glabe, Scott [redacted]; Ries, Lora L [redacted]; Mizelle, Chad [redacted]; Fishman, George [redacted]

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AMERICAN OVERSIGHT

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[redacted]

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Deputy Chief of Staff
U.S. Citizenship and Immigration Services
Department of Homeland Security
w:
c: [redacted]

(b)(6)

From: Glabe, Scott <[redacted]>
Sent: Thursday, June 27, 2019 4:48 PM
To: Zadrozny, John A <[redacted]>
Subject: Fwd: Summary of Conclusions: IFR Operational Meeting

(b)(6)

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Consultation with another government agency

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From: Zadrozny, John A
Subject: FW: Summary of Conclusions: IFR Operational Meeting
To: Higgins, Jennifer B; Lafferty, John L
Sent: June 28, 2019 7:11 AM (UTC-05:00)

Jennifer and John:

Dropping Scott and the others.

Can you do 8:30 a.m.? If not and you can only do 11:00 a.m., please let me know. This call will only have value if one or both of you are on it.

JZ
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C:

From: Glabe, Scott
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(b)(6) **Cc:** Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
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(b)(6) Dial-In:
Access

Get Outlook for iOS

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From: Glabe, Scott
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To: Zadrozny, John A
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Subject: Re: Summary of Conclusions: IFR Operational Meeting
To: Zadrozny, John A
Cc: Higgins, Jennifer B
Sent: June 28, 2019 7:19 AM (UTC-05:00)

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Subject: Re: Summary of Conclusions: IFR Operational Meeting

(b)(6)

Dial-In: [redacted]
Access

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From: Glabe, Scott [redacted]
Sent: Friday, June 28, 2019 8:04 AM
(b)(6) **To:** Zadrozny, John A [redacted]

AMERICAN OVERSIGHT

(b)(6)

Cc: Lafferty, John L [redacted]>; Higgins, Jennifer B [redacted]; Ries, Lora L [redacted]; Mizelle, Chad [redacted]>; Fishman, George [redacted]
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(b)(5)

Also, I'm adding Chad and George for situational awareness, and in case they want to be on the call.

(Does anyone have a conference line that we can use?)

(b)(6)
JZ
w:
c:

(b)(6)
From: Zadrozny, John A
Sent: Thursday, June 27, 2019 6:54 PM
To: Glabe, Scott ; Higgins, Jennifer B
; Lafferty, John L
Cc: Ries, Lora L
Subject: RE: Summary of Conclusions: IFR Operational Meeting

Scott:

I'm happy to do a call tonight around 8:00 or 8:30 p.m. or perhaps tomorrow (Friday 6/28) morning any time after 7:30 a.m., but I am adding Jennifer Higgins and John Lafferty to this thread.

For your awareness, I raised the several questions that came up today in the IFR meeting for our team. They are below (please correct if I missed something or my phrasing is off):

(b)(5)

AMERICAN OVERSIGHT

Consultation with another government agency

AMERICAN OVERSIGHT

Consultation with another government agency

AMERICAN OVERSIGHT

From: Lafferty, John L
Subject: RE: Summary of Conclusions: IFR Operational Meeting
To: Glabe, Scott; Zadrozny, John A
Cc: Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Sent: June 28, 2019 1:35 PM (UTC-05:00)
Attached: DRAFT 208.13(c)(4) Mandatory Bar Worksheet 6.28.19.docx

Scott,

My apologies for being a bit delayed in getting this to you. Attached is the draft worksheet that we are working on related to documenting the first stage of our screening under the IFR. If the person is found to be barred from a CF positive on asylum because of the new bar, then the officer will turn to doing what is a RF screening.

Let me know if you have any questions.

John

From: Glabe, Scott <[redacted] (b)(6)
Sent: Friday, June 28, 2019 8:07 AM
To: Zadrozny, John A <[redacted]
Cc: Lafferty, John L [redacted] Higgins, Jennifer B <[redacted]; Ries, Lora L [redacted]; Mizelle, Chad [redacted] Fishman, George [redacted]
Subject: Re: Summary of Conclusions: IFR Operational Meeting

Dial-In [redacted]
Access (b)(6)

Get Outlook for iOS

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Sent: Friday, June 28, 2019 8:05:49 AM
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Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Subject: RE: Summary of Conclusions: IFR Operational Meeting

I can do either 8:30 or 11:00 a.m. Jennifer and John, does that work?

JZ
w: [redacted]
c: (b)(6)

From: Glabe, Scott <[redacted] (b)(6)
Sent: Friday, June 28, 2019 8:04 AM
To: Zadrozny, John A <[redacted]>
Cc: Lafferty, John L [redacted] Higgins, Jennifer B [redacted]; Ries, Lora L [redacted]; Mizelle, Chad <[redacted]; Fishman, George [redacted]
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Get Outlook for iOS

AMERICAN OVERSIGHT

From: Zadrozny, John A
Sent: Friday, June 28, 2019 8:01:57 AM
To: Glabe, Scott
Cc: Lafferty, John L; Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George
Subject: RE: Summary of Conclusions: IFR Operational Meeting

Scott:

How about 11:00 a.m.?

JZ
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c: [redacted] (b)(6)

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To: Zadrozny, John A [redacted]
Cc: Higgins, Jennifer B [redacted] Glabe, Scott [redacted]; Ries, Lora L [redacted]; Mizelle, Chad [redacted]; Fishman, George [redacted]
Subject: Re: Summary of Conclusions: IFR Operational Meeting (b)(6)

I have the daily MPP call at 9:30 and a meeting with GAO from 10-11.

Sent from my iPhone

On Jun 28, 2019, at 7:58 AM, Zadrozny, John A [redacted] wrote: (b)(6)

> Same here.
>
> JZ
> [redacted] (b)(6)

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Sent: Friday, June 28, 2019 7:34 AM
To: Zadrozny, John A [redacted]
Cc: Glabe, Scott [redacted]; Lafferty, John L [redacted]; Ries, Lora L [redacted]; Mizelle, Chad [redacted]; Fishman, George [redacted]
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AMERICAN OVERSIGHT

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(b)(5)

[redacted]

AMERICAN OVERSIGHT

Consultation with another government agency

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8 CFR 208.13(c)(4) MANDATORY BAR DETERMINATION

AMERICAN OVERSIGHT

(b)(5)

8 CFR 208.13(c)(4) MANDATORY BAR DETERMINATION

AMERICAN OVERSIGHT

From: Glabe, Scott
Subject: RE: Summary of Conclusions: IFR Operational Meeting
To: Lafferty, John L; Zadrozny, John A
Cc: Higgins, Jennifer B; Ries, Lora L; Mizelle, Chad; Fishman, George; Bars, Michael
Sent: June 29, 2019 9:17 AM (UTC-05:00)

Also, looping in Michael Bars from OPA team who will be working with us in developing publicly-available Q&A and other comms products for the IFR rollout. Who from USCIS would be best-positioned to work with him on this?

From: Glabe, Scott
Sent: Saturday, June 29, 2019 10:11 AM
To: Lafferty, John L [redacted]; Zadrozny, John A [redacted]
Cc: Higgins, Jennifer B [redacted]; Ries, Lora L [redacted] Mizelle, Chad [redacted]; Fishman, George [redacted] (b)(6)
Subject: RE: Summary of Conclusions: IFR Operational Meeting

Many thanks—let's touch base on this and other IFR items on Monday.

From: Lafferty, John L [redacted]
Sent: Friday, June 28, 2019 2:35 PM
To: Glabe, Scott [redacted]; Zadrozny, John A [redacted] (b)(6)
Cc: Higgins, Jennifer B [redacted]; Ries, Lora L [redacted] Mizelle, Chad [redacted] Fishman, George [redacted]
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Scott,

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Consultation with another government agency

AMERICAN OVERSIGHT

From: Howell, Mike
Subject: RE: Fox Biz request
To: Banister, Diana L
Sent: September 19, 2019 2:24 PM (UTC-05:00)

Awesome. Thank you. I just got booted but will hold onto this when I go on next week. Will make sure to send you the clip.

Mike Howell
Senior Advisor, Executive Branch Relations
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

From: Banister, Diana L <[redacted]
Sent: Thursday, September 19, 2019 2:59 PM
To: Howell, Mike <[redacted]@heritage.org> (b)(6)
Subject: RE: Fox Biz request

Some thoughts: (b)(5)

[redacted]

AMERICAN OVERSIGHT

Fox Business is looking for someone to discuss Trump's border battle with Dems during the 6 PM hour. Topics are below:

Topic Border battle

PRESDIENT DONALD TRUMP
ON HIS ADMINISTRATION'S EFFORTS TO HELP BORDER PATROL
Well we're making their job a lot safer too. And you know what else is happening people aren't even coming up. You see the numbers are going way down and we're not doing catch and release anymore. And we wish we had help from the Democrats in Congress but they've, they want open borders they don't want this. They want criminals to come in, they want human traffickers, crooks.

PRESDIENT DONALD TRUMP
ON NOT GETTING THE VOTES FOR THE WALL THROUGH CONGRESS
Here's the problem. In the house we had no problem, we'd get it approved. Right. But in the Senate, we had 51 votes and we needed 60. So that means we needed nine or 10 Democrat votes and they wouldn't give us any. We had no Democrats. So just you know it's a total misnomer. We had a very tiny majority. And we needed nine to 10 votes. And if we didn't get them, and we couldn't get them. We had the Republican votes when we didn't have any Democrat votes so they wouldn't give us the votes.

'Morning Joe' Mocks 'Vintage Trump' Speech on His Wall
'It's not funny' https://grabien.com/story.php?id=252229
Jerome Hudson: Media and Democrats Compare U.S. Border Patrol Agents to Nazis, but Most Are Hispanic
https://www.breitbart.com/politics/2019/09/18/media-and-democrats-compare-u-s-border-patrol-agents-to-nazis-but-most-are-hispanic/

560 ACRES OF PUBLIC LAND TO BE USED FOR BORDER WALL CONSTRUCTION
WSJ - The Interior Department is transferring public lands to the Pentagon for construction of about 70 miles of border wall, in a move likely to ratchet up controversy over one of the Trump administration's signature projects. The lands being transferred include 213 acres in southwestern New Mexico, 301 acres in Arizona's Yuma County and 44 acres in California's San Diego County.

U.S. Immigration Courts' Backlog Exceeds One Million Cases
https://www.wsj.com/articles/u-s-immigration-courts-backlog-exceeds-one-million-cases-11568845885

Laura Falcon
Communications Manager, National Media
x6168

AMERICAN OVERSIGHT

Consultation with another government agency

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AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Bluey, Rob
Sent: November 25, 2019 12:14 PM (UTC-06:00)

Rob – can we get a positive story in the DS about the MPP program early next week. It is has been tremendously successful and unfortunately, an activist judge may step in and try to stop it. I can give you all the info and Ken would be happy to go on the record to discuss.

From: Bluey, Rob [redacted]@heritage.org>
Sent: Monday, November 25, 2019 11:31 AM
To: Banister, Diana L [redacted]
Subject: RE: Conservative Communicators Lunch today at Heritage

Will do.

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

From: Banister, Diana L [redacted] (b)(6)
Sent: Monday, November 25, 2019 11:29 AM
To: Bluey, Rob [redacted]@heritage.org>
Subject: RE: Conservative Communicators Lunch today at Heritage

Hey Rob – can't make it today, but please add my new email to your list. Thank you!

From: Bluey, Rob [redacted]@heritage.org>
Sent: Monday, November 25, 2019 10:30 AM (b)(6)
To: Bluey, Rob [redacted]@heritage.org>
Subject: Conservative Communicators Lunch today at Heritage

We'll be having our Conservative Communicators Lunch today at 12:30 p.m. at Heritage headquarters in the Zimdahl Room on the 7th floor. Hope you're able to make it!

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Bluey, Rob
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Banister, Diana L
Sent: November 25, 2019 12:39 PM (UTC-06:00)

Thanks for letting me know. Yes, I'll have a reporter follow up with you.

Is this your new email? It's show up as [redacted] (b)(6)

Rob Bluey
Vice President, Communications and Executive Editor, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Conservative Communicators Lunch today at Heritage
To: Bluey, Rob
Sent: November 25, 2019 12:55 PM (UTC-06:00)

☺ we are up at the big house now, Ken was elevated to Acting Deputy Secretary of DHS and I'm with him. Will send you and email from there.

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214 Massachusetts Avenue, NE
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heritage.org

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Ken Cuccinelli interview
To: Lucas, Fred
Sent: November 25, 2019 1:32 PM (UTC-06:00)

Hey Fred – yes, we are wanting to discuss the MPP program that has been extremely successful.

From: Lucas, Fred <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 1:58 PM
To: Banister, Diana L <[redacted] (b)(6)
Subject: Ken Cuccinelli interview

Hi. Rob suggested I contact you about setting up an interview sometime soon.

When you do you he would be available?

Please let me know.

Thank you.

Fred Lucas
[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

AMERICAN OVERSIGHT

From: Lucas, Fred
Subject: RE: Ken Cuccinelli interview
To: Banister, Diana L
Sent: November 25, 2019 1:56 PM (UTC-06:00)

Great. Any info, fact sheets, releases, etc… you have on the Migrant Protection Protocols would be appreciated.

When do you anticipate we could talk? I know holiday weeks are tough. But, please let me know.

Thanks.

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org

(b)(6)

From: Banister, Diana L [redacted]
Sent: Monday, November 25, 2019 2:32 PM
To: Lucas, Fred [redacted]@heritage.org>
Subject: RE: Ken Cuccinelli interview

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White House Correspondent, The Daily Signal.
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214 Massachusetts Avenue, NE
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[redacted]
heritage.org

(b)(6)

AMERICAN OVERSIGHT

From: Banister, Diana L
Subject: RE: Ken Cuccinelli interview
To: Lucas, Fred
Cc: BANISTER, DIANA
Sent: November 25, 2019 4:43 PM (UTC-06:00)

Let's plan it for Wednesday, give you a day to digest and we can talk tomorrow, to walk through it before getting on the phone with AS2 Cuccinelli.

From: Lucas, Fred <[redacted]@heritage.org>
Sent: Monday, November 25, 2019 2:56 PM
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Subject: RE: Ken Cuccinelli interview

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[redacted]

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE

AMERICAN OVERSIGHT

Washington, DC 20002
[redacted]
heritage.org

(b)(6)

AMERICAN OVERSIGHT

From: Lucas, Fred
Subject: Re: Ken Cuccinelli interview
To: Banister, Diana L
Sent: November 26, 2019 8:31 AM (UTC-06:00)

Thanks. What's a good time to chat today ahead of the interview?

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

On Nov 25, 2019, at 5:43 PM, Banister, Diana L [redacted] (b)(6) > wrote:

Let's plan it for Wednesday, give you a day to digest and we can talk tomorrow, to walk through it before getting on the phone with AS2 Cuccinelli.

From: Lucas, Fred [redacted]@heritage.org>
Sent: Monday, November 25, 2019 2:56 PM
To: Banister, Diana L [redacted] (b)(6)
Subject: RE: Ken Cuccinelli interview

Great. Any info, fact sheets, releases, etc… you have on the Migrant Protection Protocols would be appreciated.

When do you anticipate we could talk? I know holiday weeks are tough. But, please let me know.

Thanks.

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

From: Banister, Diana L [redacted]
Sent: Monday, November 25, 2019 2:32 PM
To: Lucas, Fred [redacted]@heritage.org> (b)(6)
Subject: RE: Ken Cuccinelli interview

Hey Fred – yes, we are wanting to discuss the MPP program that has been extremely successful.

From: Lucas, Fred [redacted].@heritage.org>
Sent: Monday, November 25, 2019 1:58 PM
To: Banister, Diana L [redacted] (b)(6)
Subject: Ken Cuccinelli interview

Hi. Rob suggested I contact you about setting up an interview sometime soon.

AMERICAN OVERSIGHT

When you do you he would be available?

Please let me know.

Thank you.

Fred Lucas

[redacted] (b)(6)

Fred Lucas
White House Correspondent, The Daily Signal.
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org
(b)(6)

AMERICAN OVERSIGHT

Consultation with U.S. Department of State

AMERICAN OVERSIGHT

Consultation with U.S. Department of State

AMERICAN OVERSIGHT

Consultation with U.S. Department of State

AMERICAN OVERSIGHT

Consultation with U.S. Department of State

AMERICAN OVERSIGHT

From: Koumans, Mark
Subject: FW: Man killed in Mexico in MPP program
To: Nuebel Kovarik, Kathy; Rexrode, Kathryn S
Sent: December 12, 2019 1:35 PM (UTC-06:00)

From: BANISTER, DIANA [redacted] (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:15 PM
To: Swift, Heather [redacted] Mizelle, Chad [redacted]; RIES, LORA [redacted], ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted] Bars, Michael [redacted]
Subject: RE: Man killed in Mexico in MPP program

Will send over.

From: Swift, Heather
Sent: Thursday, December 12, 2019 2:13 PM (b)(6) (b)(7)(C)
To: Mizelle, Chad [redacted] BANISTER, DIANA [redacted]; RIES, LORA [redacted]; ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted] Bars, Michael [redacted]
Subject: Re: Man killed in Mexico in MPP program

Good if WH is.

Thanks,
Heather Swift

From: Mizelle, Chad [redacted] (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:12:39 PM
To: BANISTER, DIANA [redacted]; RIES, LORA [redacted] ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted] Swift, Heather [redacted]; Bars, Michael [redacted]
Subject: Re: Man killed in Mexico in MPP program

I like the first

Chad Mizelle
[redacted] (b)(6)

From: BANISTER, DIANA [redacted] (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:07:58 PM
To: Mizelle, Chad [redacted]; RIES, LORA [redacted]; ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted]; Swift, Heather [redacted]; Bars, Michael [redacted]
Subject: RE: Man killed in Mexico in MPP program

[redacted] (b)(5)

AMERICAN OVERSIGHT

(b)(5)

[redacted]

From: Mizelle, Chad
Sent: Thursday, December 12, 2019 1:53 PM (b)(6) (b)(7)(C)
To: BANISTER, DIANA [redacted]; RIES, LORA [redacted] ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted]; Swift, Heather [redacted] Bars, Michael [redacted]
Subject: Re: Man killed in Mexico in MPP program

(b)(5)

[redacted]

The line below just doesn't seem to answer the mail.

Chad Mizelle
[redacted] (b)(6)

From: BANISTER, DIANA [redacted] (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 1:27:41 PM
To: Mizelle, Chad [redacted]; RIES, LORA [redacted]; ALFONSO-ROYALS, ANGELICA [redacted]; Koumans, Mark [redacted]
Cc: HOULTON, TYLER [redacted] Swift, Heather [redacted]; Bars, Michael [redacted]
Subject: RE: Man killed in Mexico in MPP program

Chad – per your email, USCIS and CBP worked on a statement and that has been sent to WH comms team.

From: Collins, Jessica B (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 1:11 PM
To: 'Bars, Michael' [redacted] BANISTER, DIANA [redacted]; Gidley, Hogan H.

AMERICAN OVERSIGHT

(b)(6)

EOP/WHO < [redacted] ; Ditto, Jessica E < [redacted] ; Henning, Katherine [redacted] Symonds, Tori Q. EOP/WHO [redacted]

Cc: Swift, Heather < [redacted]

Subject: RE: Man killed in Mexico in MPP program

CBP provided us information this morning and we are double-checking with the Refugee, Asylum, and International Operations Directorate. Once they respond/confirm, we will provide reporters with the following, which has been cleared by our counsel:

(b)(5)

[redacted]

Thanks,
Jessica

Jessica B. Collins
Chief of Public Affairs (A)
Office of Public Affairs
U.S. Citizenship and Immigration Services
Office: [redacted]

(b)(6)

From: Bars, Michael [redacted]

Sent: Thursday, December 12, 2019 1:09 PM

To: BANISTER, DIANA < [redacted] >; Gidley, Hogan H. EOP/WHO < [redacted] ; Ditto, Jessica E [redacted] ; Henning, Katherine < [redacted] ; Symonds, Tori Q. EOP/WHO [redacted]

Cc: Swift, Heather [redacted] Collins, Jessica B < [redacted]

(b)(6)

Subject: Re: Man killed in Mexico in MPP program

Adding Jessica Collins.

I don't believe this is the final version of the statement we settled on earlier.

From: BANISTER, DIANA < [redacted]

(b)(6)

Sent: Thursday, December 12, 2019 1:01:48 PM

To: Gidley, Hogan H. EOP/WHO < [redacted] ; Ditto, Jessica E < [redacted]

Henning, Katherine < [redacted] ; Symonds, Tori Q. EOP/WHO

AMERICAN OVERSIGHT

[redacted] (b)(6)

Cc: Swift, Heather [redacted] Bars, Michael [redacted]

Subject: Man killed in Mexico in MPP program

All - alerting you to this in case you hear. It appears someone returned to Mexico via MPP was killed. We are looking into the case specifics on our side now and will keep you posted.

We have learned from CBP that the father of a family placed into MPP was killed in Tijuana, MX. The family claimed a fear of return to Mexico and USCIS found the claim unreasonable and was sent to Mexico to await their immigration proceedings. We want to confirm with you that USCIS did indeed interview them October 1, 2019 as indicated on the attached e-mails as the family is talking to local media in San Diego.

If we are asked about this case, we intend to provide the following statement, but want to confirm we interviewed the family first.

Statement attributable to a USCIS Spokesperson: "[redacted]

(b)(5) [redacted]

Thanks for your assistance,

Daniel Hetlage
Chief, Media Affairs Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted]
[redacted] Office)

(b)(6)

AMERICAN OVERSIGHT

From: Rexrode, Kathryn S
Subject: Re: Man killed in Mexico in MPP program
To: Koumans, Mark
Cc: Nuebel Kovarik, Kathy
Sent: December 12, 2019 1:42 PM (UTC-06:00)

The draft statement is with the WH and it will likely be attributed to DHS.

(b)(6)

On Dec 12, 2019, at 2:35 PM, Koumans, Mark < > wrote:

From: BANISTER, DIANA (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:15 PM
To: Swift, Heather >; Mizelle, Chad RIES, LORA
>; ALFONSO-ROYALS, ANGELICA
Koumans, Mark
Cc: HOULTON, TYLER Bars, Michael
Subject: RE: Man killed in Mexico in MPP program

Will send over.

From: Swift, Heather (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:13 PM
To: Mizelle, Chad ; BANISTER, DIANA >; RIES, LORA ALFONSO-ROYALS, ANGELICA ;
Koumans, Mark
Cc: HOULTON, TYLER >; Bars, Michael
Subject: Re: Man killed in Mexico in MPP program

Good if WH is.

Thanks,
Heather Swift

From: Mizelle, Chad (b)(6) (b)(7)(C)
Sent: Thursday, December 12, 2019 2:12:39 PM
To: BANISTER, DIANA ; RIES, LORA ; ALFONSO-ROYALS, ANGELICA ; Koumans, Mark
Cc: HOULTON, TYLER Swift, Heather ; Bars, Michael
Subject: Re: Man killed in Mexico in MPP program

I like the first

Chad Mizelle

(b)(6)

From: BANISTER, DIANA <

AMERICAN OVERSIGHT

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

Sent: Thursday, December 12, 2019 2:07:58 PM
To: Mizelle, Chad ; RIES, LORA ; ALFONSO-ROYALS, ANGELICA Koumans, Mark
Cc: HOULTON, TYLER Swift, Heather >; Bars, Michae
Subject: RE: Man killed in Mexico in MPP program

(b)(5)

From: Mizelle, Chad
Sent: Thursday, December 12, 2019 1:53 PM (b)(6) (b)(7)(C)
To: BANISTER, DIANA RIES, LORA ALFONSO-ROYALS, ANGELICA >; Koumans, Mark
Cc: HOULTON, TYLER >; Swift, Heather Bars, Michael
Subject: Re: Man killed in Mexico in MPP program

(b)(5)

Chad Mizelle

(b)(6)

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Sent: Thursday, December 12, 2019 1:27:41 PM (b)(6) (b)(7)(C)
To: Mizelle, Chad RIES, LORA ALFONSO-ROYALS, ANGELICA >; Koumans, Mark
Cc: HOULTON, TYLER ; Swift, Heather >; Bars, Michael

AMERICAN OVERSIGHT

Subject: RE: Man killed in Mexico in MPP program

Chad – per your email, USCIS and CBP worked on a statement and that has been sent to WH comms team.

(b)(6)

From: Collins, Jessica B
Sent: Thursday, December 12, 2019 1:11 PM
To: 'Bars, Michael' [redacted]>; BANISTER, DIANA [redacted]; Gidley, Hogan H. EOP/WHO [redacted]>; Ditto, Jessica E [redacted]>; Henning, Katherine [redacted]>; Symonds, Tori Q. EOP/WHO [redacted]
Cc: Swift, Heather [redacted]
Subject: RE: Man killed in Mexico in MPP program

CBP provided us information this morning and we are double-checking with the Refugee, Asylum, and International Operations Directorate. Once they respond/confirm, we will provide reporters with the following, which has been cleared by our counsel:

(b)(5) [redacted]

Thanks,
Jessica

Jessica B. Collins
Chief of Public Affairs (A)
Office of Public Affairs
U.S. Citizenship and Immigration Services
Office: [redacted]

(b)(6)

From: Bars, Michael [redacted]
Sent: Thursday, December 12, 2019 1:09 PM
To: BANISTER, DIANA [redacted]; Gidley, Hogan H. EOP/WHO [redacted]; Ditto, Jessica E [redacted]; Henning, Katherine [redacted]; Symonds, Tori Q. EOP/WHO [redacted]
Cc: Swift, Heather [redacted]>; Collins, Jessica B [redacted]
Subject: Re: Man killed in Mexico in MPP program

(b)(6)

AMERICAN OVERSIGHT

Adding Jessica Collins.

I don't believe this is the final version of the statement we settled on earlier.

From: BANISTER, DIANA [redacted] (b)(6)
Sent: Thursday, December 12, 2019 1:01:48 PM
To: Gidley, Hogan H. EOP/WHO [redacted] Ditto, Jessica E [redacted] Henning, Katherine [redacted] Symonds, Tori Q. EOP/WHO [redacted]
Cc: Swift, Heather [redacted] Bars, Michael [redacted]
Subject: Man killed in Mexico in MPP program

All - alerting you to this in case you hear. It appears someone returned to Mexico via MPP was killed. We are looking into the case specifics on our side now and will keep you posted.

We have learned from CBP that the father of a family placed into MPP was killed in Tijuana, MX. The family claimed a fear of return to Mexico and USCIS found the claim unreasonable and was sent to Mexico to await their immigration proceedings. We want to confirm with you that USCIS did indeed interview them October 1, 2019 as indicated on the attached e-mails as the family is talking to local media in San Diego.

If we are asked about this case, we intend to provide the following statement, but want to confirm we interviewed the family first.

Statement attributable to a USCIS Spokesperson: [redacted]

(b)(5) [redacted]

Thanks for your assistance,

Daniel Hetlage
Chief, Media Affairs Division
U.S. Citizenship and Immigration Services
Department of Homeland Security

[redacted] (b)(6)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office
To: Butler, Annelise
Sent: March 2, 2020 7:15 AM (UTC-06:00)

Good morning Annie and thank you for your response! Let's move forward with Friday, March 13th at 1:30 pm. Could you please send a calendar invite?

Thanks in advance,
Chavonne

From: Butler, Annelise [redacted]@heritage.org> (b)(6)
Sent: Sunday, March 1, 2020 2:23 PM
To: Alford, Chavonne S[redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Hi Chavonne,

No problem.
Dr. Carafano has the following availabilities for the week of March 9:

3/12- 10:00 am – 12:00 pm, 3:00 pm – 5:00 pm
3/13- 10:00 am – 12:00 pm, 1:30 pm – 4:00 pm

Please let me know if any time during these options works on your end. If not, we can look at the following weeks.

Thank you,
Annie (b)(6)

From: Alford, Chavonne S[redacted]
Sent: Friday, February 28, 2020 12:45 PM
To: Butler, Annelise[redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Hi Annie,

I'm sorry for the message I just sent you – I'm a little behind on email. Would love to get something scheduled for March 9th. Currently Mr. Koumans calendar is wide open – please suggest a time that will work on your end.

Best,
Chavonne

From: Butler, Annelise [redacted]@heritage.org>
Sent: Thursday, February 27, 2020 5:21 PM (b)(6)
To: Alford, Chavonne S <[redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear Chavonne,

I'm happy to help set up a meeting between Mark and Jim.

AMERICAN OVERSIGHT

Jim is travelling a lot during March, but his upcoming availabilities start the week of March 9th. Let me know and I can make some suggestions.

Thank you,
Annie Butler

From: Koumans, Mark <[redacted] (b)(6)
Sent: Thursday, February 27, 2020 5:10 PM
To: Carafano, James <[redacted]@Heritage.org>; Butler, Annelise <[redacted]>; Alford, Chavonne S <[redacted]
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.

Adding Chavonne on this end to coordinate with Annelise.

Follow-up: do you have good POC information for Hugo Teufel? I recall him from Bush 43 DHS HQ, but have lost touch with him. I understand he was on the team as well.

MK

From: Carafano, James <[redacted]@Heritage.org>
Sent: Thursday, February 27, 2020 4:56 PM
To: Koumans, Mark <[redacted]>; Butler, Annelise [redacted]@heritage.org>
Subject: RE: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Of course happy to talk and share my lessons learned

James Carafano
Vice President for the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, and the E. W. Richardson Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

From: Koumans, Mark <[redacted] (b)(6)
Sent: Thursday, February 27, 2020 4:54 PM
To: Carafano, James <[redacted]@Heritage.org>
Subject: FW: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear James,

I hope you are well. Long time no talk since the days that I led the expansion of the VWP at DHS HQ. From there I spent ~4 years at CBP and now nearly a year at USCIS – until this week when AS2 Ken Cuccinelli announced to all (see furthest below) my appointment to lead the Presidential Transition Office.

AMERICAN OVERSIGHT

Per Michael directly below he recommends that we have coffee so I might pick your brain regarding your views on what went well and what did not in the previous transition. I am in touch with Vince Micone, who led the effort for DHS, and others as well.

I look forward to seeing you and hope to be able to discuss the transition process.

Best regards,
Mark

Mark R. Koumans
Deputy Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Washington, DC
Tel: [redacted] (b)(6)

U.S. Citizenship and Immigration Services

From: Dougherty, Michael <[redacted] (b)(6)
Sent: Wednesday, February 26, 2020 6:17 PM
To: Koumans, Mark <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Yes Jim was co-lead, would be good for you to get a coffee with him. I hope that I'm not confusing landing team with beachhead team. He and I were the guys who showed up at DHS right after the election with the Trump team; we were not the guys who showed up January 21.

[redacted]@heritage.org (b)(6)

From: Koumans, Mark <[redacted]
Sent: Wednesday, February 26, 2020 5:11:30 PM
To: Dougherty, Michael <[redacted]
Subject: Re: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Thank you.
Another new adventure.

I had not realized you were on the landing team. Are more of you around? I would love to meet with you (individually and or as a group) to pick your brains. I think James Carafano was on that team...?

MK

(b)(6)

Sent from my iPhone

On Feb 26, 2020, at 10:12 AM, Dougherty, Michael <[redacted]> wrote:

AMERICAN OVERSIGHT

Mark, congratulations on this assignment – I have a feeling that you are going to enjoy it!

If I can be of any assistance to you (recall that I co-led the inbound Landing Team after the last election) please let me know.

Regards,

Michael Dougherty
Ombudsman
Office of the Citizenship and Immigration Services Ombudsman

[redacted]

<image002.png> (b)(6)

From: Office of the Deputy Secretary <[redacted]
Sent: Wednesday, February 26, 2020 10:12 AM
Subject: Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

<image001.jpg>

February 26, 2020

Message from Senior Official Performing the Duties of the Deputy Secretary Ken Cuccinelli on the Presidential Transition Office

Dear Colleagues,

On November 3, 2020, the American people will vote to elect the President of the United States. Seventy-eight days later, the winner of that election will take office. While we do not know who will be elected in November, DHS, along with the rest of the federal government, must be ready for the possible transfer of power from the current Presidential Administration to another. This transition of power has been a hallmark of our American democracy since President George Washington left office on March 4, 1797 and our Department is proud to do its part in continuing that legacy.

To ensure that a potential Presidential transition is efficient and organized, every federal agency is beginning to undertake a meticulous planning process. This includes preparing materials to guide any incoming leaders, as well as preparing the organization for any changes that may occur if a new President takes office.

I am pleased to announce that Mr. Mark Koumans, United States Citizenship and Immigration Services (USCIS) will lead this crucial project as DHS's Presidential Transition Officer for this year's election. DHS has been considered a shining example among federal agencies due to its efforts in preparing for previous transitions, and I am confident Mark and his team will continue this tradition.

We will update you on transition preparations in the coming months. I know that no matter who is elected President this November, the dedicated men and women of this Department will continue to faithfully serve the American people. Thank you for all you do to protect our nation.

Ken Cuccinelli, Senior Official Performing the Duties of the Deputy Secretary
U.S. Department of Homeland Security

AMERICAN OVERSIGHT

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted]
heritage.org (b)(6)

Annelise Butler
Research and Administrative Assistant, Foreign Policy and National Security
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
[redacted] (b)(6)
heritage.org

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S
Sent: March 2, 2020 8:25 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S; Koumans, Mark
Sent: March 2, 2020 8:25 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 8:28 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 8:28 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S
Sent: March 2, 2020 9:00 AM (UTC-06:00)
Address: 214 Massachusetts Ave. NE, Washington DC 20002

When you arrive, please let the front desk know, and Dr. Carafano or his assistant will come down to greet you.

Thank you!

AMERICAN OVERSIGHT

From: Carafano, James
Subject: Koumans/Carafano Meeting
To: Carafano, James; Alford, Chavonne S; Koumans, Mark
Sent: March 2, 2020 9:00 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Alford, Chavonne S
Subject: Accepted: Koumans/Carafano Meeting
To: Carafano, James
Sent: March 2, 2020 9:23 AM (UTC-06:00)

AMERICAN OVERSIGHT

From: Nebeker, Mark (USADC)
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx
To: Ralph Casale
Cc: Caplen, Robert (USADC)
Sent: April 14, 2020 1:50 PM (UTC-05:00)

Your proposal for a change is fine. Thank you for agreeing to make the change and file the JSR.

Remember to loop Robert Caplen in in the future.

I has been a pleasure.

W. Mark Nebeker
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, DC 20530
[redacted] (b)(6)

From: Ralph Casale [redacted]e@irli.org>
Sent: Tuesday, April 14, 2020 2:32 PM
To: Nebeker, Mark (USADC) [redacted]
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

Hi Mark,

Per our conversation, there is a sentence in the draft JSR that reads: (b)(5)

[redacted]

Please let me know your thoughts about revising that sentence to read:

[redacted]

As with the draft JSR, I am sending the above to you with all rights reserved. Thank you.

Sincerely,

Ralph L. Casale
Senior Counsel

AMERICAN OVERSIGHT

Sent from my iPhone

Immigration Reform Law Institute
25 Massachusetts Ave., N.W.
Suite 335
Washington, DC 20001
Tel: (202) 232-5590
Fax: (202) 464-3590
www.irli.org

To learn more about IRLI's national network of attorneys, click here.

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On Apr 14, 2020, at 2:07 PM, Nebeker, Mark (USADC) <[redacted]v> wrote:

> Go ahead and make your edit and resend the document, please.
>
> (b)(6)
>
> W. Mark Nebeker
> Assistant United States Attorney
> Civil Division
> 555 4th Street, N.W.
> Washington, DC 20530
> [redacted]
>
> (b)(6)
>
> (b)(6)
>
> **From:** Ralph Casale <[redacted]@irli.org>
> **Sent:** Tuesday, April 14, 2020 1:44 PM
> **To:** Nebeker, Mark (USADC) <[redacted]
> **Cc:** Caplen, Robert (USADC) <[redacted]
> **Subject:** Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx
>
> I have a suggested edit to the draft that I sent to you. Should I wait for your comments or should I send the suggested edit to you beforehand? Thank you.
>
> Sincerely,
>
> Ralph L. Casale
> Senior Counsel

AMERICAN OVERSIGHT

Sent from my iPhone

Immigration Reform Law Institute
25 Massachusetts Ave., N.W.
Suite 335
Washington, DC 20001
Tel: (202) 232-5590
Fax: (202) 464-3590
www.irli.org

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On Apr 14, 2020, at 12:48 PM, Ralph Casale [redacted]@irli.org> wrote: (b)(6)

Hi Mark,

I attach for your review a draft JSR, which I am sending to you with all rights reserved. Kindly please provide me with your comments. I was having email issues a little earlier. Thank you.

<FAIR v USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx>

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

Immigration Reform Law Institute
25 Massachusetts Ave., N.W.
Suite 335
Washington, DC 20001
Tel: (202) 232-5590
Fax: (202) 464-3590

AMERICAN OVERSIGHT

www.irli.org

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AMERICAN OVERSIGHT

From: Preston Huennekens
Subject: FAIR Letter to POTUS re: Suspend the Admission of Guest Workers
To: Preston Huennekens
Sent: May 4, 2020 9:50 AM (UTC-05:00)
Attached: FAIR letter to POTUS new EO 5-4-20.pdf

CAUTION: This email originated from outside of the Federal Government. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the USCIS Security Operations Center with questions or click the "Report Suspicious Email" button to report it as a phishing attempt.

Good morning,

Please see the attached letter from Dan Stein to President Trump and relevant agency heads calling for a new EO to suspend the admission of guest workers, end the grotesque EB-5 program, and require labor certification reviews of guest workers currently here.

Please contact FAIR's government relations director RJ Hauman [redacted]@fairus.org) if you have any questions.

Best,

(b)(6)

Preston Huennekens
Government Relations Associate

FAIR
FEDERATION FOR AMERICAN IMMIGRATION REFORM

25 Massachusetts Ave. N.W., Suite 330
Washington, DC 20001
Tel: (202) 328-7004
Fax: (202) 387-3447
www.FAIRus.org

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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest

FAIR
FEDERATION FOR AMERICAN IMMIGRATION REFORM

May 4, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Trump:

I write to you today on behalf of the Federation for American Immigration Reform's (FAIR) over 2 million members and supporters nationwide. Specifically, we urge you to immediately issue a new executive order suspending the admission of guestworkers – in addition to other items mentioned below – as part of an effort to protect American workers at a time of crisis.

In your April 22, 2020 executive order you correctly cited the harmful impact that foreign workers have on American wages and opportunities. Specifically, you noted that "we must be mindful of the impact of foreign workers on the United States labor market, particularly in an environment of high domestic unemployment and depressed demand for labor." This is absolutely correct. As such, the April 22 executive order did not go far enough. It temporarily suspended – with major exceptions – only some immigrants applying for permanent visas from outside the United States. FAIR estimated the executive order applies to less than 10 percent of the eligible immigrant population, affecting only a few thousand individuals. This order did not address any guestworker programs, which have a far greater effect on wages and job opportunities.

The Federal government should not force Americans to compete with cheap foreign guestworkers for limited job opportunities, even in normal times. Studies of every program regularly show that employers pay guestworkers less than Americans doing the same job. With growing unemployment numbers totaling over 30 million, it is unconscionable that the Federal government continues to allow guest workers to flow in, taking jobs that would otherwise go to Americans.

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www.FAIRus.org

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The national need is clear. We are calling on you to issue a new executive order suspending the issuance of nonimmigrant guestworker visas. These visas – notably H-1B, H-2A, H-2B, L-1, and J-1 – are unnecessary given the economic conditions facing American households. Every year, over 66,000 and 350,000 H-2B and J-1 unskilled workers fill jobs in restaurants, bars, amusement parks, and other service industries. Employers paid these foreign workers anywhere from 7.3 to 31 percent less than Americans, despite performing the same jobs. How can our country allow over 400,000 - nearly a half a million - potential jobs go to cheaper guestworkers instead of Americans struggling to pay rent?

As this public health crisis continues, white collar workers have seen their pay cut, hours reduced, and even jobs terminated. Additionally, millions of college seniors will graduate throughout the early summer. As these Americans test the ever-shrinking job market, they will find themselves competing against H-1B, L-1, and Optional Practical Training (OPT) workers. Studies highlight that these foreign workers are hardly special, with most possessing the skills of an average American college graduate. Yet in 2019, the State Department issued 265,000 visas between the H-1B and L-1 programs alone. H-1B workers bring their spouses and dependents with them on H-4 visas, allowing them to work in the United States and take even more jobs from American citizens. An AP analysis found that H-1B workers are paid substantially less than Americans performing the same jobs. At record unemployment levels, how can we turn our back on the American worker by allowing hundreds of thousands of H-1B and L-1 workers to remain in the country?

Your administration could permanently end the OPT program today, as it was created under executive fiat by President George W. Bush. This program, administered by the Department of Homeland Security (DHS), allows foreign students to temporarily work in the U.S. after graduation. The employers that hire these workers pay zero payroll taxes – depriving our Federal and state entitlement programs of needed money.

In addition to suspending guestworker admissions, I call on you to suspend the controversial and fraud-ridden EB-5 investment visa program. Congress designed the program to help inject capital into poorer areas of our country that needed investment and jobs. Instead, this program simply allows foreign millionaires – mostly Chinese – to fund luxury projects in California and New York. The EB-5 program makes a mockery of American citizenship. The most powerful country on earth has no legitimate reason to sell its most precious asset.

Finally, we request that you direct the Departments of Labor and Homeland Security to review the labor certifications of thousands of pending employment-based immigrant and nonimmigrant visas to ensure that the employer requests are still justifiable, that the businesses are still viable, and that the foreign workers are still needed at this time.

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Mr. President, you have acted quickly and decisively to address the fallout from the economic calamity wrought by coronavirus. But our country needs you to take additional steps. In order to fulfill your own stated goals of protecting American workers from foreign competition, I urge you to suspend the admission of guestworkers, end the grotesque EB-5 program, and require labor certification reviews. This urgently needed next step would show the American people that their president is fighting to defend their wages, protect their opportunities, and secure their future.

Sincerely,

Dan Stein
President

CC:
The Honorable Eugene Scalia
Secretary of Labor
200 Constitution Ave NW
Washington, D.C. 20210

The Honorable Chad Wolf
Acting Secretary of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

The Honorable Mike Pompeo
Secretary of State
2201 C Street, NW
Washington, D.C. 20520

AMERICAN OVERSIGHT

From: Gault, Pamela L
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx
To: Nebeker, Mark (USADC); Ralph Casale
Cc: Caplen, Robert (USADC)
Sent: May 8, 2020 10:38 AM (UTC-05:00)

Hi Mark and Robert, have we heard back from plaintiff's counsel about the settlement agreement? Are JSR is due May 15 and it would be great if we could get the settlement agreement signed and a stipulation of dismissal instead of another JSR. Thanks, Pamela

Pamela Gault
Associate Counsel
Commercial and Administrative Law Division
Office of Chief Counsel
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW, Suite 6090
Washington, DC 20529-2120
Deskline
Mobile: (b)(6)
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From: Nebeker, Mark (USADC)
Sent: Tuesday, April 14, 2020 2:50 PM
To: Ralph Casale @irli.org> (b)(6)
Cc: Caplen, Robert (USADC) <
Subject: RE: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

Your proposal for a change is fine. Thank you for agreeing to make the change and file the JSR.

Remember to loop Robert Caplen in in the future.

I has been a pleasure.

W. Mark Nebeker
Assistant United States Attorney
Civil Division
555 4th Street, N.W.
Washington, DC 20530
(b)(6)

(b)(6)

From: Ralph Casale @irli.org>
Sent: Tuesday, April 14, 2020 2:32 PM
To: Nebeker, Mark (USADC) <
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

Hi Mark,

Per our conversation, there is a sentence in the draft JSR that reads:

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(b)(5)

[redacted]

Please let me know your thoughts about revising that sentence to read:

[redacted]

As with the draft JSR, I am sending the above to you with all rights reserved. Thank you.

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

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On Apr 14, 2020, at 2:07 PM, Nebeker, Mark (USADC) <[redacted]> wrote:

> Go ahead and make your edit and resend the document, please.

(b)(6)

> W. Mark Nebeker
> Assistant United States Attorney

AMERICAN OVERSIGHT

Civil Division
555 4th Street, N.W.
Washington, DC 20530
[redacted]
(b)(6)

From: Ralph Casale [redacted]li.org> (b)(6)
Sent: Tuesday, April 14, 2020 1:44 PM
To: Nebeker, Mark (USADC) [redacted]
Cc: Caplen, Robert (USADC) [redacted]
Subject: Re: FAIR v. USCIS, No. 18-cv-876-EGS (D.D.C.) - JSR - DRAFT (04-14-20).docx

I have a suggested edit to the draft that I sent to you. Should I wait for your comments or should I send the suggested edit to you beforehand? Thank you.

Sincerely,

Ralph L. Casale
Senior Counsel

Sent from my iPhone

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Ralph L. Casale
Senior Counsel

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From: Austin, Deon T
Subject: FW: Clarification on FOIA request [redacted]
To: [redacted]@irli.org
Sent: May 11, 2020 10:34 AM (UTC-05:00)

(b)(6)

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