

EXHIBIT B:

White Papers and White Paper Correspondence

EXHIBIT

B.1.

From: (b)(6); (b)(7)(C)
Sent: 31 Mar 2017 13:42:36 +0000
To: Davidson, Michael J (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: FW: Civil Fines Meeting Minutes and Action Items

Mike & (b)(6); (b)(7)(C)

Below is the string of emails that was generated after our meeting on Wednesday about the civil fines and penalties. I was surprised to see that (b)(6); (b)(7)(C) asked for a meeting with you. He was not present during Wednesday's meeting, and the group has a plan to move forward on the issues. We are discussing internally whether we should (b)(5)

(b)(5)
(b)(5) Everyone involved agrees with our legal analysis, (b)(5)
(b)(5)

Bottom Line: I think a separate meeting with (b)(6); (b)(7)(C) at this point is unnecessary.

Please let me know if you'd like any further information.

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

Deputy Chief
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U.S. Department of Homeland Security
166 Sycamore Street, (b)(6);
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T: (b)(6); (b)(7)(C)
F:

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

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From: (b)(6); (b)(7)(C)
Sent: Thursday, March 30, 2017 11:20 AM

To: Seguin, Debbie; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C); (b)(6); (b)(7)(C)
Subject: RE: Civil Fines Meeting Minutes and Action Items

To make sure we are all on the same page, we are discussing the two provisions fining aliens who fail to depart that we discussed yesterday: **INA 240B(d)** – failure to depart after order of voluntary departure and **INA 274D** – failure to depart after final order of removal?

(b)(6); (b)(7)(C) and I agree with (b)(6); (b)(7)(C) that even the (b)(5)
(b)(5)

(b)(6); (b)(7)(C)
Associate Legal Advisor
ICE/OPLA/EROLD
(o) (b)(6); (b)(7)(C)
(c)

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From: Seguin, Debbie
Sent: Thursday, March 30, 2017 11:10 AM
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Civil Fines Meeting Minutes and Action Items

Hi all,
Please make sure that (b)(6); (b)(7)(C) is included. Thanks.

Debbie

From: (b)(6); (b)(7)(C)
Sent: Thursday, March 30, 2017 11:09 AM
(b)(6); (b)(7)(C)

Cc: Seguin, Debbie
Subject: RE: Civil Fines Meeting Minutes and Action Items

Hi (b)(6);

(b)(5)

(b)(5) I, too, look forward to others' thoughts on this issue.

Thanks,

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

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

Sent: Thursday, March 30, 2017 10:31 AM

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

Cc: Seguin, Debbie

Subject: RE: Civil Fines Meeting Minutes and Action Items

Good Morning (b)(6); (b)(7)(C)

Thank you for continuing to raise important questions and issues regarding the EO-mandated refresh of civil fines and penalties assessment.

Per your request, (b)(5)

(b)(5)

During the meeting yesterday, as well as in your White Paper and the email below, (b)(5)

(b)(5)

(b)(5) - and I think all of us fully understand the merits of your recommendation.

That said, there remains one question which I believe would be worthwhile to address: (b)(5)

(b)(5)

My current thinking is that from a legal standpoint, you are certainly correct. But from a policy standpoint and an EO implementation standpoint, (b)(5)

(b)(5)

That said, I am eager to hear the opinions of others on this matter.

Again, thank you for your very hard work on this.

VR,

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

U.S. Immigration and Customs Enforcement
Office of Policy
Section Chief/Regulatory Coordinator

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

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

Sent: Thursday, March 30, 2017 9:23 AM

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

Cc: Seguin, Debbie

Subject: RE: Civil Fines Meeting Minutes and Action Items

Good morning,

Thanks for the productive discussion yesterday. I didn't have time to raise this important point yesterday, and would like everyone to be aware of it so they can have it in mind as the group decides upon the future course of action.

(b)(5)

(b)(5)

[Redacted]

(b)(5)

[Redacted]

(b)(5)

[Redacted]

Thanks,

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

[Redacted]

*Deputy Chief
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(b)(6); (b)(7)(C)

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EXHIBIT

B.2.

Page 850

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(b)(5)

of the Freedom of Information and Privacy Act

Page 851

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of the Freedom of Information and Privacy Act

Page 852

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of the Freedom of Information and Privacy Act

Page 853

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EXHIBIT

B.3.

Page 4467

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Page 4468

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Page 4469

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of the Freedom of Information and Privacy Act

Page 4470

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Page 4471

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Page 4472

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Page 4473

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Page 4474

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Page 4475

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EXHIBIT

B.4.

Page 1444

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EXHIBIT

B.5.

Page 1805

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Page 1806

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Page 1807

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EXHIBIT

B.6.

Page 444

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Page 445

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Page 446

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Page 447

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Page 448

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Page 451

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Page 452

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Page 453

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EXHIBIT

B.7.

From: (b)(6); (b)(7)(C)
Sent: 10 Jun 2019 20:54:12 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: Information for OMB about ICE Authority to Assess and Collect Civil Fines
Attachments: ICE Authority to Assess and Collect Fines.docx, DHS Delegation 7030.2.pdf

Good afternoon,

As we discussed earlier this afternoon, here is a table tracing ICE's authority to assess and collect civil fines for failure to voluntarily depart under INA § 240B, document fraud under INA § 274C, and failure to comply with a final order of removal under INA § 274D. For each type of fine, the table shows: the relevant statutory section, the basis for DHS's authority to assess the fine, the delegation of DHS's authority to ICE, and the deposit account.

You also asked about providing a copy of the white paper on the collection of penalties and fines to OMB. After discussion, (b)(5)

(b)(5)

If I can do anything to assist further, please let me know.

Respectfully,

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

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