

**EXHIBIT C: DHS
Exemptions
Challenged by
Plaintiffs**

EXHIBIT C.1

From:	(b)(6)
To:	(b)(6)
Subject:	Re: Checking in
Date:	2021/02/03 10:57:05
Priority:	Normal
Type:	Note

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Thank you that is amazing!!

On Wed, Feb 3, 2021 at 9:29 AM (b)(6) gov>wrote:

(b)(6) I just received this response.

Subject: RE: Checking in

Good Morning, (b)(6)

ICE has granted a 30-day stay of removal for the 7 individuals listed below. Notifications will be made to the individuals and their counsels of record.

Thank you,

(b)(6)

Senior Immigration Counselor

Office of the Secretary

Department of Homeland Security

(b)(6)

From: (b)(6) <nipnlg.org>
Sent: Wednesday, February 3, 2021 8:32 AM
To: (b)(6) <gov>
Subject: Checking in

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(b)(6) I just wanted to check in especially about the Cameroon flight. The flight appears to be bursting with people who do not meet the priorities in any way and who have court cases pending. I sent you several that fit this description yesterday and wanted to know what the plan is with respect to that flight and with respect to those individuals. As a reminder, here are the individuals who I believe are all on the same flight (I sent you individual emails with counsel of record copied about each of them yesterday):

(b)(6)

Thank you very much for any further information or updates you can provide.

(b)(6)

(b)(6)

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(b)(6) | she/her

(b)(6)

National Immigration Project of the National Lawyers Guild 2201 Wisconsin Ave. NW Suite 200 | Washington, DC 20007 (b)(6) (b)(6) nipnlg.org www.nipnlg.org | @nipnlg

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(b)(6) | she/her

(b)(6)

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EXHIBIT C.2

From:	(b)(6)
To:	(b)(6)
CC:	(b)(6)
Subject:	RE: Checking in
Date:	2021/02/03 09:28:00
Priority:	Normal
Type:	Note

Thank you Dianna!

(b)(6)

**Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security**

(b)(6)

From: (b)(6) gov>
Sent: Wednesday, February 3, 2021 9:25 AM
To: (b)(6) gov>
Cc: (b)(6) gov>
Subject: RE: Checking in

Good Morning (b)(6)

ICE has granted a 30-day stay of removal for the 7 individuals listed below. Notifications will be made to the individuals and their counsels of record.

Thank you,

(b)(6)

Deputy Chief of Staff
Office of the Director
Immigration and Customs Enforcement

C: (b)(6)

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From: (b)(6) gov>
Sent: Wednesday, February 3, 2021 8:58 AM

To: (b)(6) gov>; (b)(6) gov>
Subject: FW: Checking in

(b)(6) and (b)(6)

Good morning. Please see below the inquiry regarding the flight to Cameroon and specific people named below. Appreciate your attention to the matter.

Best,

(b)(6)

(b)(6)

**Senior Immigration Counselor
Office of the Secretary
Department of Homeland Security**

(b)(6)

From: (b)(6) nipnl.org>
Sent: Wednesday, February 3, 2021 8:34 AM
To: (b)(6) gov>
Subject: Re: Checking in

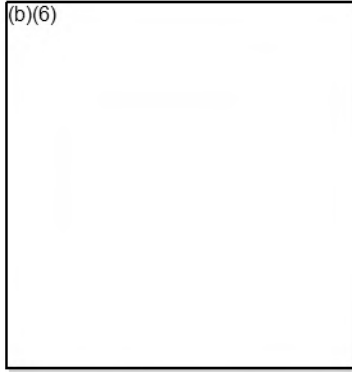
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With apologies, I meant to include the A numbers the first time. You should have emails from yesterday that describe each of their circumstances in more detail (pending court cases, other equities):

(b)(6)

On Wed, Feb 3, 2021 at 8:31 AM (b)(6) nipnl.org>wrote:

(b)(6) I just wanted to check in especially about the Cameroon flight. The flight appears to be bursting with people who do not meet the priorities in any way and who have court cases pending. I sent you several that fit this description yesterday and wanted to know what the plan is with respect to that flight and with respect to those individuals. As a reminder, here are the individuals who I believe are all on the same flight (I sent you individual emails with counsel of record copied about each of them yesterday):



Thank you very much for any further information or updates you can provide.

(b)(6)
(b)(6)

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(b)(6) she/her

(b)(6)

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Image removed by sender.

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(b)(6) she/her

(b)(6)

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Sender:	(b)(6)
Recipient:	(b)(6)
Sent Date:	2021/02/03 09:28:53
Delivered Date:	2021/02/03 09:28:00

EXHIBIT C.3

From:	(b)(6)
To:	(b)(6)
CC:	(b)(6)
Subject:	Background on Haitian deportations
Date:	2021/02/05 18:05:01
Priority:	Normal
Type:	Note

H (b)(6) - In case this is helpful to have before your meeting with S1. Here is what we are providing reporters on Haitian deportations. The two inquiries we received today were from the Miami Herald and McClatchy:

On background from a DHS spokesperson: As the Administration reviews and reforms current immigration policies, we will continue prioritizing the health and safety of everyone we encounter during the COVID-19 pandemic. The situation at the border will not transform overnight, due in large part to the damage done over the last four years. Expulsions of Haitians make up a small fraction of the expulsions taking place at the border. Approximately 90% of the individuals expelled in the last three weeks were from Mexico or Northern Triangle countries. Haitians ranged from 2-5% of Title 42 expulsions in the last three weeks. The Haitian flights mostly involve individuals who were encountered within the last week while attempting to cross into the United States between ports of entry.

I also wanted to flag this article in the Guardian. We are not confirming the suspended flights; they cite community activists and congressional sources:

[US suspends Haiti deportation flights as Biden administration tries to control Ice | US immigration | The Guardian](#)

Halt came after activists and staffers called homeland security secretary's office but it is unclear how long it will last

Julian Borger

The US has suspended deportation flights to Haiti, in the latest sign the Biden administration is attempting to assert control over the Immigration and Customs Enforcement agency, Ice, according to community activists and congressional sources.

The reported halt to Haitian flights came after a night of frantic calls from community activists and congressional staffers to the office of the newly confirmed secretary of homeland security, Alejandro Mayorkas. It is unclear how long the suspension will last, and Ice did not reply to a request for comment on Friday morning.

On taking office, Joe Biden ordered a 100-day moratorium on deportation while the system and procedures for removal of migrants and asylum seekers were subject to review. But on 26 January, a Trump-appointed Texas judge issued a stay on the moratorium being implemented, and Ice resumed – and in some cases stepped up – deportations to Africa, Haiti and Central America.

The deportations defied guidelines laid down by the Biden team, stipulating that removals should be focused on suspected terrorists and convicted felons who were a danger to the public. Since being confirmed by the Senate, Mayorkas and his team have been seeking to rein in Ice, according to congressional sources.

A flight due to leave for Cameroon and the Democratic Republic of Congo was halted from taking off at the last minute on Thursday, so that the would-be deportees could be witnesses in an investigation into allegations of physical abuse by Ice agents. The cancellation and investigation mark a significant change in policy.

Ice had also stepped up flights deporting Haitians detained at the southern border. On Thursday, there were two flights. Most of the removals were deemed expulsions under a 1944 public health statute, called Title 42, which had rarely been used before the Trump administration.

Human rights activists have argued that the upsurge in political violence and lawlessness in Haiti meant that any deportations there would be unsafe.

The calls to Mayorkas's team on Thursday night and the early hours of Friday are believed to have involved Guerline Jozef, the co-founder of the Haitian Bridge Alliance, an immigrant support group; Patrice Lawrence, co-director of the UndocuBlack Network; and staff from the Democratic senator Chris Van Hollen's office.

Jozef would not confirm the details of the discussions but said: "I haven't slept for 96 hours. This is such a big win.

"They were running two flights in a day in their hurry to deport as many people as possible," she said. "We had babies as young as four or five months old. We were so disturbed that we were determined that for now, those people will be protected."

"Unfortunately, when it comes down to black immigrants, we're the low-hanging fruit," said Lawrence. Changing that, she added is "about political will and understanding that sometimes you have to take risks".

In recent days, US authorities have also been returning Haitians who arrived through Mexico, from El Paso, Texas, back to the border city of Ciudad Juárez on foot, in apparent violation of a Trump administration agreement with the Mexican government. When the US invoked Title 42 as the coronavirus spread, Mexico agreed to accept Guatemalans, Hondurans and Salvadorans who had travelled through its territory but not Haitians.

Sender:	(b)(6)
Recipient:	(b)(6)

	(b)(6)
Sent Date:	2021/02/05 18:04:59
Delivered Date:	2021/02/05 18:05:01