

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, January 28, 2021 12:46 PM  
**To:** SCOTT, RODNEY S  
**Cc:** ORTIZ, RAUL L; QUINN, TIMOTHY; MILLER, TROY A  
**Subject:** Re: Request for information - release of migrants along border

Oh great. Thank you. I did not originally see you on the list.

On Jan 28, 2021, at 12:40 PM, SCOTT, RODNEY S (b)(6), (b)(7)(C) wrote:

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I will be attending the 2p for BP.

**Rodney Scott**

Chief

US Customs and Border Protection

US Border Patrol

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

*Focus on what is right, regardless of who is right.*

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**From:** CLAVEL, LISE (b)(6), (b)(7)(C)  
**Sent:** Thursday, January 28, 2021 12:39 PM  
**To:** ORTIZ, RAUL L (b)(6), (b)(7)(C)  
**Cc:** QUINN, TIMOTHY (b)(6), (b)(7)(C); MILLER, TROY A  
(b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C)  
**Subject:** Re: Request for information - release of migrants along border

Thanks. Deputy Chief, are you the best person to ask to be added to the 2pm with the AS?

On Jan 28, 2021, at 12:23 PM, ORTIZ, RAUL L (b)(6), (b)(7)(C) wrote:

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There is engagement with local law enforcement, spoke to Chief Hastings in RGV and Chief Skero in Del Rio earlier and they mentioned they have engaged their NGO's, Sheriffs and Federal Law Enforcement Partners and today they are discussing it with Mayors and County Judges in RGV and Chief Skero has already done this in Del Rio Sector. We will conduct an RFI to determine the extent of engagement but I am pretty confident this is happening across the SWB. This includes engagement with the local consulates.

**Raul L. Ortiz**

Deputy Chief

USBP Headquarters, Washington, DC

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

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

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**From:** CLAVEL, LISE (b)(6), (b)(7)(C)  
**Sent:** Thursday, January 28, 2021 12:13 PM  
**To:** ORTIZ, RAUL L (b)(6), (b)(7)(C); QUINN, TIMOTHY  
(b)(6), (b)(7)(C); MILLER, TROY A (b)(6), (b)(7)(C)  
**Cc:** SCOTT, RODNEY S (b)(6), (b)(7)(C)  
**Subject:** RE: Request for information - release of migrants along border

Thanks. Adding AC1 back.

You mentioned community stakeholder engagement; but is there any communication with local LE?

Commissioner, do you feel comfortable briefing the AS at 2pm or would you like someone from BP to join the call as well?

LC

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**From:** ORTIZ, RAUL L (b)(6), (b)(7)(C)  
**Sent:** Thursday, January 28, 2021 11:54 AM  
**To:** CLAVEL, LISE (b)(6), (b)(7)(C); QUINN, TIMOTHY  
(b)(6), (b)(7)(C) gov>  
**Cc:** SCOTT, RODNEY S (b)(6), (b)(7)(C)  
**Subject:** FW: Request for information - release of migrants along border

CoS,

Here are the bullets.

**Raul L. Ortiz**

Deputy Chief

USBP Headquarters, Washington, DC

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

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

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**From:** PADILLA, MANUEL JR [REDACTED] (b)(6), (b)(7)(C)  
**Sent:** Thursday, January 28, 2021 11:20 AM  
**To:** ORTIZ, RAUL [REDACTED] (b)(6), (b)(7)(C)  
**Cc:** BARKER, TONY L [REDACTED] (b)(6), (b)(7)(C)  
**Subject:** Request for information - release of migrants along border

Deputy,

Please review and forward

- Mexico recently passed a law that precludes Mexican Immigration from detaining children, even if they are accompanied by adults/relatives/parents. This further impacts USBP's ability to expel family units under CDC T42 authority. Top Line: [REDACTED] (b)(5)

[REDACTED] (b)(5)

- USBP continues to experience a stark increase in monthly illegal migration to the U.S., especially in the South Texas area. We are now seeing consecutive days over 3000 apprehensions/encounters which we had not seen since the 2019 crisis.
- This continued surge of Unaccompanied Children and Family Unit encounters will immediately overwhelm USBP's short term detention capacity and rival crises experienced in 2014/2019 but with an increased risk due to the COVID-19 pandemic.
- The pause on processing pathways (MPP, ACA, PACR) and recent policy changes have also impacted USBP's ability to expeditiously process and remove those encountered, including jail releases that do not fall into the Civil Enforcement Priorities
- Local INM has agreed to take FMUAs under T42 in Tamaulipas with the exception of tender age or other vulnerable populations, which is unfortunately the largest FMUA demographic currently being encountered.
- Moreover, capacity at Border Patrol stations has decreased by 75%, due to COVID-19, limiting overall capacity further. Sectors consistently move individuals to different stations in order to be in compliance with COVID limitations.
- The USBP will be required to promptly process and release family units and single adults due to lack of adjudication pathways and the necessity to maintain the health and safety of the workforce and those in detention during the pandemic.
- These releases are sought to mitigate risks experienced from overcrowding at USBP facilities, to maintain COVID-19 mitigation protocols, and due to USBP's inability to turn the detained migrants over to partner agencies.

- USBP works in close coordination with ICE ERO to transfer Family Units to Family Residential Centers (FRC) but placement at these facilities is limited and criteria/family demographic precludes many from being placed. EOR has already communicated that the FRCs are near maximum capacity.
- Individuals showing signs of illness or requesting medical support are evaluated by medical professionals and treated. Blanket COVID-19 testing for every individual pending release is not conducted and would further prohibit any T42 expulsion once tested.
- As we have done in the past, Sectors continue to engage with community stakeholders that may be impacted by the release of individuals into the community. This is done to be transparent and ensure stakeholders prepare accordingly for any community impact.

**(b)(5)**

- Potential impacts:

**(b)(5)**

Manuel Padilla, Jr.  
Chief - Law Enforcement Operations Directorate  
United States Border Patrol Headquarters

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