EX. A

REDACTED VERSION OF DOCUMENT(S) SOUGHT TO BE SEALED

(Executive Office of Immigration Review ("EOIR")), *Ninth Circuit Stay Order - Asylum Transit Interim Final Rule Litigation*)

From: [redacted]
To: McHenry, James (EOIR); Owen, Sirce E. (EOIR); Gupta, Dimple (EOIR); Alder Reid, Lauren (EOIR); Neal, David L. (EOIR); Adkins-Blanch, Chuck (EOIR); Santoro, Christopher A (EOIR); Maggard, Print (EOIR); Cheng, Mary (EOIR)
Cc: [redacted]
Subject: RE: Ninth Circuit Stay Order - Asylum Transit Interim Final Rule Litigation
Date: Tuesday, August 20, 2019 9:17:00 AM

Good morning,

Upon further discussion, OIL has clarified its interpretation of the Ninth Circuit's stay order as follows:

The rule should not be applied to any asylum determination in which: (1) the alien was apprehended in the Ninth Circuit, (2) the alien is detained in the Ninth Circuit, or (3) the interview or adjudication itself occurs in the Ninth Circuit.

OCIJ – please ensure that this guidance is distributed ASAP today. [redacted]

Please let me know if you have any questions or concerns.

Best regards,

[redacted]

WarningAttorney/Client Privilege***Attorney Work Product***
This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this e-mail has been misdirected and immediately destroy all originals and copies. Furthermore, do not print, copy, re-transmit, disseminate, or otherwise use this information. This document is for INTERNAL GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 U.S.C. §§ 552(b)(5), (b)(7).

From: [redacted]
Sent: Friday, August 16, 2019 3:43 PM
To: McHenry, James (EOIR) [redacted]; Owen, Sirce E. (EOIR) [redacted]; Gupta, Dimple (EOIR) [redacted]; Alder Reid, Lauren (EOIR) [redacted]; Neal, David L. (EOIR)

[redacted]; Adkins-Blanch, Chuck (EOIR) [redacted]
[redacted]; Santoro, Christopher A (EOIR)
[redacted]; Maggard, Print (EOIR)
[redacted]; Cheng, Mary (EOIR) [redacted]
Cc: [redacted]
[redacted]
Subject: Ninth Circuit Stay Order - Asylum Transit Interim Final Rule Litigation

Good afternoon EOIR Leadership:

As you may be aware, earlier today the Ninth Circuit granted a limited stay enjoining the DOJ and DHS joint interim final rule, *Asylum Eligibility and Procedural Modifications*, as to the Ninth Circuit only. As such, the rule is effective as to all asylum applications filed on or after July 16, 2019, that remain pending as of August 16, 2019, outside of the Ninth Circuit.

I have attached the Federal Register version of the rule for your convenience. Please share this with your staff. [redacted]

Thank you,

[redacted]

WarningAttorney/Client Privilege***Attorney Work Product***
This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this e-mail has been misdirected and immediately destroy all originals and copies. Furthermore, do not print, copy, re-transmit, disseminate, or otherwise use this information. This document is for INTERNAL GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 U.S.C. §§ 552(b)(5), (b)(7).