

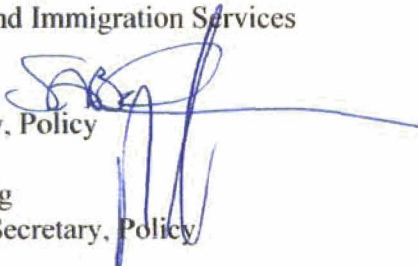


Homeland
Security

DEC 18 2007

AUTHORIZATION DOCUMENT

TO: Emilio Gonzalez, Director
U.S. Citizenship and Immigration Services

THROUGH: Stewart A. Baker 
Assistant Secretary, Policy

FROM: Paul S. Rosenzweig
Deputy Assistant Secretary, Policy

SUBJECT: Authorization to process cases involving the provision of material support to the
ELN

On April 27, 2007, the Secretary exercised his discretionary authority under Sec. 212(d)(3)(B)(i) of the Immigration and Nationality Act (the Act) not to apply subsection 212(a)(3)(B)(iv)(VI) to certain individuals who have provided material support under duress to certain terrorist organizations described in subsections 212(a)(3)(B)(vi)(I) and (II) (designated terrorist organizations, often referred to as Tier I and Tier II organizations) if warranted by the totality of the circumstances. The authority not to apply subsection 212(a)(3)(B)(iv)(VI) of the Act in certain circumstances was delegated to the United States Citizenship and Immigration Services (USCIS) in consultation with the United States Immigration and Customs Enforcement (ICE). When this exemption authority was exercised, DHS agreed, in the interagency process, that the exemption authority will be exercised only with respect to applicants who provided material support under duress to specific Tier I or Tier II organizations agreed upon by the interagency after completion of an examination of the national security implications of applying the exemption authority in the case of the specific Tier I or Tier II organization under consideration.

After completion of an examination of national security implications of applying the exemption authority in the case of material support provided to the National Liberation Army of Colombia (ELN) and consultation with the interagency, DHS authorizes USCIS, in consultation with ICE, to consider the April 27, 2007, exemption authority with respect to material support provided under duress to the ELN.