

**ALIEN ENEMIES ACT:
ALIEN ENEMY VALIDATION GUIDE**

In the case of: _____ A-File No: _____

1. The person named above is fourteen years or older:
2. The person named above is not a citizen or lawful permanent resident of the United States:
3. The person named above is a citizen of Venezuela:

If any of these three requirements are not satisfied, the person named above shall not be ordered removed under the Alien Enemies Act (AEA). In such a case, you should consult your supervisor and the Office of the Principal Legal Advisor (OPLA), U.S. Immigration and Customs Enforcement, and, where applicable, initiate removal proceedings under the Immigration and Nationality Act (INA).

4. The person named above is validated as a member of Tren de Aragua (TDA), as determined by reference to the following evaluation form:

Instructions: Complete the following validation evaluation form for each suspected alien targeted for removal under the AEA, or, following apprehension, for each alien potentially subject to an AEA removal.

After accounting for the two comments below, aliens scoring 8 points and higher are validated as members of TDA; you should proceed with issuing Form AEA-21B, titled, "Notice and Warrant of Apprehension and Removal under the Alien Enemies Act." Aliens scoring 6 or 7 points may be validated as members of TDA; you should consult with a supervisor and OPLA, reviewing the totality of the facts, before making that determination; if you determine an alien should not be validated at this time as a member of TDA, when available, you should initiate removal proceedings under the INA. Alien scoring 5 points or less should not be validated at this time as member of TDA; when available, you should initiate removal proceedings under the INA.¹

Comment 1: Even if 8 points or higher, if all tallied points for an alien are from the Symbolism and/or Association categories (with no points scoring in any other category), consult your supervisor and OPLA before determining whether to validate the alien as a member of TDA (and proceed with an AEA removal) or initiate INA removal proceedings.

¹ A tally of 5 points or less, or any decision to initiate INA removal proceedings, is not a finding that an alien is *not* an Alien Enemy. Relatedly, at any time, additional information may come to light that gives reason to revisit a prior decision to forego an AEA removal.

Comment 2: For purposes of validating an alien as a member of TDA, at least one scoring category must involve conduct occurring, or information received, within the past five years.

Valuation Explanation			
Category	Definition Explanation	Points	
Judicial Outcomes and Official Documents	a. Subject has been convicted of violating Title 18, United States Code, Section 521 or any other federal or state law criminalizing or imposing civil penalties for activity related to TDA	10	
	b. Court records (e.g., indictments, criminal complaints, sentencing memorandums) identifying the subject as a member of TDA, describing specific activity of TDA	5	
Self-Admission	a. Subject self-identifies as a member or associate of TDA verbally or in writing to law enforcement officer, even if that self identification to a law enforcement officer is unwitting, e.g., through lawful interception of communications.	10	
Criminal Conduct and Information	a. Subject participates in criminal activity (e.g., narcotics trafficking, human smuggling, etc.) with other members of TDA, including preparatory meetings and significant incidents directly attributed to TDA	6	
	b. Law enforcement or intelligence reporting identifying subject as a member of TDA, to include Bureau of Prisons validations and reliable foreign partner information.	4	
	c. Credible testimonies/statements from victims, community members, or informants that affirm the subject's membership in or allegiance to TDA.	3	
	d. Detailed open-source media (e.g., newspapers, investigative journalism reports) that describe arrest, prosecution, or operations of a subject as a member of TDA	2	
	e. Subject conducts and/or facilitates business with TDA (e.g., money laundering, mule, service provider)	2	
Documents and Communications	a. Written or electronic communications (e.g., e-mails, letters, texts, secure messages) that discuss business with, and/or are communicating with, known members of TDA; cell phone data contains multiple group, organizational, or organization leaders' or members' information.	6	
	b. Subject conducts phone calls about the business of TDA with known members of TDA	10	
	c. Financial transactions indicating criminal activity for TDA or with known members of TDA	3	
	d. Subject possesses written rules, constitution, membership certificates, bylaws, etc., indicating, together with other conduct, membership of or allegiance to TDA	6	
Symbolism	a. Subject has tattoos denoting membership/loyalty to TDA	4	
	b. Social media posts by the subject displaying symbols of TDA or depicting activity with other known members of TDA	2	
	c. Subject observed tagging or graffitiing to mark the territory of, and the subject's allegiance to, TDA	2	
	d. Subject observed displaying hand signs used by TDA	2	
	e. Subject displays insignia, logos, notations, drawings, or dress known to indicate allegiance to TDA, as observed by law enforcement in person or via virtual mediums	4	

Association	a. Surveillance documentation that a subject is frequently observed closely associating with known leaders and members of TDA	2	
	b. Subject part of group photos with two or more known members of TDA	2	
	c. Subject presently resides with known members of TDA	2	
			Total Points

VALIDATION DETERMINATION

Note: If any of the four requirements are not satisfied, do not complete this validation determination.

Based on the validation guide and instructions above, including Comments 1 and 2, I find that the person named above, _____:

1. Is fourteen years or older;
2. Is not a citizen or lawful permanent resident of the United States;
3. Is a citizen of Venezuela; and
4. Is a member of Tren de Aragua.

Accordingly, the above-named person is validated as an Alien Enemy.

*Name of Agent/officer
 completing the form*

*Signature of agent/officer
 completing the form*

Date

Name of Supervisor

Signature of Supervisor

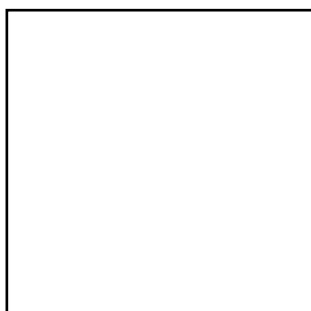
Date

VERIFICATION OF REMOVAL

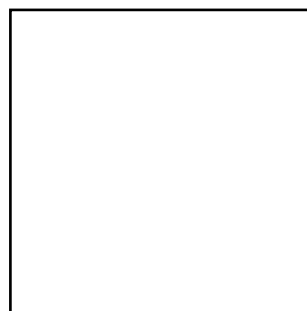
A-number _____ Date: _____

Alien Enemy's name: _____

Departure Date	Port of Departure	Manner of Departure
Signature of Verifying Officer		Title of Officer



Photograph of alien removed



Right index fingerprint of alien removed

(Signature of alien whose fingerprint and
Photograph appear above)

(Signature of official taking fingerprint)

**NOTICE AND WARRANT OF APPREHENSION AND REMOVAL
UNDER THE ALIEN ENEMIES ACT**

A-File No. _____ Date: _____

In the Matter of: _____

Date of Birth: _____ Sex: Male Female

Warrant of Apprehension and Removal

To any authorized law enforcement officer:

The President has found that Tren de Aragua is perpetrating, attempting, or threatening an invasion or predatory incursion against the territory of the United States, and that Tren de Aragua members are thus Alien Enemies removable under Title 50, United States Code, Section 21.

_____ has been determined to be: (1) at least fourteen years of
(Full Name of Alien Enemy)
age; (2) not a citizen or lawful permanent resident of the United States; (3) a citizen of Venezuela; and (4) a member of Tren de Aragua. Accordingly, he or she has been determined to be an Alien Enemy and, under Title 50, United States Code, Section 21, he or she shall immediately be apprehended, restrained, and removed from the United States pursuant to this Warrant of Apprehension and Removal.

Signature of Supervisory Officer: _____

Title of Officer: _____ **Date:** _____

Notice to Alien Enemy

I am a law enforcement officer authorized to apprehend, restrain, and remove Alien Enemies. You have been determined to be at least fourteen years of age; not a citizen or lawful permanent resident of the United States; a citizen of Venezuela; and a member of Tren de Aragua. Accordingly, you have been determined to be an Alien Enemy subject to apprehension, restraint, and removal from the United States. You are not entitled to a hearing, appeal, or judicial review of this notice and warrant of apprehension and removal. Until you are removed from the United States, you will remain detained under Title 40, United States Code, Section 21. Any statements you make now or while you are in custody may be used against you in any administrative or criminal proceeding. This is not a removal under the Immigration and Nationality Act.

After being removed from the United States, you must request and obtain permission from the Secretary of Homeland Security to enter or attempt to enter the United States at any time. Should you enter or attempt to enter the United States without receiving such permission, you will be subject to immediate removal and may be subject to criminal prosecution and imprisonment.

Signature of alien: _____ Date: _____

CERTIFICATE OF SERVICE