

# EXHIBIT 1

~~FILED UNDER SEAL~~

~~ATTORNEYS' EYES ONLY~~

Quinn, Kevin

January 31, 2020

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

-----:

ABDIQAFAR WAGAFE, et al., on behalf :  
of themselves and others similarly :  
situated, :

Plaintiffs, :

VS. : Case No.

DONALD TRUMP, President of the : 17-CV-00094 RAJ  
United States, et al., :

Defendants. :

-----:

ATTORNEYS' EYES ONLY

Washington, D.C.

Friday, January 31, 2020

Videotaped Deposition of KEVIN QUINN,  
held at United States Department of Justice, 450  
Fifth Street, N.W., Washington, D.C., before SUSAN  
L. CIMINELLI, a Notary Public in and for the  
District of Columbia, beginning at 9:18 a.m., when  
were present on behalf of the respective parties:

Henderson Legal Services, Inc.

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Quinn, Kevin

January 31, 2020

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1 A P P E A R A N C E S

2 On behalf of Plaintiffs:

3 JENNIE PASQUARELLA, ESQ.  
4 ACLU of Southern California  
5 1313 West Eight Street  
6 Suite 200  
7 Los Angeles, California 90017  
8 (213) 977-5236  
9 JPasquarella@ACLUSoCal.org

7 NICHOLAS GELLERT, ESQ.  
8 Perkins Coie, LLP  
9 1201 Third Avenue  
10 Suite 4900  
11 Seattle, Washington 98101  
12 (206) 359-3843  
13 NGellert@PerkinsCoie.com

11 On behalf of Defendants:

12 LEON TARANTO, ESQ.  
13 JESSE BUSEN, ESQ.  
14 U.S. Department of Justice  
15 175 N Street, N.E.  
16 Room 11 220  
17 Washington, D.C. 20002  
18 (202) 598-8173  
19 Leon.B.Taranto@usdoj.gov

16 ALSO PRESENT:

17 Nat Pham, Videographer

19 \* \* \* \* \*

20

21

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Quinn, Kevin

January 31, 2020

3

1 C O N T E N T S

2

3 EXAMINATION BY:	PAGE
4 Counsel for Plaintiffs	6
5 Counsel for Defendants	326

6

7 QUINN EXHIBIT NO.:	PAGE
----------------------	------

8 Exhibit 89	Fraud Detection and National	
9	Security Directorate FDNS	
10	Yearbook of Workload	
11	Statistics - FY 2015	82
12 Exhibit 90	Email chain, Ibrahim to	
13	Tennyson, 7/31/14	90
14 Exhibit 91	Email chain, Heffron to	
15	Quinn et al., 8/3/15	117
16	Articulable Link Training	
17 Exhibit 92	Email chain, Kassekert to	
18	Tennyson, 3/11/16	131
19 Exhibit 93	ATLAS Overview, June 2016	143

20

21

22 \*Exhibits continued

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Quinn, Kevin

January 31, 2020

			4
1	QUINN EXHIBIT NO.:	PAGE	
2	Exhibit 94	Executive Summary: CARRP	
3		Enforcement Practice Proposal,	
4		11/5/12	156
5	Exhibit 95	Cross-Section Analysis of	
6		Controlled Application	
7		Review and Resolution	
8		Program, 4/10/15	164
9	Exhibit 96	Email chain, Heffron to	
10		Knafla et al., 9/1/17	196
11	Exhibit 97	Review of K-1 Adjustment	
12		of Status Social Media	
13		Pilots	268
14	Exhibit 98	USCIS Social Media &	
15		Vetting: Overview and	
16		Efforts to Date, 3/2/17	274
17	Exhibit 99	Operational Guidance	
18		Identifying Information of	
19		Interest in a Social Media	
20		Check for Refugee Population	281
21			
22			

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Quinn, Kevin

January 31, 2020

5

1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: We are now on the  
3 record. Here begins the video deposition of Kevin  
4 Quinn, taken in the matter, Abdiqafar Wagafe, et al.  
5 v. Donald Trump. Today's date is January 31st,  
6 2020. The time is 9:18. This deposition is being  
7 held at 450 Fifth Street, Northwest, in Washington,  
8 D.C. Our court reporter is Susan Ciminelli, my name  
9 is Nat Pham, both on behalf of Henderson Legal  
10 Services. Will counsel please state your appearance  
11 for the record?

12 MS. PASQUARELLA: Jennie Pasquarella for  
13 the plaintiffs.

14 MR. GELLERT: Nick Gellert for the  
15 plaintiffs.

16 MR. TARANTO: Leon Taranto for  
17 defendants.

18 MR. BUSEN: Jesse Busen for defendants.

19 THE VIDEOGRAPHER: Will the court  
20 reporter please swear in the witness.

21 Whereupon,

22 KEVIN QUINN,

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Quinn, Kevin

January 31, 2020

6

1 was called as a witness, and having been duly sworn,  
2 was examined and testified as follows:

3 EXAMINATION BY COUNSEL FOR PLAINTIFFS

4 BY MS. PASQUARELLA:

5 Q. Good morning, Mr. Quinn.

6 A. **Good morning.**

7 Q. My name is Jennie Pasquarella. We met  
8 earlier.

9 A. **In the elevator.**

10 Q. Yes.

11 A. **Ever so briefly.**

12 Q. I'm one of the attorneys for the  
13 plaintiffs.

14 A. **Good morning.**

15 Q. Have you ever had your deposition taken?

16 A. **Yes.**

17 Q. Okay. How many times?

18 A. **One time.**

19 Q. And what was that case about?

20 A. **It was an EEO complaint.**

21 Q. Okay. So I just want to remind you a few  
22 of the ground rules for depositions. So you

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Quinn, Kevin

January 31, 2020

38

1 Q. Am I correct in understanding that  
2 NABISCOP is what IBIS used to be?

3 A. No.

4 Q. Okay. Can you explain at that to me?

5 A. Sure. So IBIS was an acronym. It stands  
6 for the Interagency Border Inspection System. It  
7 was an electronic system that our officers had used  
8 to conduct background checks. It was required for  
9 all benefit types, all filings that we received.  
10 And so it's an electronic system.

11 What the functions that we used IBIS for,  
12 I believe have all now have been rolled into TECS, a  
13 CPB owned system. The NABISCOP, National Background  
14 Identification and Security Check Operating  
15 Procedures Handbook is a manual -- standard  
16 operating procedures handbook for conducting a  
17 number of background checks, including TECS checks,  
18 what would have been that. So one is a system, and  
19 one is a document.

20 Q. Right, okay. But IBIS is not used  
21 anymore, correct?

22 A. No.

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Quinn, Kevin

January 31, 2020

73

1           A.       Well, there could be something on the  
2 filing itself. The actual form that's filed with  
3 the applicant -- by the applicant, could indicate  
4 those potential grounds. Any of the background  
5 security checks we run could, theoretically,  
6 identify those concerns.

7           Q.       Okay. And are you aware of what  
8 percentage of non-KSTs are identified through TECS,  
9 for example?

10          A.       My understanding is that most of our  
11 national security concerns are identified through  
12 TECS hits.

13          Q.       But drilling down to the non-KST, do you  
14 have a sense of what percentage of non-KSTs are  
15 identified through TECS?

16          A.       I believe it's still the majority of  
17 non-KSTs are identified through TECS, is my  
18 understanding.

19          Q.       And how about LHMs?

20          A.       I don't know the specific proportion for  
21 LHMs. I think it's relatively small, particularly  
22 compared to the TECS.

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Quinn, Kevin

January 31, 2020

329

1 CERTIFICATE OF NOTARY PUBLIC & REPORTER

2

3 I, SUSAN L. CIMINELLI, the officer before whom  
4 the foregoing deposition was taken, do hereby  
5 certify that the witness whose testimony appears in  
6 the foregoing deposition was duly sworn; that the  
7 testimony of said witness was taken in shorthand and  
8 thereafter reduced to typewriting by me or under my  
9 direction; that said deposition is a true record of  
10 the testimony given by said witness; that I am  
11 neither counsel for, related to, nor employed by any  
12 of the parties to the action in which this  
13 deposition was taken; and, further, that I am not a  
14 relative or employee of any attorney or counsel  
15 employed by the parties hereto, nor financially or  
16 otherwise interested in the outcome of this action.

17

18

19 SUSAN L. CIMINELLI

20 Notary Public in and for the

21 District of Columbia

22 My Commission Expires November 30, 2021.

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Quinn, Kevin

January 31, 2020

330

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ACKNOWLEDGMENT OF DEPONENT

I, Kevin T. Quinn, do hereby  
acknowledge that I have read and examined the  
foregoing testimony, and the same is a true, correct  
and complete transcription of the testimony given by  
me, and any corrections appear on the attached Errata  
Sheet signed by me.

03/09/2020

(DATE)



(SIGNATURE)

NOTARIZATION (If Required)

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me on  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_, proved to me on the  
basis of satisfactory evidence to be the person who  
appeared before me.

Signature: \_\_\_\_\_

(Seal)