

EXHIBIT B

Braga, Victoria M. (CIV)

From: Hyatt, Heath (Perkins Coie) <HHyatt@perkinscoie.com>
Sent: Monday, February 03, 2020 1:10 AM
To: Braga, Victoria M. (CIV); 'Jennie Pasquarella'; Hugh Handeyside; Gellert, Nicholas (Perkins Coie); Perez, David A. (Perkins Coie); Whidbee, Paige (Perkins Coie)
Cc: Kanter, Ethan (CIV); Slack, Michelle R (CIV); Kipnis, Brian (USAWAW); Davis, Kathryn C (CIV); Taranto, Leon B. (CIV); Busen, Jesse (CIV); Moore, Brendan T. (CIV); Murphy, Lindsay M. (CIV); Brinkman, Andrew (CIV)
Subject: RE: Jan. 31 Meet and Confer

Victoria,

Thank you for your email.

Plaintiffs will withdraw their challenge of the CAR documents except for Index Nos. 3, 10, 11, 22, 27, and 35.

Plaintiffs would be willing to remove DEF-00026674 from the list of documents at issue, but slides 40 and 41 appear to improperly assert the Law Enforcement privilege.

Hope you had a great weekend.

Heath

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From: Braga, Victoria M. (CIV) <Victoria.M.Braga@usdoj.gov>
Sent: Friday, January 31, 2020 3:34 PM
To: Hyatt, Heath (SEA) <HHyatt@perkinscoie.com>; 'Jennie Pasquarella' <JPasquarella@ACLUSOCAL.ORG>; Hugh Handeyside <hhandeyside@aclu.org>; Gellert, Nicholas (SEA) <NGellert@perkinscoie.com>; Perez, David A. (SEA) <DPerez@perkinscoie.com>
Cc: Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Slack, Michelle R (CIV) <Michelle.R.Slack@usdoj.gov>; Kipnis, Brian (USAWAW) <Brian.Kipnis@usdoj.gov>; Davis, Kathryn C (CIV) <Kathryn.C.Davis@usdoj.gov>; Taranto, Leon B. (CIV) <Leon.B.Taranto@usdoj.gov>; Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Moore, Brendan T. (CIV) <Brendan.T.Moore@usdoj.gov>; Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Brinkman, Andrew (CIV) <Andrew.Brinkman@usdoj.gov>
Subject: RE: Jan. 31 Meet and Confer

Thank you, Heath.

This accurately reflects Defendants' understanding of what remains at issue in Plaintiffs' motion, as discussed during the meet and confer.

One point of confirmation – the 36 documents listed below are documents from the group of 64 documents initially challenged in Plaintiffs motion; by our review, the list does not contain any of the Certified Administrative Record documents we sent you.

We are following up on DEF-00044548 and DEF-00026674, which are documents you identified during the meet and confer as potentially dropping off the list as well, should Defendants be able to remove certain redactions.

We are also discussing with the agency whether documents should be filed under seal, and relatedly, a list of titles for the documents identified below that would not need to be filed under seal. We anticipate following up with you on these issues on Monday.

Have a nice weekend!

Victoria

From: Hyatt, Heath (Perkins Coie) <HHyatt@perkinscoie.com>
Sent: Friday, January 31, 2020 6:09 PM
To: Braga, Victoria M. (CIV) <vbraga@CIV.USDOJ.GOV>; 'Jennie Pasquarella' <JPasquarella@ACLU.SOCAL.ORG>; Hugh Handeyside <hhandeyside@aclu.org>; Gellert, Nicholas (Perkins Coie) <NGellert@perkinscoie.com>; Perez, David A. (Perkins Coie) <DPerez@perkinscoie.com>
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Subject: RE: Jan. 31 Meet and Confer

Counsel,

Thank you for participating in today's meet and confer. Below is the list of 36 documents that remain at issue in Plaintiffs' pending motion to compel documents asserting the law enforcement privilege and deliberative process privilege.

Plaintiffs maintain that these documents improperly assert the law enforcement and deliberative process privileges. With respect to the law enforcement privilege, Plaintiffs believe that Defendants improperly redact USCIS information to which Plaintiffs are entitled consistent with the Court's order at Dkt. 320, and improperly redact other information not subject to the law enforcement privilege. Plaintiffs are not challenging redactions that appear to be screenshots of USCIS or third-party computer databases, such as DEF-00373850 at p. 55 (redacting slide entitled "The NS Concerns Tab", appearing to display a screenshot of a database), unless that analysis is incorrect. Plaintiffs are also not challenging the redaction of personal identifying information of applicants or agency officials such as names, phone numbers, addresses, and social security numbers. Plaintiffs are also not challenging the redaction of methods and techniques that third-agencies use to collect information.

Plaintiffs agree to withdraw their challenge that Defendants improperly asserted privilege over the certified administrative record, at this time. Plaintiffs also agree to withdraw their challenge of the sufficiency of Defendants' privilege logs with respect to these challenged documents.

These are the documents Plaintiffs challenge:

Document	Production Bates Begin	Production Bates End
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"Evaluation of the Utility of Checks: March 5 2012"	DEF-00004010	DEF-00004017
Executive Summary: CARRP Enforcement Practice Proposal: November 5, 2012	DEF-00005579	DEF-00005582
Controlled Application Review and Resolution Program (CARRP) Processing for Known or Suspected Terrorist (KST) Cases	DEF-00017542	DEF-00017557
Controlled Application Review and Resolution Program (CARRP) Version 2.2*	DEF-00021130	DEF-00021338
FDNS CARRP Training Course (FCPTC) Version 2.3 Instructor Guide*	DEF-00026674	DEF-00026725
FDNS Senior Official CARRP Training	DEF-00044548	DEF-00044737
FDNS-DS System Generated Notifications Interim Standard Operating Procedures: April 28, 2015*	DEF-00044891	DEF-00044911
Deconfliction, Internal and External Vetting and Adjudication of NS Concerns*	DEF-00052177	DEF-00052362
Extreme Screening and Vetting Options	DEF-00096541	DEF-00096545
Executive Order 13780 Updates*	DEF-00096701	DEF-00096705
USCIS Response to CRCL's Memorandum on Options for Guidance on Religious Questioning (August 2, 2011)*	DEF-00174739	DEF-00174741
UNTITLED	DEF-00181890	DEF-00181899
Western Region Comments: Gaps in CARRP Policy and Procedure	DEF-00181912	DEF-00181915
UNTITLED	DEF-00184286	DEF-00184289
UNTITLED	DEF-00184291	DEF-00184293
UNTITLED	DEF-00184306	DEF-00184309
Initial Blue Sky Screening Proposals	DEF-00254790	DEF-00254796
Continuous Immigration Vetting Overview	DEF-00255323	DEF-00255323
Continuous Immigration Vetting Overview as of July 25, 2017	DEF-00255332	DEF-00255333
How the Executive Order will Impact Vetting	DEF-00261633	DEF-00261639
Executive Order's Impact to Vetting	DEF-00261640	DEF-00261641
200-day Report Section 5(b) of Executive Order (EO) 13780, Protecting the Nation from Foreign Terrorist Entry into the United States*	DEF-00262350	DEF-00262353
DHS Screening Coordination Office: FY2017 Goals and Objectives*	DEF-00262357	DEF-00262369
Immediate Actions to Heighten Screening and Vetting of Applications for Visas and Other Immigration Benefits*	DEF-00262748	DEF-00262751
Information Sharing Standards for Visa and Immigration Vetting*	DEF-00262793	DEF-00262793
Attachment A: Criteria Decision Matrix	DEF-00262796	DEF-00262798

EO 13780, Section 2b Report: Country Data Collection to Support Immigration Vetting and Admissibility Determinations*	DEF-00262802	DEF-00262805
Executive Order's Impact to Vetting	DEF-00263389	DEF-00263390
Executive Summary - Measuring the Effectiveness of Executive Order 13780: Protecting the Nation from Foreign Terrorist Entry into the United States	DEF-00266453	DEF-00266454
Vetting and Screening*	DEF-00267420	DEF-00267422
USCIS Interviews Recommendation Report*	DEF-00270098	DEF-00270106
Continuous Immigration Vetting Project Plan: April 29, 2016	DEF-00280914	DEF-00280920
List of Executive Order (EO)-related accomplishments to be completed in the next 90 days*	DEF-00285830	DEF-00285839
Procedures for Identifying CARRP Concerns*	DEF-00329157	DEF-00329162
Fraud Detection and National Security (FDNS) Deconfliction Job Aid	DEF-00329296	DEF-00329303
Enhanced Information Sharing with Law Enforcement: 2013	DEF-0074376	DEF-0074384

Have a great weekend.

Heath

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From: Hyatt, Heath (SEA)

Sent: Friday, January 31, 2020 10:58 AM

To: 'Braga, Victoria M. (CIV)' <Victoria.M.Braga@usdoj.gov>; 'Jennie Pasquarella' <JPasquarella@ACLUSOCAL.ORG>; Hugh Handeyside <hhandeyside@aclu.org>; Gellert, Nicholas (SEA) <NGellert@perkinscoie.com>; Perez, David A. (SEA) <DPerez@perkinscoie.com>

Cc: Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Slack, Michelle R (CIV) <Michelle.R.Slack@usdoj.gov>; Kipnis, Brian (USAWAW) <Brian.Kipnis@usdoj.gov>; Davis, Kathryn C (CIV) <Kathryn.C.Davis@usdoj.gov>; Taranto, Leon B. (CIV) <Leon.B.Taranto@usdoj.gov>; Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Moore, Brendan T. (CIV) <Brendan.T.Moore@usdoj.gov>; Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Brinkman, Andrew (CIV) <Andrew.Brinkman@usdoj.gov>

Subject: RE: Jan. 31 Meet and Confer

Thanks for confirming Victoria. Let's use the following conference information.

Dial-in: 888-857-7291; Passcode: 206 359 3843.

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Sent: Friday, January 31, 2020 6:52 AM

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Subject: RE: Jan. 31 Meet and Confer

Yes, 4 pm EST/1 pm PST works for us. Thanks!

From: Hyatt, Heath (Perkins Coie) <HHyatt@perkinscoie.com>

Sent: Thursday, January 30, 2020 9:29 PM

To: Braga, Victoria M. (CIV) <vbraga@CIV.USDOJ.GOV>; 'Jennie Pasquarella' <JPasquarella@ACLU.SOCAL.ORG>; Hugh Handeyside <hhandeyside@aclu.org>; Gellert, Nicholas (Perkins Coie) <NGellert@perkinscoie.com>; Perez, David A. (Perkins Coie) <DPerez@perkinscoie.com>

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Subject: RE: Jan. 31 Meet and Confer

Victoria,

Thanks for your email. Will 4pm EST/1pm PST work for Defendants? If so, I'll provide call-in information.

Best,

Heath

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Sent: Thursday, January 30, 2020 2:20 PM

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Subject: Jan. 31 Meet and Confer

Good afternoon counsel,

I am following up on a meet and confer time for tomorrow, January 31, to discuss the pending motion to compel. Someone at DOJ will be available all day, so please let us know what time is convenient for you.

Thank you,
Victoria

From: Braga, Victoria M. (CIV)

Sent: Tuesday, January 28, 2020 7:04 PM

To: Hyatt, Heath (Perkins Coie) <HHyatt@perkinscoie.com>; 'Jennie Pasquarella' <JPasquarella@ACLUSOCAL.ORG>; Hugh Handeyside <hhandeyside@aclu.org>; Gellert, Nicholas (Perkins Coie) <NGellert@perkinscoie.com>; Perez, David A. (Perkins Coie) <DPerez@perkinscoie.com>

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Subject: Additional MTC Documents

Good evening counsel,

I just sent, via LeapFile, two additional documents where redactions have been changed. One, DEF-00003593, is a CAR duplicate for CAR Index 10 that is different from the duplicate we identified initially. The attached duplicate chart reflects this change.

Please let us know what times on Friday, January 31, you are available for a meet and confer to discuss the pending motion.

Thank you,
Victoria

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