

Exhibit C

NDLON, et al., v. ICE, et al., 10 CV 3488

Exhibit C - Exemption 5 Deliberative Process Challenges

#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
1	FBI-SC-1413-1415	8/26/10-8/27/10	Emails among DHS, FBI and state employees concerning NY Commissioner letter to Northern Manhattan Coalition for Immigrant Rights	Federal employee names, phone numbers and email addresses; email from CJIS counsel to CJIS staff concerning response to letter from Ngovernment official
2	DHS000118-DHS000119	Unknown	Issue paper entitled "Originating Agency Identifier (ORI) Validation Process"	Pre-decisional and deliberative issue paper relating to ORI process
3	DHS000196-DHS000317	September 20, 2010 - October 5, 2010	Email chain between The CRCL Officer and ICE Personnel.	Pre-decisional and deliberative conversation via Email on Implementation of Policy and how to respond to inquiries about said Policy
4	ICE FOIA 10-2674.0003393 - ICE FOIA 10-2674.0003395	9/30/2010	Email between SC PMO staff	Predecisional discussion of issues by SC staff elements regarding SC program. The comments do not reflect any final agency policy or decision.
5	ICE FOIA 10-2674.0003396 - ICE FOIA 10-2674.0003403	10/15/2010	Email between SC program staff elements	SC staff coordination of draft answers to news reporter questions regarding program issues/concerns
6	ICE FOIA 10-2674.0003404 - ICE FOIA 10-2674.0003411	10/15/2010	Email between SC program staff elements	SC staff coordination/discussion of issues and concerns and proposed draft answers to news reporter questions regarding program. The comments do not reflect any final agency policy or decision.
7	ICE FOIA 10-2674.0003421 - ICE FOIA 10-2674.0003429	10/15/2010	Email between SC program staff elements	SC staff coordination/discussion of issues and concerns and proposed draft answers to news reporter questions regarding program. The comments do not reflect any final agency policy or decision.
8	ICE FOIA 10-2674.0003430 - ICE FOIA 10-2674.0003438	10/15/2010	Email between SC program staff elements	SC staff coordination/discussion of issues and concerns and proposed draft answers to news reporter questions regarding program
9	ICE FOIA 10-2674.0003439 - ICE FOIA 10-2674.0003447	10/15/2010	Email between SC program staff elements	SC staff coordination/discussion of issues and concerns and proposed draft answers to news reporter questions regarding program

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
10	ICE FOIA 10-2674.0003454 - ICE FOIA 10-2674.0003456		Email attachment from SC program staff elements	SC staff coordination/discussion of issues and concerns and proposed draft answers to news reporter questions regarding program
11	ICE FOIA 10-2674.0003457 - ICE FOIA 10-2674.0003460		Draft –internalPMO SC Issue Paper	Issues and comments addressed regarding the Interoperability deployment strategy. The comments do not reflect any final agency policy or decision.
12	ICE FOIA 10-2674.0003461 - ICE FOIA 10-2674.0003463		DraftMemo from SC PMO to department staff component	Draft comments regarding the Interoperability deployment strategy for discussion purposes. The comments do not reflect any final agency policy or decision.
13	ICE FOIA 10-2674.0003464 - ICE FOIA 10-2674.0003465		DHS draft response to Congressional Judiciary Committee staff question regarding SC program.	Working draft of proposed letter to Congress. Redacted portions address predecisional issues and concerns undergoing vetting process. The comments do not reflect any final agency policy or decision.
14	ICE FOIA 10- 2674.0003467 - ICE FOIA 10-2674.0003471		SC Draft Q &A of frequently asked questions	Addresses issues and comments concerning SC program. The comments do not reflect any final agency policy or decision.
15	ICE FOIA 10-2674.0003544 - ICE FOIA 10-2674 .0003547	9/7/2010	Email between SC PMO staff	Deliberations of language to be used in response to a state's inquiry about the deployment of biometric identification systems. The comments did not reflect any final agency policy or position.
16	ICE FOIA 10-2674.0003548- ICE FOIA 10-2674.0003550	9/21/2010	Email between SC PMO staff	Deliberations of issues to be discussed during a planned conference call with an SIB. The comments did not reflect any final agency policy or position.
17	ICE FOIA 10-2674.0008844 - .0008845	2/11/2010	Email between SC PMO Staff	Predecisional discussion of how DHS can respond to a State's position regarding local jurisdiction's participation and suggested posture in presenting interoperability to the States.
18	ICE FOIA 10-2674.0008847 - .0008848	2/11/2010	Email between SC PMO Staff	Predecisional discussion of how DHS can respond to a State's position regarding local jurisdiction's participation.
19	ICE FOIA 10-2674.0008861 - .0008867	10/12/2010	Draft Talking Points Sent by Public Affairs	Draft language on providing information on Secure Communities.

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20	ICE FOIA 10-2674.0010778	9/28/2010	Email from Deputy Press Secretary	Trying to clarify the issue of interoperability so he can draft a response to a reporter
21	ICE FOIA 10-2674.0010826	9/9/2010	Continuation of Email from Beth Gibson to Secure Communities Assistant Director	Predecisional discussion of statutory provision regarding the issues surrounding interoperability (Continued)
22	ICE FOIA 10-2674.0010828 - .0010829	9/29/2010	Email from OPLA staff to Peter Vincent	Predecisional discussion of the statutes and processes surrounding the opt-out issue.
23	ICE FOIA 10-2674.0010834	9/9/2010	Email from Beth Gibson to Secure Communities Assistant Director	Predecisional discussion of statutory provisions surrounding Secure Communities
24	ICE FOIA 10-2674.0010835	40430	Continuation of Email from Beth Gibson to Secure Communities Assistant Director	Predecisional discussion of statutory provision regarding the issues surrounding interoperability (Continued)
25	ICE FOIA 10-2674.0010835	9/9/2010	Email from Beth Gibson	Predecisional discussion of mandatory nature of participation in Secure Communities by 2013
26	ICE FOIA 10-2674.0010841	9/30/2010	Email from Associate Legal Advisor to OPLA team	Discussion of position that is under deliberation.
27	ICE FOIA 10-2674.0010860	9/27/2010	Email from Virginia Kice to OPA	Proposed Response to a reporter
28	ICE FOIA 10- 2764.0011073-0011078	May 2010	Draft Secure Communities Frequently Asked Questions	Portions of this draft document have been withheld to protect ICE's deliberative process. The withheld portions of the document contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position.
29	ICE FOIA 10-2674.0011082-0011083	5/18/2010	Emails between Secure Communities Employees concerning Secure Communities messaging changes	Portions of this email have been withheld to protect ICE's deliberative process. The withheld portions of the email contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
30	ICE FOIA 10-2674.0011102 - 0011106	Multiple Dates	Emails between Secure Communities Employees that contains a draft attachment concerning proposed questions and the proposed responses to those questions.	Portions of this draft memorandum have been withheld to protect ICE's deliberative process. The withheld portions of the memorandum contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position.
31	ICE FOIA 10-2674.0011156 - 0011159	Multiple Dates	Emails between Secure Communities concerning the Wisconsin Secure Communities Memoranda of Agreement	Portions of the e-mail have been withheld to protect ICE's deliberative process. The withheld communications contain the deliberative opinions and recommendations of ICE and FBI employees. Further, the communications do not reflect any final agency policy or position.
32	ICE FOIA 10-2674.0011160 - 0011161	Undated	Draft Issue Paper concerning Individual LEA Deployments	Portions of the draft issue paper have been withheld to protect ICE's deliberative process. The withheld portions of the memorandum contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position
33	ICE FOIA 10-2674.0011165 - 0011171	Many Dates	Emails between Secure Communities Employees concerning Draft Public Affairs Guidance	Portions of the e-mail and draft public affairs guidance have been withheld to protect ICE's deliberative process. The withheld portions of the email and memorandum contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position
34	ICE FOIA 10-2674.0011190 - 0011195	Many Dates	Emails between Secure Communities Employees concerning revisions to the Colorado Secure Communities memoranda of agreement	Portions of the e-mail have been withheld to protect ICE's deliberative process. The withheld portions of the email contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position

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35	ICE FOIA 10-2674.0011196 - 0011197	9/2/2010	Emails between Secure Communities Employees concerning communications with the State of Massachusetts regarding Secure Communities	Portions of the e-mail have been withheld to protect ICE's deliberative process. The withheld portions of the email contain the deliberative opinions and recommendations of ICE employees. The withheld portions do not reflect any final agency policy or position
36	ICE FOIA 10-2674.0011218	10/12/2010	Email between SC Staff about local jurisdiction	Issues and concerns identified by SC staff regarding local jurisdiction's vote to opt out. The comments deliberated existing issues about a local jurisdiction and the comments did not reflect any final agency policy or position.
37	ICE FOIA 10-2674.0011219	10/12/2010	Email between SC Staff about local jurisdiction	Issues and concerns identified by SC staff regarding local jurisdiction's vote to opt out. The comments deliberated existing issues about a local jurisdiction and the comments did not reflect any final agency policy or position.
38	ICE FOIA 10-2674.0011349 - 0011352	9/24/2010	Mandatory versus Voluntary Memo from SC Director to the Assistant Secretary	A request for concurrence on proposed policy within SC and the supporting statutory support for those policies. These discussions were deliberative of the posture of SC and did not reflect any final agency policy or position.
39	ICE FOIA 10-2674.0011358 - 0011359	6/10/2010	Draft Situational Awareness Briefing	The draft material of the briefing discussing efforts to activate Cook County Illinois. These discussions were deliberative the final form of the draft and did not reflect any final agency policy or position.
40	ICE FOIA 10-2674.0011366 - 0011374	10/4/2010	Draft Response to Santa Clara County	Portions of the response to Santa Clara that were not finalized and that received comments on legal sufficiency from OPLA. These portions of the response were deliberative and contained legal advice from counsel.
41	ICE FOIA 10-2674.0011411 - 0011421	3/8/2010	Draft Public Affairs Guidance Memo	The draft portions of the memorandum which were not finalized. These portions of the memorandum deliberated public affairs guidance that did not reflect any final agency policy or position.

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42	ICE FOIA 10-2674.0011425 - 0011433	3/17/2010	Draft of Mandatory vs. Voluntary Memo to ICE Assistant Secretary	A request for concurrence on proposed policy within SC and the supporting statutory support for those policies. These discussions were deliberative of the posture of SC and did not reflect any final agency policy or position.
43	ICE FOIA 10-2674.0011833 - 0011847	8/3/2010	Email from OPLA regarding inquiry from Chairwoman Lofgren	Suggestions as to the content and legal sufficiency of the response to the Chairwoman. These discussions were deliberative of the content of the reply to the Chairwoman and did not reflect any final agency policy or position. This also included legal advice from counsel to the client.
44	ICE FOIA 10-2674.0011898 - ICE FOIA 10-2674.0011911	2/9/10 & 3/2/10	3/2/10 Email from contractor and 2/9/10 draft attachment	Discussion in a predecisional draft (11 pages withheld) about the Secure Communities message, and (b)(5)DP used once in an email discussing that document.
45	ICE FOIA 10-2674.0011912 - ICE FOIA 10-2674.0011928	2/9/10 & 3/2/10	3/2/10 Email from contractor and 2/9/10 draft attachment	Discussion in a predecisional draft (11 pages withheld) about the Secure Communities message, and (b)(5)DP used once in an email discussing that document.
46	ICE FOIA 10-2674.0012062 - ICE FOIA 10-2674.0012097	3/17/10 & 3/31/10	Draft Secure Communities 101 attachment and draft Utah Secure Communities attachment	Two comments in the margin of the SC 101 document, and five comments in the margin of the Utah SC, were redacted.
47	ICE FOIA 10-2674.0012235 - ICE FOIA 10-2674.0012255	4/28/2010	Email from FBI to SC	Deliberation and discussion on the opt-out language relative to interoperability.
48	ICE FOIA 10-2674.0012386 - ICE FOIA 10-2674.0012389	4/1/2010	Draft attached document on how the continued expansion of SC will affect the 287(g) program	5 of the 7 deliberative comments in the margin of this draft document were withheld.

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49	ICE FOIA 10-2674.0012390 - ICE FOIA 10-2674.0012395	8/20/09- 8/21/09	8/21/09 Email and attached 8/20/09 Interoperability Deployment Strategy meeting notes	Notes were attached as well as pasted into the email; the same material was redacted in both. The redacted information was not responsive, and was a predecisional discussion on interoperability and how to improve communications to Law Enforcement Agencies during deployment.
50	ICE FOIA 10-2674.0012450 - ICE FOIA 10-2674.0012452	4/28/2010	Email string between CJIS and SC	Discussion of one of the responses to a FAQ. Segments of two emails were withheld.
51	ICE FOIA 10-2674.0012488 - ICE FOIA 10-2674.0012493	10/1/2010	10-1-10 Predecisional draft (Comments) document	Draft document contains legal advice from OPLA staff regarding opting out and SC. This draft document with numerous comments and revisions was withheld
52	ICE FOIA 10-2674.0012516 - ICE FOIA 10-2674.0012518	9/28/2009	Draft Paper	DP -- Employee Comments contained on a Draft document entitled "Premises For a Successful Approach to Jurisdictions which May Be Considering an"Opt-Out" Policy Toward the Secure Communities explaining the employee perspectives on changes needed in the document and the bases for those perspectives.
53	ICE FOIA 10-2674.0012519 - ICE FOIA 10-2674.0012520	10/27/09 to 11/02/09	Email exchange between SC Program Office and CJIS	DP -- Internal agency discussion suggesting the appropriate wording for a memo regarding state and local LEA need for immigration information.
54	ICE FOIA 10-2674.0012542 - ICE FOIA 10-2674.0012546	12/1/2009	Report on Revised Approach to Interoperability	DP -- Internal suggestion on how SC can be obtain better results through interoperability. Identifies specific challenges to deployment that could undermine law enforcement efforts
55	ICE FOIA 10-2674.0012552 - ICE FOIA 10-2674.0012565	12/7/2009	Draft Paper regarding Deployment in NYC	DP -- Draft paper presenting proposed strategies for encouraging deployment of SC in NYC, including weaknesses in such strategies and counter strategies based on the reaction of NYC officials. ORI and car volume numbers for specified NY jurisdictions
56	ICE FOIA 10-2674.0012682 - ICE FOIA 10-2674.0012696	1/21/2010	Draft paper	DP -- Internal draft paper presenting proposed strategy for deploying SC in San Francisco
57	ICE FOIA 10- 2674.0012721 - ICE FOIA 102674.0012734	2/1/2010	Draft Paper	DP -- Internal draft paper presenting proposed strategy for deploying SC in San Francisco

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58	ICE FOIA 10-2674.0012735 - ICE FOIA 102674.0012748	2/1/2010	Draft paper	DP – Internal draft paper presenting proposed strategy deploying SC in NYC.
59	ICE FOIA 10-2674.0012749 - ICE FOIA 10-2674.0012762	2/1/2010	Draft paper	DP – Internal draft paper presenting proposed strategy deploying SC in NYC.
60	ICE FOIA 10-2674.0013008 - ICE FOIA 10-2674.0013009	6/11/2010	Briefing Paper	DP -- Contains an agency employee's assessment of internal collaborative discussions that took place between Illinois State Police (ISP) officials regarding the possible deployment of SC in that state, including the agency employee's interpretation of the reaction of the ISP officials.
61	ICE FOIA 10-2674.0013078 - ICE FOIA 10-2674.0013084	7/20/10- 7/21/10	Email exchange between SC Program Office employees and OPA and attached draft response to AP inquiry	DP – Comments to proposed response to AP inquiry reflecting individual employees' comments on the appropriateness of the response and portions of the proposed response where proposal did not become the final position of the agency.
62	ICE FOIA 10-2674.0013089 - ICE FOIA 10-2674.0013109	7/21/2010	Chronology of Efforts to Activate Cook County	DP -- Contains an agency employee's assessment of internal collaborative discussions that took place between Cook County officials regarding the possible deployment of SC in that County, including the agency employee's interpretation of the reaction of County officials.
63	ICE FOIA 10-2674.0013333 - ICE FOIA 10-2674.0013335	10/8/2009	Email between SC PMO staff discussing drafting of a voluntary v. mandatory issue paper.	Draft options on how to address the voluntary/mandatory issue and internal deliberations on the pros and cons of each option.
64	ICE FOIA 10-2674.0013336 - ICE FOIA 10-2674.0013339	10/9/2009	Email forwarding a draft of the Mandatory v. Voluntary memo among SC PMO staff for review and comment.	Attached draft of memo. Draft version is not the final version that became the basis of the agency's position. The final version is being released in full in this production.
65	ICE FOIA 10-2674.0013367 - ICE FOIA 10-2674.0013368	12/23/2009	Email between SC PMO staff discussing proposed strategy for interoperability deployment.	Internal discussions and recommendations on proposed strategic and tactical changes to interoperability deployment plans.

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66	ICE FOIA 10-2674.0013386	2/10/2010	Email between SC PMO staff and FBI CJIS addressing Interoperability deployment.	Internal recommendation of a strategy on how to address political pressures faced by many LEAs to make participation in Interoperability easier to achieve.
67	ICE FOIA 10-2674.0013391 - ICE FOIA 10-2674.0013392	4/26/2010	Email among Illinois law enforcement and SC PMO staff discussing Interoperability deployment issues.	Internal discussions reflecting concerns in Illinois about implementing Interoperability.
68	ICE FOIA 10-2674.0013400 - ICE FOIA 10-2674.0013405	6/3/2010	Email among SC PMO staff and Washington State law enforcement discussing deployment issues for resolution.	Internal discussions among SC PMO regarding shifting policies toward deployment including activating certain local jurisdictions and not others within a state where an MOA has not been signed.
69	ICE FOIA 10-2674.0013433 - ICE FOIA 10- 2674.0013436	10/12/2010	Document entitled, "DRAFT Responses to MSNBC Reporter Questions and Reporter Background October 12, 2010"	Draft edits provided by SC PMO to ICE OPLA attorneys for review, and the suggested edits provided by ICE attorneys.
70	ICE FOIA 10-2674.0013453 - ICE FOIA 10-2674.0013455	11/2/2009	Email between SC PMO staff about proposed SC deployment memo to A/S Morton	Discussion surrounding draft edits of a memorandum to A/S Morton. The memo is not attached (it was in an earlier email).
71	ICE FOIA 10-2674.0013509	10/26/2009	Email between SC PMO deployment and communications staff entitled "'Voluntary' definition Concurrence Memo"	Discussion surrounding draft of a memorandum to A/S Morton, including references to inter-agency communication.

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72	ICE FOIA 10-2674.0013580 - ICE FOIA 10-2674.0013581	1/13/2010	Email and attachment between SC PMO staff, both entitled, "Hatch staff QA_RGrc.doc"	Comments proposing changes to a draft response to a congressional inquiry.
73	ICE FOIA 10-2674.0013599 - ICE FOIA 10-2674.0013605	10/15/2010	"Secure Communities 101" .ppt entitled, SC101ChaparroOrientation2_10_rg.ppt	Draft description of ICE modeling tools on the effects of criminal enforcement measures on various factors. This page is both pre-decisional and non-responsive.
74	ICE FOIA 10-2674.0013623 - ICE FOIA 10-2674.0013626	1/22/2010	Email and attachments between SC PMO staff. The email is entitled, "hsgac pre-brief materials." The attachments are entitled, "OUTLINE_Senate HSGAC brief.doc"; "SC_KEY_POINTS-FAQ_.doc"; and "01152009 pre-brief for hsgac briefing on SC, 287(g), CAP and LESC memo.docx" respectively.	Most of "OUTLINE_Senate HSGAC brief.doc," which is a proposed outline for brief to the Senate Homeland Security and Governmental Affairs Committee staff. The entire document is non-responsive. Part of "01152009 pre-brief for hsgac briefing on SC, 287(g), CAP and LESC memo.docx" comprising a draft strategy (and comments on the draft) for SC Outreach to deliver a briefing to the Senate Homeland Security and Governmental Affairs Committee staff on SC, 287(g), CAP, and the LESC.
75	ICE FOIA 10-2674.0013993 - ICE FOIA 10-2674.0013994	9/30/2010	Email between DHS Public Affairs and ICE Office of the Director and OPA employees	Proposed response to Washington Post article regarding Opt Out.
76	ICE FOIA 10-2674.0003309 - ICE FOIA 10-2674.0003310	9/29/2010	Emails between OPA and SC PMO staff proposing language to answer the question of whether local agencies can choose to opt out of SC	Various proposed draft answers to the question of whether a locality can opt out of SC.

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77	ICE FOIA 10-2674.0003307 - ICE FOIA 10-2674.0003308	9/29/2010	SC draft document providing proposed answers to hypothetical questions on opt out	Edits to document removing language dealing with impact on community policing. The language did not reflect any final agency policy or position.
78	ICE FOIA 10-2674.0003280 - ICE FOIA 10- 2674.0003282	9/29/2010	Emailsbetween OPA and SC PMO staff regarding language to answer the question of whether a locality can opt out of SC	Draft language on various opt out-related questions. The language did not reflect any final agency policy or position.
79	ICE FOIA 10-2674.0003264 - ICE FOIA 10-2674.0003265	9/28/2010	Emails among OPA and SC PMO staff regarding media inquiries on Santa Clara County's desire to opt out	Internal communications about who has the authority to "turn off" SC interoperability in Santa Clara. The communications did not reflect any final agency policy or position.
80	ICE FOIA 10-2674.0003240 - ICE FOIA 10-2674.0003242	9/27/2010	Document outlining issues that are slowing SC activation in a particular state	Information about how to address hot button topics that are slowing SC activation in a particular state.
81	ICE FOIA 10-2674.0003237 - ICE FOIA 10- 2674.0003239	9/24/2010	Document outlines updated messaging to support ICE maintaining its position to fully use federal information sharing by 2013	Information about how the current messaging differs from previous messaging.
82	ICE FOIA 10-2674.0003233	9/14/2010	Email between SC PMO staff regarding DHS internal meeting on 09/09/2010	Internal communications about one proposed risk of interoperability. The communications did not reflect any final agency policy or position.
83	ICE FOIA 10-2674.0003230 - ICE FOIA 10-2674.0003232	9/14/2010	Email from US-VISIT to SC PMO staff regarding DHS internal meeting on 09/09/2010	Internal DHS communications about proposed risks of interoperability. The communications did not reflect any final agency policy or position.

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84	ICE FOIA 10-2674.0003224 - ICE FOIA 10-2674.0003229	9/13/2010	Emails among SC PMO staff regarding new SC messaging on opt out and attachment with draft language for the new messaging	Internal communications about how to handle new messaging about opt out and the draft language, itself. The communications did not reflect any final agency policy or position. [elephant in the room quote]
85	ICE FOIA 10-2674.0003197 - ICE FOIA 10-2674.0003199	9/13/2010	Email between SC PMO staff regarding draft language for "Setting the Record Straight" document	Internal communications regarding proper presentation of numbers data as they relate to removals and conviction levels in the SC Initiative.
86	ICE FOIA 10-2674.0002426 - ICE FOIA 10-2674.0002430	12/15/2009	Email between SC PMO staff	Internal deliberations regarding inter-governmental discussions and policy proposal based thereon.
87	ICE FOIA 10-2674.0002422 - ICE FOIA 10-2674.0002425	Undated	Document entitled "Local Law Enforcement Participation in Interoperability Deployment," addressed to A/S Morton from Marc Rapp, Designated "Draft" throughout	Notes and a draft memorandum proposing a policy position on SC deployment.
88	ICE FOIA 10-2674.0002418 - ICE FOIA 10-2674.0002421	9/9/2009	Document entitled "The Role of Local Law Enforcement Agencies (LEAs) in Interoperability Activation"	Draft proposal and comments regarding possible modifications to the SC deployment strategy. The contents are not reflective of a final agency action or decision.
89	ICE FOIA 10-2674.0002417	Undated	Document entitled "Mandatory Interoperability Definition Talking Points"	Internal staff "talking points" accompanied by decision impact assessments and recommendations based on recent developments.

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90	ICE FOIA 10-2674.0002414 - ICE FOIA 10-2674.0002415	10/2/2010	Document entitled "Mandatory vs. Voluntary Participation for LEAs"	Draft list of options for handling deployment requests.
91	ICE FOIA 10-2674.0002406 - ICE FOIA 10-2674.0002407	Undated	Talking points document on DC bill dealing with SC	Draft talking points in response to DC SC bill, and accompanying commentary.
92	ICE FOIA 10-2674.0002378 - ICE FOIA 10-2674.0002382	9/23/2010	Email between SC Regional Coordinator, other SC PMO staff, and CJIS	Deliberations regarding predecisional interagency discussions and proposed deployment strategy.
93	ICE FOIA 10-74.0002307	10/14/2010	Email between SC PMO staff	Draft language by mid-level SC staff for describing the INDENT/IAFIS interoperability mandate.
94	ICE FOIA 10-2674.0002204 - CE FOIA 10-2674.0002209	08/26/2010 - 09/02/2010	Email correspondence between SC staff, Colorado Bureau of Investigation and Colorado Department of Public Safety	More draft language on various levels of participation in SC, and opt out options. Language was predecisional and under further review/discussion.
95	ICE FOIA 10-2674.0002202 - ICE FOIA 10-2674.0002203	09/01/2010 (last modified date)	New York State LEA Notification issues	Issues related to New York's request for each LEA to agree on activation of SC, and opinions, recommendations, and proposals on how to go about handling the request. Comments were predecisional and under further review/discussion.
96	ICE FOIA 10-2674.0002176 - ICE FOIA 10-2674.0002180	08/24/2010 - 08/25/2010	Email correspondence between SC staff, FBI/CJIS, and US-VISIT staff	Suggested opinion on record linking and US-VISIT's preliminary position on it. Comments are predecisional and were under further review/discussion.
97	ICE FOIA 10-2674.0002121 - ICE FOIA 10-2674.0002122	8/12/2010	Email correspondence between OCR and SC	Description of changed language and removed content in letter response to Rep. Lofgren, and reasons for changes
98	ICE FOIA 10-2674.0002119 - ICE FOIA 10- 2674.0002120	8/12/2010	Email correspondence between Office of Congressional Relations (OCR) and SC	Description of changed language and removed content in letter response to Rep. Lofgren, and reasons for changes

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99	ICE FOIA 10-2674.0002072 - ICE FOIA 10-2674.0002078	8/5/2010	Email between SC and Contractors attaching draft Public Affairs Guidance messaging on SC	Draft language, comments, edits, and deliberations on content for Public Affairs Guidance on SC.
100	ICE FOIA 10-2674.0002040 - ICE FOIA 10-2674.0002041	07/30/2010 (last modified date)	Individual LEA/ORI Deployment	Draft language responding to requests from specific jurisdictions (i.e. Wyoming, Washington, and New York) to deviate from current deployment practices.
101	ICE FOIA 10-2674.0002039	7/30/2010	Email correspondence between SC PMO staff and SC Chief of Staff	Internal discussions on language usage regarding opting out in the future, and FBI/CJIS' opinion on making interoperability mandatory.
102	ICE FOIA 10-2674.0002036 ICE FOIA 10-2674.0002038	07/28/2010 - 07/29/2010	Email correspondence between OAS and SC PMO staff	Internal deliberations on classifying jurisdictions their level of participation in interoperability.
103	ICE FOIA 10-2674.0002499	10/1/2010	Document from SC PMO answering questions from Congress	Draft language by SC PMO staff in response to a request for information from Congress.
104	ICE FOIA 10-2674.0002500	10/13/2010	Document entitled "Secure Communities Opt Out Language"	Draft language by mid-level SC staff for describing opt-out procedures.
105	ICE FOIA 10-2674.0002501- ICE FOIA 10-2674.0002503	9/30/2010	"Additional Interoperability Stats Related Questions from the House Judiciary Committee, Immigration Subcommittee" and "Most Recent 'Opt-Out' Language Pending Approval" –Draft	Draft agency responses to questions from the House Judiciary Committee, Immigration Subcommittee regarding interoperability and opt-out. The draft responses did not reflect any final agency policy or position.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
106	ICE FOIA 10-2674.0002504 - ICE FOIA 10-2674.0002505	Undated	Letter from DHS Secretary Janet Napolitano to The Honorable Zoe Lofgren, Chairwoman, Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law –Draft	Draft language for a letter from Secretary Napolitano to Chairwoman Lofgren regarding “opt out.” The draft language did not reflect a final agency policy or position.
107	ICE FOIA 10-2674.0002506 - ICE FOIA 10-2674.0002508	05/20/2010, 05/25/2010	Email between SC and FBI personnel regarding SC and interoperability.	Discussions between SC and FBI personnel regarding proposed language for use at a briefing with the House Judiciary Committee. The proposed language did not reflect any final agency policy or position.
108	ICE FOIA 10-2674.0002587	9/11/2010	Email between ICE senior leadership / California AGs office	Email between ICE senior leadership/Calif. AG's office for the purpose of providing information related to SC program in San Francisco. Predecisional email discusses strategy going forward.
109	ICE FOIA 10-2674.0002651 - ICE FOIA 10-2674.0002656	9/6/2010- 9/29/2010	Emails among OPLA attorneys and OPLA and ICE senior leadership related to developing policy on ICE SC ‘opt-out’	Comments / suggestion related to draft language. The draft language did not reflect any final agency policy or position. Legal counsel provided by OPLA attorneys to client related development of final policy.
110	ICE FOIA 10-2674.0002661 - ICE FOIA 10-2674.0002665	9/3/2010- 12/15/2010	Emails among OPLA attorneys and OPLA and ICE senior leadership related to developing policy on ICE SC ‘opt-out’	Comments / suggestion related to developing policy on opt-out. The draft language did not reflect any final agency policy or position. Legal advice provided by OPLA attorneys to client.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
111	ICE FOIA 10-2674.0002903-0002911	9/6/2010	ELD OPLA Email with background info on SC	Attorney legal analysis of opt out and opt out attorney memo for OPLA. This information was prepared from an attorney for the client and was deliberative not reflecting final agency policies and positions.
112	ICE FOIA 10-2674.0002912-0002976	9/20/2010	Email from OPLA containing attachments with drafts of documents in preparation for meetings	Draft language and attorney recommendations sent by ELD OPLA.
113	ICE FOIA 10-2674.0002977-0002992	10/1/2010	Email request for OPLA to review draft promotional material and draft "mandatory" memorandum.	Draft memo language and requests for legal advice regarding possible language to use in promotional materials. This information did not reflect final agency policies or positions.
114	ICE FOIA 10-2674.0002993 - ICE FOIA 10-2674.0002996	10/1/2010	Email between SC and ICE OPLA	Analysis and legal authority for the proposition that participation in Secure Communities will be mandatory in 2013.
115	ICE FOIA 10-2674.0002997 - ICE FOIA 10-2674.0003001	10/4/2010	Emails between SC and ICE OPLA	Analysis and legal authority relating to possible mandatory participation in SC and proposed draft legislation.
116	ICE FOIA 10-2674.0003002 - ICE FOIA 10-2674.0003007	10/4/2010	Emails between SC and ICE OPLA	Analysis and legal authority relating to possible mandatory participation in SC and proposed draft legislation.
117	ICE FOIA 10-2674.0003023 - ICE FOIA 10-2674.0003026	10/12/2010	Emails and attachment between SC and ICE OPLA	Discussion regarding attached pre-decisional draft of new language describing the manner in which SC program operates.
118	ICE FOIA 10-2674.0003140 - ICE FOIA 10-2674.0003143	11/5/2010	Emails between SC and OPLA.	Discussion and comments regarding proposed changes to Kansas MOA. Comments discuss possible inclusion or exclusion of specific language regarding racial profiling, including legal and policy implications. Emails also include discourse on possible reasons states and localities might wish to opt-out as well as opt-out permissibility.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
119	ICE FOIA 10-2674.0003146 - ICE FOIA 10-2674.0003148	9/3/2010	SC Memo	Email attachment regarding opt-out viability and procedures. Attached memo also includes analysis and legal authority for the proposition that participation in Secure Communities will be mandatory in 2013.
120	ICE FOIA 10-2674.0003181 - ICE FOIA 10-2674.0003184	9/8/2010	Email among SC PMO staff about activation sequencing	Internal communications about the minimum threshold for determining whether an agency has chosen to participate versus opt-out. The communications did not reflect any final agency policy or position.
121	ICE FOIA 10-2674.0003192 - ICE FOIA 10-2674.0003193	9/9/2010	Email from SC PMO staff and attachment discussing draft messaging plan for mandatory activation	Draft language regarding required activation of interoperability and comments re what language to use to reflect mandatory activation. The language and comments did not reflect any final agency policy or position.
122	ICE FOIA 10-2674.0013116 - ICE FOIA 10-2674.0013117	7/27/2010	Draft paper on LEA Deployment issues	DP – Draft proposal that includes deployment strategies for various jurisdictions, listing pros and cons, perceived adverse consequences, and recommendations for various options described in the proposed strategies
123	ICE FOIA 10-2674.0013894 - ICE FOIA 10-2674.0013896	10/1/2010	Email exchange between the ICE Office of the Director, OPLA and SC Program Office	Draft paper seeking to identify a new manner in which to describe the program to the public so that the agency's description more accurately reflects the manner in which SC operates
124	DHS000196-DHS000317	September 20, 2010 - October 5, 2010	Email chain between The CRCL Officer and ICE Personnel.	Pre-decisional and deliberative conversation via Email on Implementation of Policy and how to respond to inquiries about said Policy
125	ICE FOIA 10-2674.0003472 - ICE FOIA 10-2674.0003475	9/29/2010	String of email communications/discussion between SC PMO staff elements and other DHS operational components	Coordination of issues and comments by agency staff components that contain predecisional discussions and include legal advice between attorney and client. The comments do not reflect any final agency policy or decision.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
126	ICE FOIA 10-2674.0003476 - ICE FOIA 10-2674.0003480	9/29/2010	String of email communications/discussion between SC PMO staff elements and other DHS operational components	Coordination of issues and comments by agency staff components that contain predecisional discussions and include legal advice between attorney and client. The comments do not reflect any final agency policy or decision.
127	ICE FOIA 10-2674.0003487 - ICE FOIA 10-2674.0003495	9/30/2010	Email forwards memo from Legal Advisor to SC PMO	Provides legal points and authorities for client regarding SC program issues and concerns.
128	ICE FOIA 10-2674.0003496 - ICE FOIA 10-2674.0003498	10/13/2010	Email string between SC PMO staff and legal office preparing Draft response to media inquiry	Coordination of issues and comments by agency staff components that contain predecisional discussions and include legal advice between attorney and client. The comments do not reflect any final agency policy or decision.
129	ICE FOIA 10-2674.0003499 - ICE FOIA 10-2674.0003507	9/7/2010	String of email communications/discussion on between SC PMO staff elements and DHS legal staff elements	Coordination of issues and comments by agency staff components that contain predecisional discussions and include legal advice between attorney and client. The comments do not reflect any final agency policy or decision.
130	ICE FOIA 10-2674.0003569 - ICE FOIA 10-2674.0003581	9/17/2010	Email from OPLA to SC, which includes language from a Draft letter to a state government	Email from OPLA attorneys to SC containing legal advice, comments and edits to excerpts of a draft letter. The deliberations were regarding a letter being prepared by SC in response to a state's inquiry about the policies and procedures of SC. Comments did not reflect any final agency policy or position.
131	ICE FOIA 10-2674.0003582 - ICE FOIA 102674.0003583	undated	Draft letter in response to Congressional inquiry	Draft response letter to Congressional inquiry including OPLA legal advice, comments and edits. Comments did not reflect any final agency policy or position.
132	ICE FOIA 10-2674.0003584 - ICE FOIA 10-2674.0003589	9/7/2010	Draft of a legal memorandum prepared by OPLA	Draft internal memorandum containing deliberations and legal advice about the policies and procedures for SC, including options for states that wish to "Opt-Out." The deliberations and legal advice did not reflect any final agency policy or position.

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133	ICE FOIA 10-2674.0003590 - ICE FOIA 10- 2674.0003600	10/1/2010	Deliberative email between OPLA attorneys and SC.	Email between OPLA attorneys and SC staff containing deliberations and legal advice about the policies and procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
134	ICE FOIA 10-2674.0003697 - ICE FOIA 10-2674.0003698	8/21/2010	Deliberative email between OPLA attorneys and SC.	Email between OPLA attorneys and SC staff containing deliberations and legal advice about the policies and procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
135	ICE FOIA 10-2674.0003699 - ICE FOIA 10-2674.0003707	9/7/2010	Email deliberation between OPLA attorneys.	Email between OPLA attorneys containing deliberations and legal advice about the policies and procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
136	ICE FOIA 10-2674.0003708 - ICE FOIA 10-2674.0003717	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice about the policies and procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
137	ICE FOIA 10-2674.0003718 - ICE FOIA 10- 2674.0003721	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
138	ICE FOIA 10-2674.0003722 - ICE FOIA 10-2674.0003725	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
139	ICE FOIA 10-2674.0003726 - ICE FOIA 10-2674.0003730	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
140	ICE FOIA 10-2674.0003736 - ICE FOIA 10-2674.0003739	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
141	ICE FOIA 10-2674.0003749 - ICE FOIA 10-2674.0003753	9/30/2010	Email deliberation between OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
142	ICE FOIA 10-2674.0003754 - ICE FOIA 10-2674.0003759	9/7/2010	Draft of a legal memorandum prepared by OPLA	Draft internal memorandum containing deliberations and legal advice about the policies and procedures for SC, including options for states that wish to "Opt-Out." The deliberations and legal advice did not reflect any final agency policy or position.
143	ICE FOIA 10-2674.0003775 - ICE FOIA 10-2674.0003779	9/29/2010	Email deliberation between SC and OPLA attorneys.	Deliberations and legal advice pertaining to procedures for LEA's participation in SC. The deliberations and legal advice did not reflect any final agency policy or position.
144	ICE FOIA 10-2674.0009137 - .0009145	10/2/2010	Draft Memorandum from OPLA to Beth Gibson	Legal analysis of the mandatory nature of the 2013 Secure Communities deployment
145	ICE FOIA 10-2674.0010589 - .0010592	7/29/10 -8/5/10	Emails string within OPLA	Request for legal advice regarding issues surrounding Secure Communities in preparation for a meeting with officials in CA, and a discussion of the appropriate statutes
146	ICE FOIA 10-2674.0010639 - .0010641	8/2/2010	Email string from SC asking OPLA for legal advice	Predecisional discussion of upcoming meeting and legal advice in preparation for a meeting with representatives from CA
147	ICE FOIA 10-2674.0010752	9/15/2010	Email from Associate Legal Advisor to OPLA team	OPLA Comments and legal opinion regarding a draft response letter to a county in CA
148	ICE FOIA 10-2674.0010795	10/2/2010	Memo from the Deputy Principal Legal Advisor to Beth Gibson	Deliberations and legal opinions regarding SC becoming mandatory in 2013
149	ICE FOIA 10-2674.0010815	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
150	ICE FOIA 10-2674.0010816	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue (Continued)
151	ICE FOIA 10-2674.0010817	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue (Continued)
152	ICE FOIA 10-2674.0010818	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue (Continued)
153	ICE FOIA 10-2674.0010819	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue (Continued)
154	ICE FOIA 10-2674.0010820	Unknown	Memo from an Associate Legal Advisor to Peter Vincent	Deliberation and legal opinion regarding the Opt-out issue (Continued)
155	ICE FOIA 10-2674.0010833	9/9/2010	Email from Associate Legal Advisor to OPLA team	Deliberation and discussion regarding mandatory participation by 2013
156	ICE FOIA 10-2674.0010839	10/1/2010	Email from Associate Legal Advisor to OPLA team	Deliberation and discussion of legal issues surrounding mandatory participation by 2013
157	ICE FOIA 10-2674.0010840	10/1/2010	Continuation of Email from Associate Legal Advisor to OPLA team	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
158	ICE FOIA 10-2674.0010842	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
159	ICE FOIA 10-2674.0010843	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
160	ICE FOIA 10-2674.0010844	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
161	ICE FOIA 10-2674.0010845	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
162	ICE FOIA 10-2674.0010846	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
163	ICE FOIA 10-2674.0010847	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
164	ICE FOIA 10-2674.0010848	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
165	ICE FOIA 10-2674.0010849	Unknown	Memo from Associate Legal Advisor to Peter Vincent regarding Secure Communities being mandatory in 2013	Deliberation and discussion of legal issues surrounding mandatory participation in 2013 (Continued)
166	ICE FOIA 10-2674.0011149 - 0011151	Multiple Dates	Email from a Secure Communities Employee to an ICE Attorney seeking legal advice and recommendations and the Attorney's response to that inquiry	Portions of the e-mail have been withheld to protect ICE's deliberative process. The withheld communications contain the deliberative opinions and recommendations of ICE and FBI employees. Further, the communications do not reflect any final agency policy or position. In addition, portions of the e-mail have been withheld to protect attorney-client communications. The withheld portions of the e-mail contain the legal advice, recommendations, and conclusions of an ICE attorney.
167	ICE FOIA 10-2674.0011966 - ICE FOIA 10-2674.0011977	3/9/2010	Secure Communities FAQ's Attachment	11 page draft document withheld in full
168	ICE FOIA 10- 2674.0003211 - ICE FOIA 10-2674.0003219	9/13/2010	Emails between SC PMO staff regarding draft response letter attachment to the County Counsel, County of Santa Clara	Attorney comments and edits to draft SC letter to Santa Clara County Counsel.
169	ICE FOIA 10-2674.0002034 - ICE FOIA 10-2674.0002035	07/29/2010 - 07/30/2010	Email correspondence between OPLA and OAS	Internal discussion and legal advice related to SC being voluntary program, and whether making participation in SC mandatory has a basis in law. Discussion of legal issues and applicable law.
170	ICE FOIA 10-2674.0002030 - ICE FOIA 10-2674.0002033	7/29/2010	Email correspondence between OPLA and OAS	Internal discussion and legal advice related to SC being voluntary program, and whether making participation in SC mandatory has a basis in law. Discussion of legal issues and applicable law.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
171	ICE FOIA 10-2674.0002027 - ICE FOIA 10-2674.0002029	07/29/2010 - 07/30/2010	Email correspondence between OPLA and OAS	Internal discussion and legal advice related to SC being voluntary program, and whether making participation in SC mandatory has a basis in law. Discussion of legal issues, applicable law, and options available.
172	ICE FOIA 10-2674.0002024 - ICE FOIA 10-2674.0002026	07/29/2010 - 07/30/2010	Email correspondence between OPLA and OAS	Internal discussion and legal advice related to SC being voluntary program, and whether making participation in SC mandatory has a basis in law. Discussion of legal issues and applicable law.
173	ICE FOIA 10-2674.0002022 - ICE FOIA 10-2674.0002023	07/29/2010 - 07/30/2010	Email correspondence between OPLA and OAS	Internal discussion and legal advice related to SC being voluntary program, and whether making participation in SC mandatory has a basis in law.
174	ICE FOIA 10-2674.001759 - .001761 and ICE FOIA 10- 2674.001813 to .001815	8/21/2009	Email from a SC field coordinator to other individuals within the SC PMO	Issues and concerns identified by SC staff at the August 20, 2009 Interoperability Deployment Strategy Meeting. The comments identified existing problems and made suggestions on possible solutions to be explored by the PMO. The comments did not reflect any final agency policy or position.
175	ICE FOIA 10-2674.0003162 - ICE FOIA 10-2674.0003169	9/16/2010	Email among ICE Office of the Principal Legal Advisor (OPLA) attorneys with one attachment	Memorandum discussing whether a law enforcement agency may "opt out" of the SC initiative and email communications among attorneys regarding the memorandum and reflecting client-supplied information.
176	ICE FOIA 10-2674.0002509 ICE FOIA 10-2674.0002521	10/1/2010	Email between ICE senior leadership and among OPLA attorneys with one attachment –a draft OPLA memo entitled "Secure Communities –Mandatory in 2013."	Email between ICE senior leadership for the purpose of seeking review of a predecisional draft of SC promotional materials. The draft SC promotional materials did not reflect any final agency policy or position. The draft memo contains legal advice provided by OPLA and did not reflect any final agency policy or position.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
177	ICE FOIA 10-2674.0002522 ICE FOIA 10-2674.0002533	10/01/2010 , 10/02/2010	Email among OPLA attorneys with one attachment –a draft OPLA memo entitled “Secure Communities–Mandatory in 2013.”	Email between OPLA attorneys containing draft legal opinion regarding whether SC will be mandatory in 2013. The draft OPLA email contains legal advice and did not reflect any final agency policy or position. The draft memo contains legal advice provided by OPLA and did not reflect any final agency policy or position.
178	ICE FOIA 10-74.0002534 ICE FOIA 10-74.0002547	10/01/2010 , 10/02/2010	Email between ICE senior leadership and among OPLA attorneys with one attachment –a draft OPLA memo entitled “Secure Communities –Mandatory in 2013.”	Email between ICE senior leadership for the purpose of seeking review of a predecisional draft of SC promotional materials. The draft SC promotional materials did not reflect any final agency policy or position. The draft memo contains legal advice provided by OPLA and did not reflect any final agency policy or position.
179	ICE FOIA 10-74.0002548 ICE FOIA 10-74.0002555	10/01/2010 , 10/04/2010	Email among OPLA attorneys containing a draft OPLA memo entitled “Secure Communities –Mandatory in 2013.”	Email between OPLA attorneys containing draft legal opinion regarding whether SC will be mandatory in 2013. The OPLA email contains legal advice provided by OPLA and did not reflect any final agency policy or position.
180	ICE FOIA 10-2674.0002594 - ICE FOIA 10-2674.0002597	7/29/2010 7/30/2010	Email among OPLA attorneys.	Email between OPLA attorneys containing draft legal opinion regarding whether SC will be mandatory in 2013. The draft OPLA email contains legal advice and did not reflect any final agency policy or position. The draft memo contains legal advice provided by OPLA and did not reflect any final agency policy or position. Language contains specific information related to law enforcement operations. Dissemination of specific information could undermine efforts of law enforcement.

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#	Bates Number	Date(s)	Vaughn Document Description	Vaughn Description of Withheld Information
181	ICE FOIA 10-2674.0003008 - ICE FOIA 10-2674.0003022	10/4/2010	Emails between SC and ICE OPLA	Discussion regarding attached pre-decisional draft of new language describing the manner in which SC program operates. Attached draft memo also discusses legal authority for the proposition that participation in Secure Communities will be mandatory in 2013.
182	ICE FOIA 10-2674.0010794 - ICE FOIA 10-2674.0010800	10/2/2010	Memo from the Deputy Principal Legal Advisor to Beth Gibson	Deliberations and legal opinions regarding SC becoming mandatory in 2013
183	ICE FOIA 10-2674.0009132 - .0009145	10/2/2010	Draft Memorandum from OPLA to Beth Gibson	Legal analysis of the mandatory nature of the 2013 Secure Communities deployment
184	ICE FOIA 102674.0013854- ICE FOIA 10-2674.0013860	9/29/2010	Document entitled, "Secure Communities Opt Out Memo.doc"	Draft legal guidance by ICE lawyers on SC.
185	ICE FOIA 10-2674.0012494 - ICE FOIA 10-2674.0012503	10/2/2010	Draft memo on Secure Communities becoming mandatory in 2013	Draft document contains legal deliberation and advice from OPLA staff regarding SC becoming mandatory by 2013.
186	ICE FOIA 10-2674.0011360- 0011365	9/7/2010	Opt Out Memorandum between OPLA ELD to the Principal Legal Advisor	The draft material of the legal justification for interoperability and whether or not participation is mandatory. These discussions were deliberative of the final form of the draft and did not reflect any final agency policy or position and consisted of the privileged legal counsel from attorneys advising their client.