

The Honorable Richard A. Jones

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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*, on behalf of
himself and other similarly situated,

Plaintiffs,

v.

JOSPEH R. BIDEN, President of the United
States, *et al.*,

Defendants.

CASE NO. 2:17-cv-00094-RAJ

**DECLARATION OF W. MANNING
EVANS IN SUPPORT OF
DEFENDANTS’ MOTION TO SEAL
EXHIBITS IN SUPPORT OF
DEFENDANTS’ MOTION FOR
SUMMARY JUDGMENT AND
CROSS-MOTION FOR SUMMARY
JUDGMENT**

~~FILED UNDER SEAL~~

I, W. Manning Evans, do declare and say:

1. I am a duly appointed Senior Litigation Counsel for the U.S. Department of Justice, Civil Division, Office of Immigration Litigation in Washington, D.C., and I am one of the attorneys assigned to represent Defendants in this action.

2. Attached hereto and marked as “Exhibit 4 – Filed Under Seal” is a true and correct copy of 2020 CARRP Training Module 2;

3. Attached hereto and marked as “Exhibit 5 – Filed Under Seal” is a true and correct copy of 2020 CARRP Training Module 3;

1 4. Attached hereto and marked as “Exhibit 7 – Filed Under Seal” is a true and correct
2 copy of 2017 CARRP Training Module 4;

3 5. Attached hereto and marked as “Exhibit 8 – Filed Under Seal” is a true and correct
4 copy of 2017 CARRP Training Module 5;

5 6. Attached hereto and marked as “Exhibit 9 – Filed Under Seal” is a true and correct
6 copy of excerpts from the transcript from the August 26, 2020 Deposition of Mr. Jeffrey Danik;

7 7. Attached hereto and marked as “Exhibit – 10 Filed Under Seal” is a true and correct
8 copy of the July 10, 2020 Report of Kelli Ann Burriesci;

9 8. Attached hereto and marked as “Exhibit 11 – Filed Under Seal” is a true and correct
10 copy of the July 17, 2020 Report of Dr. Bernard Siskin;

11 9. Attached hereto and marked as “Exhibit 12 – Filed Under Seal” is a true and correct
12 copy of the document titled “Studies in National Security, Articulate Link Writing 101,” dated
13 March 2015;

14 10. Attached hereto and marked as “Exhibit 14 – Filed Under Seal” is a true and correct
15 copy of 2020 CARRP Training Module 5;

16 11. Attached hereto and marked as “Exhibit 17 – Filed Under Seal” is a true and correct
17 copy of excerpts from the transcript of the September 23, 2020 Deposition of Ms. Kelley Costello;

18 12. Attached hereto and marked as “Exhibit 19 – Filed Under Seal” is a true and correct
19 copy of 2020 CARRP Training Module 4;

20 13. Attached hereto and marked as “Exhibit 33 – Filed Under Seal” is a true and correct
21 copy of the Operational Guidance on the Withholding of Adjudication (Abeyance) Regulation;

22 14. Attached hereto and marked as “Exhibit 35 – Filed Under Seal” is a true and correct
23 copy the Fact Sheet with Frequently Asked Questions regarding CARRP Policy and Operational
24 Guidance;

25 15. Attached hereto and marked as “Exhibit 36 – Filed Under Seal” is a true and correct
26 copy of the document containing Average Processing Times;

27 16. Attached hereto and marked as “Exhibit 37 – Filed Under Seal” is a true and correct
28 copy of the excerpts from the transcript from the January 10, 2020 Deposition of Mr. Daniel Renaud;

1 17. Attached hereto and marked as “Exhibit 42 – Filed Under Seal” is a true and correct
2 copy of the February 6, 2009 Aytes Memo;

3 18. Attached hereto and marked as “Exhibit 46 – Filed Under Seal” is a true and correct
4 copy of the document titled “Supplemental Guidance: Revision of Responsibilities for CARRP
5 Cases Involving Known or Suspected Terrorists;”

6 19. Attached hereto and marked as “Exhibit 47 – Filed Under Seal” is a true and correct
7 copy of the document titled “Operational Guidance for Vetting and Adjudicating Cases with
8 National Security Concerns;”

9 20. Attached hereto and marked as “Exhibit 50 – Filed Under Seal” is a true and correct
10 copy of the April 24, 2008 memo regarding “Operational Guidance for Vetting and Adjudicating
11 Cases with National Security Concerns.”

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14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on this 3rd day of May 2021, at Washington, D.C.

16
17 /s/ W. Manning Evans
18 W. MANNING EVANS

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CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2021, I electronically filed the foregoing UNDER SEAL via the Court's CM/ECF system, which will send notification of such filing to all counsel of record. Additionally, I directed that an encrypted copy of the foregoing SEALED submission be served on counsel for Plaintiffs via email.

/s/ W. Manning Evans
W. MANNING EVANS
Senior Litigation Counsel
Office of Immigration Litigation
450 5th St. NW
Washington, DC 20001