

Exhibit C



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

May 30, 2018

Caroline M. DeCell
Knight First Amendment Institute at
Columbia University
carrie.decell@knightcolumbia.org

**Re: FOIA Tracking No. FY17-275;
Knight First Amendment Inst. v. DHS, No. 17-cv-7572 (S.D.N.Y.)**

Dear Ms. DeCell:

This letter partially responds to your August 7, 2017 Freedom of Information Act (“FOIA”) request to the Office of Legal Counsel (“OLC”), among others, seeking six categories of “records concerning the exclusion or removal of individuals from the United States based on their speech, beliefs, or associations,” with certain date limitations. As you know, the request is also the subject of the above-captioned litigation, and has been narrowed in various ways through counsel.

As of this date, we have processed 111 pages of responsive records. We have withheld all 111 pages in full pursuant to FOIA Exemption Five, 5 U.S.C. § 552(b)(5), and in part pursuant to FOIA Exemption Six, 5 U.S.C. § 552(b)(6). The material withheld pursuant to Exemption Five is protected by the attorney-client, deliberative process, and presidential communications privileges. Disclosure of the material withheld pursuant to Exemption Six would constitute a clearly unwarranted invasion of personal privacy. We have determined that none of the withheld material is appropriate for discretionary release. We are continuing to process responsive records.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Your counsel may contact Assistant U.S. Attorney Ellen Blain of the U.S. Attorney’s Office, Southern District of New York, at 212-637-2743 or at Ellen.Blain@usdoj.gov to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (“OGIS”) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Although your request is the subject of ongoing litigation, and administrative appeals are not ordinarily acted upon in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal. You may administratively appeal by writing to the Director, Office of Information Policy ("OIP"), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink that reads "Paul P. Colborn". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul P. Colborn
Special Counsel

cc: Ellen Blain, Assistant U.S. Attorney
Southern District of New York