

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

NICHOLAS HARRISON and
OUTSERVE-SLDN, INC.

Plaintiffs,

v.

JAMES N. MATTIS, in his official capacity as
Secretary of Defense; MARK ESPER, in his
official capacity as the Secretary of the Army;
and the UNITED STATES DEPARTMENT OF
DEFENSE,

Defendants.

NO. 1:18-CV-00641-LMB-IDD

**PLAINTIFFS' SECOND SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 16-36)**

Pursuant to Federal Rule of Civil Procedure 34 and Local Civil Rule 26, Plaintiffs Nicholas Harrison and Outserve-SLDN, Inc., by and through their undersigned counsel, propounds their First Set of Requests for Production of Documents and Things, to which Defendants James N. Mattis, Mark Esper, and the United States Department of Defense (collectively "Defendants") shall respond within the time prescribed by the Federal Rules of Civil Procedure and the Local Rules, and produce to lead counsel Plaintiffs the following documents and things within thirty (30) days of service hereof, or at such other time and place as may be mutually agreed upon by the parties, in accordance with the Definitions and Instructions set forth herein.

DEFINITIONS

Notwithstanding any definition set forth below, each word, term, or phrase used in these Requests for Production of Documents and Things (“Requests for Production”) is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure. In these Requests for Production, the following terms are to be given their ascribed definitions:

1. The term “Plaintiffs” means Nicholas Harrison and Outserve-SLDN, Inc.
2. The term “Individual Defendants” means James N. Mattis and Mark Esper, including their predecessors.
3. The term “Military Services” means the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, or the United States Coast Guard.
4. The term “DoD” means the United States Department of Defense, including its various components and agencies (including but not limited to the Military Services), current or former officials, officers, subordinates, employees, contractors, agents, and attorneys.
5. The terms “Defendants,” “you” and/or “your” means the Individual Defendants and the DoD.
6. The term “DoD 2014 Report to Congress” means the Report to Congressional Defense Committees on Department of Defense Personnel Policies Regarding Members of the Armed Forces with HIV or Hepatitis B (Sept. 2014) (ECF No. 53-2).
7. The term “DoD 2018 Report to Congress” means the Report to the Committees on the Armed Services of the Senate and House of Representatives on Department of Defense Personnel Policies Regarding Members of the Armed Forces Infected with Human

Immunodeficiency Virus (Aug. 2018) (ECF No. 53-3).

8. The term “DOGO Instruction” means DoD Instruction 1332.45, *Retention Determinations for Non-Deployable Service Members* (effective July 30, 2018) (ECF No. 53-1).

9. The term “DOGO Policy” means the Memorandum for Secretaries of the Military Departments, Chairman of the Joint Chiefs of Staff, Under Secretaries of Defense, Deputy Chief Management Officer; Chief, National Guard Bureau; Director of Cost Assessment and Program Evaluation regarding “DoD Retention Policy for Non-Deployable Service Members” (Feb. 14, 2018) (ECF No. 26-1).

10. The term “DoDI 6485.01” means DoD Instruction 6485.01, *Human Immunodeficiency Virus (HIV) in Military Service Members* (June 7, 2013), including any prior versions or amendments thereof.

11. The term “DoDI 6130.03” means DoD Instruction 6130.03, *Medical Standards for Appointment, Enlistment, or Induction into the Military Services* (May 6, 2018), including any prior versions or amendments thereof.

12. The term “DoDI 6490.07” means DoD Instruction 6490.07, *Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees* (Aug. 11, 2006; Certified Current as of September 30, 2011), including any prior versions or amendments thereof.

13. The term “AR 600-110” means Army Regulation 600-110, *Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus* (Apr. 22, 2014), including any prior versions or amendments thereof.

14. The term “AR 40-501” means Army Regulation 40-501, *Standards of Medical Fitness* (June 14, 2017), including any prior versions or amendments thereof.

15. The term “person” or “persons” means and includes any natural person, corporation, company, proprietorship, partnership, joint venture, association, firm, government entity or any other entity recognized in law, and shall include the owners, officers, directors, agents, trustees, parents, subsidiaries, affiliates, assignees, predecessors, and successors of each such “person.”

16. The phrase “third party” means and includes any person or persons other than Plaintiffs or Defendants.

17. “Communication” means any oral, written, electronic, or other exchange of words, thoughts, information or ideas to another person or entity, whether in person, in a group, by telephone, by letter, by Telex, by facsimile, or by any other process, electric, electronic, otherwise. All such communications in writing shall include, without limitation, printed, typed, handwritten, or other readable documents, correspondence, memoranda, reports, contracts, drafts (both initial and subsequent), computer discs or transmissions, e-mails, instant messages, tape or video recordings, voicemails, diaries, log books, minutes, notes, studies, surveys and forecasts, and any and all copies thereof. The definition is not limited to transfers between persons, but also includes other transfers, such as records and memoranda to file; any written letter, memorandum, or other document that was sent by one or more individuals to another or others; any telephone call between one or more individuals and another or others, whether such call was by chance or prearranged or not, formal or informal; and any conversation or meeting between one or more individuals and another, whether such contact was by chance or prearranged or not, formal or informal.

18. “Document” and “documents” shall have the broadest possible meaning allowed by Rule 34(a) of the Federal Rules of Civil Procedure, and includes (without limitation) any writing

of any kind, including originals and all non-identical copies (whether different from the original by reason of any notation made on such copies or otherwise). The terms “document” and “document(s)” shall include electronically stored information (“ESI”) and shall also include, without limitation, the following items, whether printed or reproduced by any process, or written or produced by hand or stored in computer memory, magnetic or hard disk or other data storage medium, and whether or not claimed to be privileged, confidential or otherwise excludable from discovery, namely, notes, letters, correspondence, communications, telegrams, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or meetings, diaries, reports, laboratory and research reports and notebooks, recorded experiments, charts, plans, drawings, diagrams, illustrations, requests for proposals, press releases, drafts of documents, and all other materials fixed in a tangible medium of whatever kind known to you or in your possession, custody, or control.

19. The terms “thing” and “things” mean and include any tangible item other than a Document, and includes objects of every kind and nature.

20. “Identify,” “identity,” or “identification” means:

- a. when used with reference to a natural person, to state the person's full name, address, and telephone number, and state the person's present or last known position and employer.
- b. when used with reference to any entity (including without limitation corporation, company, firm, partnership, joint venture, association, governmental body or agency, or persons other than a natural person), to state the full legal name of the entity, the place of incorporation or organization, the

address and telephone number of the principal place of business, and the nature of the business conducted by that entity.

- c. when used with reference to any document or ESI, to summarize the substance of the document or ESI and state the document's or ESI's title, date, form (e.g., letter, memorandum, email, etc.), production number range, author(s), recipient(s), the present location of the document or ESI, and the name of its present custodian; if the document or ESI existed at one time but does not presently exist, the reason(s) why it no longer exists and the identity of the last person having custody of it; and, if the document or ESI is in a foreign language, whether an English translation of the document or ESI exists, whether partial or complete.
- d. when used with reference to a tangible thing, to provide: (i) any model or catalogue number; (ii) any article or model name; (iii) any technical or promotional materials describing the article or its use; and (iv) the dates and locations of its production.
- e. when used with reference to any communication, to (i) summarize the substance of the communication; (ii) state the date and place of the communication; (iii) identify each person who was present at, involved in, connected with or who participated in the communication; (iv) state the form of communication (e.g., telephone call, meeting, letter, etc.); and (v) identify each document and ESI memorializing or referring to the communication.

21. As used herein, the present tense includes the past and future tenses. The singular

includes the plural, and the plural includes the singular. “All” means “any and all,” “any” means “any and all.” “Including” means “including but not limited to.” “And” and “or” encompass both “and” and “or.” Words in the masculine, feminine, or neutral form shall include each of the other genders.

22. The terms “reflect,” “reflecting,” “relate to,” “refer to,” “relating to,” and “referring to” shall mean relating to referring to, referencing, concerning, mentioning, reflecting, pertaining to, evidencing, involving, describing, discussing, commenting on, embodying, containing, comprising, consisting of, responding to, supporting, showing, summarizing, memorializing, contradicting, or constituting (in whole or in part), as the context makes appropriate, including having any legal, logical, or factual connection with the designated subject matter referred to in the request.

INSTRUCTIONS

1. These Requests for Production are continuing in nature, so as to require prompt supplemental production and/or written responses if further or different information, documents or things become known or available to Defendants.

2. If in responding to these Requests for Production, Defendants contend that an ambiguity exists with respect to construing a request or definition, the response shall set forth the matter deemed ambiguous and the construction used in responding.

3. Whenever in these Requests you are asked to identify or produce a document which is deemed by you to be properly withheld from production:

(a) If you are withholding the document under a claim of privilege not covered by the exemptions covered by the parties' agreement set forth in the Joint Proposed Discovery Plan (ECF No. 67), please provide the information set forth in Federal Rule of Civil Procedure 26(b)(5), including:

- (i) The date of the privileged information;
- (ii) The author(s) of the privileged information;
- (iii) The recipient(s) of the privileged information;
- (iv) The subject matter of the privileged information; and
- (v) The basis of the claim of privilege.

(b) If production of any requested document(s) is objected to on the grounds that production is unduly burdensome, describe the burden or expense of the proposed discovery;

(c) If you are withholding the document for any reason other than an objection that it is beyond the scope of discovery or that a request is unduly burdensome, please provide the

reason for withholding the document, and the information requested in sections 3(a) above. Regardless of whether a protective order is entered by the Court, in all instances in which you are withholding documents or things on the ground of confidentiality, please so indicate in your responses.

4. When a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, you must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, identify as to each document the reason for the redaction or alteration, the date of the redaction or alteration, and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted document.

5. **To the extent that a particular Request for Production requires the production of any document that contains personal identifying information such as social security numbers, taxpayer identification numbers, birth dates, names, or financial account information, please redact that information prior to producing the document.**

6. If the requested documents are maintained in a file, the file folder is to be included in the production of those documents.

7. If Defendants' response to a particular Request for Production is a statement that Defendants lack the ability to comply with that Request, Defendants must specify whether the inability to comply is because the particular item or category of information never existed, has been destroyed, has been lost, misplaced, or stolen, or has never been, or is no longer, in Defendants' possession, custody, or control, in which case the name and address of any person or

entity known or believed by you to have possession, custody, or control of that information or category of information must be identified.

REQUESTS FOR PRODUCTION

DOCUMENT REQUEST NO. 16

All Documents and Communications reviewed or relied upon, either directly or indirectly, by the “working group” responsible for assessing the need for any changes to AR 600-110, as described in the DoD 2018 Report to Congress “ARMY POLICY STATUS UPDATE” (ECF No. 53-3, at 8 of 35)

DOCUMENT REQUEST NO. 17

All “contemporary medical literature and practice guidelines” on which the “[s]ubject matter experts across the Military Services” relied to support the conclusion that the “DoD- and Service-level personnel policies pertaining to members of the Armed Forces infected with HIV are evidence-based in accordance with current clinical guidelines and are reviewed and updated to align with evolving medical capabilities, technologies, evidence-based practices, and current scientific understanding of the nature of HIV infection, transmission, and management,” as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 9-10 of 35).

DOCUMENT REQUEST NO. 18

All Documents that support DoD’s assertion that its “personnel policies pertaining to members of the Armed Forces infected with HIV are evidence-based in accordance with current clinical guidelines and are reviewed and updated to align with evolving medical capabilities, technologies, evidence-based practices, and current scientific understanding of the nature of HIV infection, transmission, and management,” as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 10 of 35).

DOCUMENT REQUEST NO. 19

All Documents and things “obtained from each of the Military Departments at the request of [the Office of the Assistant Secretary of Defense for Health Affairs]” to prepare the DoD 2018 Report to Congress as described in the DoD 2018 Report to Congress “DATA COLLECTION” (ECF No. 53-3, at 11 of 35).

DOCUMENT REQUEST NO. 20

All Documents and things reviewed or relied upon, either directly or indirectly, by the Accession Medical Standards Working Group concerning DoD’s policies pertaining to HIV, as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 13 of 35).

DOCUMENT REQUEST NO. 21

Documents sufficient to show the number of service members since 2000, broken down by Military Service, who have been diagnosed as HIV positive and: (a) have been deployed to a combat zone; (b) have been deployed on a contingency deployment; (c) have been deployed anywhere outside the continental United States.

DOCUMENT REQUEST NO. 22

Documents concerning medical evaluations performed for service members who are living with HIV who have been deployed outside the continental United States, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

DOCUMENT REQUEST NO. 23

Documents related to medical suitability screenings for service members living with HIV that the Navy has conducted since the implementation of Secretary of the Navy Instruction

5300.30E in August 2012, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

DOCUMENT REQUEST NO. 24

Documents regarding any medical evaluations or waivers sought under Air Force Instruction 44-178 by service members living with HIV, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

DOCUMENT REQUEST NO. 25

Documents from the Armed Services Blood Program concerning HIV policy, including but not limited to documents discussing HIV incidence.

DOCUMENT REQUEST NO. 26

Documents sufficient to show the total number of battlefield transfusions since January 1, 2000.

DOCUMENT REQUEST NO. 27

Documents sufficient to show the approximate percentage of service members with AB-negative blood and the approximate percentage of service members with AB-positive blood.

DOCUMENT REQUEST NO. 28

All Documents concerning bilateral agreements with provisions that prohibit deployment of service members to foreign nations based on an HIV diagnosis.

DOCUMENT REQUEST NO. 29

Documents regarding the policies and programs under which service members are provided with prophylactic medications during deployment, including but not limited to medications for prophylaxis of malaria.

DOCUMENT REQUEST NO. 30

All documents concerning Defendants' decisions to allow service members to deploy with chronic or intermittent medical conditions other than HIV that typically require taking medication on a regular basis.

DOCUMENT REQUEST NO. 31

All documents concerning policies allowing service members to enlist or be appointed as an officer with a chronic or intermittent medical condition that typically requires taking medication on a regular basis, including policies related to hypothyroidism, dyslipidemia, and medical conditions requiring hormone replacement therapy.

DOCUMENT REQUEST NO. 32

All documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical condition that typically requires taking medication on a regular basis, including policies related to service members with hypertension, hypothyroidism, dyslipidemia, and medical conditions requiring hormone replacement therapy.

DOCUMENT REQUEST NO. 33

All documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical condition that typically requires medical monitoring through a visit with a healthcare provider one or more times a year.

DOCUMENT REQUEST NO. 34

All documents concerning policies allowing service members to deploy with a chronic or intermittent medical condition that typically requires medical monitoring through blood testing

one or more times a year.

DOCUMENT REQUEST NO. 35

All documents concerning past, present, and potential changes to policies regarding the accession or deployment of service members with diabetes.

DOCUMENT REQUEST NO. 36

All Documents upon which you will rely to support any defense in this action or to rebut any claim made in this action.

Dated: November 27, 2018

/s/ Andrew R. Sommer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above document was served on this 27th day of November, 2018 to the following counsel of record via electronic mail.

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/s/ Andrew R. Sommer

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NICHOLAS HARRISON, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	No. 1:18-cv-641-LMB-IDD
	)	
v.	)	
	)	
JAMES N. MATTIS, <i>et al.</i> ,	)	
	)	
Defendants	)	

**DEFENDANTS' OBJECTIONS TO PLAINTIFFS'
SECOND SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 16-36)**

Pursuant to Local Rule 26(C) and Federal Rule of Civil Procedure and 34(b), Defendants, James N. Mattis, in his official capacity as Secretary of Defense, the Department of Defense (together, the "Department of Defense") and Dr. Mark T. Esper, in his official capacity as Secretary of the U.S. Army ("U.S. Army") (collectively, "Defendants"), through undersigned counsel, note the following objections to Plaintiffs' Requests for Production of Documents and Things to Defendants (Nos. 1-15).

Although these objections are being filed within the period provided by Local Rule 26(C), Defendants' counsel have not yet had a sufficient opportunity to review all material and information that may be responsive to Plaintiffs' requests for production. Defendants may later elect to waive any of the below objections with respect to any particular fact. Such waiver, should it occur, shall not be construed as a waiver of objections to other information. In accordance with Local Rule 37(E), counsel will also endeavor in good faith to resolve with Plaintiffs any controversy that may arise with respect to any discovery matter or to narrow any issue in dispute.

Additionally, Defendants hereby reaffirm that the Administrative Procedure Act provides the proper vehicle for Plaintiffs' constitutional challenges to agency action, including agency policies, and therefore Plaintiffs' claims should be reviewed by the Court on an administrative record and discovery should not be permitted. *See* 5 U.S.C. § 706.

**OBJECTIONS APPLICABLE TO DEFINITIONS AND INSTRUCTIONS
THAT PLAINTIFFS STATE WILL APPLY TO EACH REQUEST**

1. Defendants object to Plaintiffs' interrogatories to the extent they seek information protected by the attorney-client privilege, the attorney work-product privilege, or the deliberative process privilege.

2. Defendants object to Plaintiffs' Definition No. 3 to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who are HIV positive. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Information in the custody and control of Military Departments to which Plaintiff Harrison does not belong have no bearing on this case and responding to requests for that information would impose a significant burden on these Military Departments.

3. Defendants object to Plaintiffs' Definition No. 4 to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense

Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who are HIV positive. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Information in the custody and control of Military Departments to which Plaintiff Harrison does not belong have no bearing on this case and responding to requests for that information would impose a significant burden on these Military Departments. Defendants further object further to Plaintiffs’ Definition No. 4 as overly broad and unduly burdensome to the extent that it encompass all “current or former officials, subordinates, employees, contractors, agents, and attorney.” The Department of Defense is a large, worldwide organizations with millions of employees. The U.S. Army alone is engaged in over 140 countries around the world, to include combat operations in Afghanistan and Iraq. There is no way to gather information or records from every military unit, every Navy ship, every Air Force wing, and every Coast Guard cutter. And the time, expenses, and effort to conduct such a worldwide search is not proportionate to the needs of this case.

4. Defendants object to Definition No. 10 to the extent it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the phrase “prior versions or amendments thereof.” Defendants further object to Definition 10 to the extent it seeks versions of policy documents that have been superseded and therefore have no bearing on the claims in this case.

5. Defendants object to Definition No. 11 to the extent it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the phrase “prior versions or amendments thereof.” Defendants further object

to Definition 11 to the extent it seeks versions of policy documents that have been superseded and therefore have no bearing on the claims in this case.

6. Defendants object to Definition No. 12 to the extent it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the phrase “prior versions or amendments thereof.” Defendants further object to Definition 12 to the extent it seeks versions of policy documents that have been superseded and therefore have no bearing on the claims in this case.

7. Defendants object to Definition No. 13 to the extent it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the phrase “prior versions or amendments thereof.” Defendants further object to Definition 13 to the extent it seeks versions of policy documents that have been superseded and therefore have no bearing on the claims in this case.

8. Defendants object to Definition No. 14 to the extent it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the phrase “prior versions or amendments thereof.” Defendants further object to Definition 14 to the extent it seeks versions of policy documents that have been superseded and therefore have no bearing on the claims in this case.

9. Defendants object to Definition No. 17 to the extent it seeks information that is protected by the deliberative process privilege, as is inherent in the inclusion of “thoughts,” “ideas,” “drafts,” “notes,” “memoranda to file,” and “any conversation or meeting between one or more individuals and another, whether such contact was by chance or prearranged or not, formal or informal.” Defendants also object to this definition on the ground that the category of information it seeks is overly broad and

unduly burdensome given the size of the organizations identified by Plaintiffs and the time period encompassed by the interrogatories.

10. Defendants object to Definition No. 20, including its five subparts, to the extent it seeks to require Defendants to create or otherwise produce documents not already in existence. *See* Fed. R. Civ. P. 34.

11. Defendants object to Definition No. 22 to the extent it seeks information that is protected by the deliberative process privilege, as is inherent in “reflecting,” “discussing,” “commenting on,” and “memorializing.”

OBJECTIONS TO SPECIFIC REQUESTS FOR PRODUCTION

DOCUMENT REQUEST NO. 16

All Documents and Communications reviewed or relied upon, either directly or indirectly, by the “working group” responsible for assessing the need for any changes to AR 600-110, as described in the DoD 2018 Report to Congress “ARMY POLICY STATUS UPDATE” (ECF No. 53-3, at 8 of 35).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it seeks information about Defendant’s policies other than the current version of AR 600-110, in effect at the time of plaintiff Harrison’s alleged injury, and therefore does

not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to "all documents and communications reviewed or relied upon...indirectly" and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrase "reviewed or relied upon...indirectly" is vague and ambiguous.

DOCUMENT REQUEST NO. 17

All "contemporary medical literature and practice guidelines" on which the "[s]ubject matter experts across the Military Services" relied to support the conclusion that the "DoD- and Service-level personnel policies pertaining to members of the Armed Forces infected with HIV are evidence-based in accordance with current clinical guidelines and are reviewed and updated to align with evolving medical capabilities, technologies, evidence-based practices, and current scientific understanding of the nature of HIV infection, transmission, and management," as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 9-10 of 35).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants

further object to this request on the basis that it is overly broad and unduly burdensome to the extent it seeks the requested documents from any entity other than the author of the DoD 2018 Report to Congress. Any such documents are duplicative to those that will be produced from the author of the report and therefore the request does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Additionally, the documents sought by this request are duplicative of the documents sought by Plaintiffs' Request for Production No. 4. *See* Plaintiffs' First Set of Requests for Production of Documents and Things to Defendants.

DOCUMENT REQUEST NO. 18

All Documents that support DoD's assertion that its "personnel policies pertaining to members of the Armed Forces infected with HIV are evidence-based in accordance with current clinical guidelines and are reviewed and updated to align with evolving medical capabilities, technologies, evidence-based practices, and current scientific understanding of the nature of HIV infection, transmission, and management," as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 10 of 35).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as

to “all documents that support DoD’s assertion” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request to the extent that it seeks documents from any entity other than the author of the DoD 2018 Report to Congress as that information would be duplicative and therefore the request does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Additionally, the documents sought by this request are duplicative of the documents sought by Plaintiffs’ Request for Production No. 4. *See* Plaintiffs’ First Set of Requests for Production of Documents and Things to Defendants. Defendants further object that the phrase “documents that support DoD’s assertion” is vague and ambiguous.

DOCUMENT REQUEST NO. 19

All Documents and things “obtained from each of the Military Departments at the request of [the Office of the Assistant Secretary of Defense for Health Affairs]” to prepare the DoD 2018 Report to Congress as described in the DoD 2018 Report to Congress “DATA COLLECTION” (ECF No. 53-3, at 11 of 35).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S.

Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome to the extent it seeks the requested documents from any entity other than the author of the DoD 2018 Report to Congress. Any such documents are duplicative to those that will be produced from the author of the report and therefore the request does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Additionally, the documents sought by this request are duplicative of the documents sought by Plaintiffs’ Request for Production No. 4. *See* Plaintiffs’ First Set of Requests for Production of Documents and Things to Defendants. Defendants further object to this request on the ground that the phrase “to prepare the DoD 2018 Report to Congress” is vague and ambiguous.

DOCUMENT REQUEST NO. 20

All Documents and things reviewed or relied upon, either directly or indirectly, by the Accession Medical Standards Working Group concerning DoD’s policies pertaining to HIV, as described in the DoD 2018 Report to Congress (ECF No. 53-3, at 13 of 35).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that

discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “all documents and things reviewed or relied upon...indirectly” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “DoD’s policies pertaining to HIV” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Additionally, the documents sought by this request are duplicative of the documents sought by Plaintiffs’ Request for Production No. 8 because the purpose of the Accession Medical Standards Working Group is to consider DoDI 6130.03. *See* Plaintiffs’ First Set of Requests for Production of Documents and Things to Defendants. Defendants further object to this request on the ground that the phrases “reviewed or relied upon...indirectly,” “concerning,” and “DoD’s policies pertaining to HIV” are vague and ambiguous.

DOCUMENT REQUEST NO. 21

Documents sufficient to show the number of service members since 2000, broken down by Military Service, who have been diagnosed as HIV positive and: (a) have been deployed to a combat zone; (b) have been deployed on a contingency deployment; (c) have been deployed anywhere outside the continental United States.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, the request embraces the primary medical records for service members over an 18 year period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy

Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases “diagnosed as HIV positive” and “contingency deployment” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 22

Documents concerning medical evaluations performed for service members who are living with HIV who have been deployed outside the continental United States, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence

of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for “[d]ocuments concerning medical evaluations performed for service members” embraces the primary medical records for service members over an unlimited time period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases “documents concerning medical evaluations,” “concerning,” and “living with HIV” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 23

Documents related to medical suitability screenings for service members living with HIV that the Navy has conducted since the implementation of Secretary of the Navy

Instruction 5300.30E in August 2012, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for "[d]ocuments related to medical suitability screenings for service members" embraces the primary medical records for service members over a six year period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191,

100 Stat. 2548. Defendants further object to this request on the ground that the phrases “documents related to medical suitability screenings” and “living with HIV” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 24

Documents regarding any medical evaluations or waivers sought under Air Force Instruction 44-178 by service members living with HIV, with identifying information redacted pursuant to Paragraph 10 of the protective order entered by the Court in this matter (ECF No. 71).

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to

Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for "[d]ocuments regarding any medical evaluations or waivers sought" embraces the primary medical records for service members over an unlimited time period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases "documents regarding any medical evaluations or waivers" and "living with HIV" are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military's accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 25

Documents from the Armed Services Blood Program concerning HIV policy, including but not limited to documents discussing HIV incidence.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request to the extent it seeks information regarding individuals other than Plaintiff Harrison that is covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases "concerning HIV policy" and "HIV incidence" are vague and ambiguous.

DOCUMENT REQUEST NO. 26

Documents sufficient to show the total number of battlefield transfusions since January 1, 2000.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to the extent this request seeks to require Defendants to create or otherwise produce documents not already in existence. *See* Fed. R. Civ. P. 34. Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for

“[d]ocuments sufficient to show the total number of battlefield transfusions” embraces the primary medical records for service members over an 18 year period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrase “battlefield transfusions” is vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 27

Documents sufficient to show the approximate percentage of service members with AB-negative blood and the approximate percentage of service members with AB-positive blood.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants

further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants also object to the extent this request seeks to require Defendants to create or otherwise produce documents not already in existence. *See* Fed. R. Civ. P. 34. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for “[d]ocuments sufficient to show the approximate percentage of service members with AB-negative blood and...with AB-positive blood” embraces the primary medical records for service members over an unlimited time period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and

irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military's accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 28

All Documents concerning bilateral agreements with provisions that prohibit deployment of service members to foreign nations based on an HIV diagnosis.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object that this request is overly broad and unduly

burdensome to the extent it seeks documents that are classified or otherwise sensitive. In addition, this request is overly broad and unduly burdensome because it potentially encompasses agreements with numerous foreign states where there is no current or anticipated prospect of deployment. Defendants further object to this request on the ground that the phrases “provisions that prohibit deployment,” “concerning,” and “based on an HIV diagnosis” are vague and ambiguous.

DOCUMENT REQUEST NO. 29

Documents regarding the policies and programs under which service members are provided with prophylactic medications during deployment, including but not limited to medications for prophylaxis of malaria.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that

it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrases "policies and programs," "regarding," "prophylactic medications," and "medications for prophylaxis of malaria" are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military's accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 30

All documents concerning Defendants' decisions to allow service members to deploy with chronic or intermittent medical conditions other than HIV that typically require taking medication on a regular basis.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case,

which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “all documents concerning” deployment decisions for any “chronic or intermittent medical conditions other than HIV that typically require taking medication on a regular basis,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). It is neither relevant to this matter nor practicable to review the records of the more than 50,000 service members that are deployed at any given time over an unlimited period of time. Moreover, a request for “[a]ll documents concerning Defendants’ decisions to allow service members to deploy with chronic or intermittent medical conditions” embraces the primary medical records for service members over an unlimited time period, requiring a search of potentially thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former service members. Defendants object to producing medical records from any individual other than Plaintiff Harrison because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases “chronic or intermittent medical conditions,” “typically,” “concerning,” and “taking medication on a regular basis” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and

defenses in this case relating to the facial and as-applied constitutional challenges to the military's accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 31

All documents concerning policies allowing service members to enlist or be appointed as an officer with a chronic or intermittent medical condition that typically requires taking medication on a regular basis, including policies related to hypothyroidism, dyslipidemia, and medical conditions requiring hormone replacement therapy.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to "all documents concerning policies allowing service members to enlist or be appointed as an officer with a chronic or

intermittent medical condition that typically requires taking medication on a regular basis,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrases “chronic or intermittent medical conditions,” “typically,” “concerning,” “medical conditions requiring hormone replacement therapy,” and “taking medication on a regular basis” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 32

All documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical condition that typically requires taking medication on a regular basis, including policies related to service members with hypertension, hypothyroidism, dyslipidemia, and medical conditions requiring hormone replacement therapy.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S.

Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “all documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical condition that typically requires taking medication on a regular basis,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrases “contingency deployment,” “chronic or intermittent medical conditions,” “typically,” “concerning,” “medical conditions requiring hormone replacement therapy,” and “taking medication on a regular basis” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 33

All documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical

condition that typically requires medical monitoring through a visit with a healthcare provider one or more times a year.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “all documents concerning policies allowing service members to deploy to a combat zone or on a contingency deployment with a chronic or intermittent medical condition that typically requires medical monitoring,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrases “contingency deployment,” “chronic or intermittent medical conditions,” “typically,” “concerning,” and “medical monitoring” are vague and ambiguous. Defendants also object to this

request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military's accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 34

All documents concerning policies allowing service members to deploy with a chronic or intermittent medical condition that typically requires medical monitoring through blood testing one or more times a year.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction ("DoDI") 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence of HIV. *See* Defs.' Opp. to Pls.' Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to "All documents concerning policies allowing service members to deploy with a chronic or intermittent medical condition that

typically requires medical monitoring,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. See Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the ground that the phrases “contingency deployment,” “chronic or intermittent medical conditions,” “typically,” “concerning,” and “medical monitoring” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 35

All documents concerning past, present, and potential changes to policies regarding the accession or deployment of service members with diabetes.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request to the extent it seeks information in the custody of the U.S. Navy, U.S. Marine Corps, U.S. Air Force, or U.S. Coast Guard. Plaintiff Harrison, who is a soldier in the U.S. Army, is the only Plaintiff to have alleged an injury in this case, which stems only from application of Department of Defense Instruction (“DoDI”) 6485.01 § 3(a) to the commissioning of Service members who have laboratory evidence

of HIV. *See* Defs.’ Opp. to Pls.’ Mot. For Prelim. Inj. and Mem. in Supp. of Mot. to Dismiss at 20-21, ECF No. 43. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “all documents concerning past, present, and potential changes to policies,” and “the accession or deployment of service members with diabetes,” and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object that production of past policies concerning diabetes is neither relevant nor proportional to the needs of this case because there is no evidence that the treatment of diabetes has changed. Defendants further object to this request on the ground that the phrases “potential changes,” “policies regarding the accession...of service members with diabetes,” “concerning,” and “policies regarding the... deployment of service members with diabetes” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional challenges to the military’s accession policy for individuals with laboratory evidence of HIV.

DOCUMENT REQUEST NO. 36

All Documents upon which you will rely to support any defense in this action or to rebut any claim made in this action.

OBJECTIONS: Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Scheduling Order (ECF No. 68), Defendants

object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants object to this request as a premature contention request and also to the extent it seeks to impose obligations greater than those set forth in Federal Rule of Civil Procedure 26(a) and 26(b) and the Court's scheduling order. Defendant further objects to this request on the ground that "rely" is vague and ambiguous.

DATE: December 12, 2018

Respectfully submitted,

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Counsel for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above document was served on December 12, 2018, to the following counsel of record via electronic mail:

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/s/ Robert M. Norway

Harrison V. Mattis,

No. 1:18-cv-641 (E.D. Va.)

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00001169	US00001169	No	4/25/2014	LTC Branda Ruhler	LTC Christine Ludwig	DP - Deliberative Process	Printout of an email to LTC Ludwig, the staff proponent within the G-1 for HIV policy, from another staff official forwarding an email chain from 23-24 April 14 between staff officials discussing a proposed change to AR 600-110 while it was being revised regarding the HIV testing requirements for Reserve Component members, including recommendations regarding whether the Army should adopt the proposed change and how it could implement the change.	1
US00001905	US00001907	Yes		See document	See document	DP - Deliberative Process	Redacted an official's opinion/position on whether accessions policy in DoDI 6485.01 should or would be changed during a potential policy review.	1
US00002124	US00002127	Yes	4/21/2017	Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>	Lute, Lisa M LTC MIL USA HQDA DCS G-1	DP - Deliberative Process	The redacted language includes summaries of predecisional policy recommendations or courses of action from within the agency concerning whether certain policies should change, in relation to ongoing and periodic reviews of DoDI 6485.01 and DoDI 6130.03.	1
US00002371	US00002375	Yes	See document	See document	See document	DP - Deliberative Process	Summary of ongoing policy discussions during the development of HIV policy regarding issues/concerns with allowing HIV+ applicants to serve.	1
US00002428	US00002433	Yes	See document	See document	See document	DP - Deliberative Process	Summary of ongoing policy discussions during the development of HIV policy regarding issues/concerns with allowing HIV+ applicants to serve.	1
US00003259	US00003259	No	8/8/2014	Diniega, M.D., Benedict, CIV, OASD(HA)		DP - Deliberative Process	Deliberative draft version of the 2018 report to Congress	2
US00003261	US00003261	No	No date	Mayo, Jeffrey R SES OSD OUSD P-R (US) <jeffrey.r.mayo.civ@mail.mil>	Hebert, Lernes J SES OSD OUSD P-R (US) <lernes.j.hebert.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the 2018 Congressional Report on HIV military accessions.	2

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00003262	US00003262	No	10/17/2014	Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@mail.mil>	Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding commissions HIV positive personnel at military academies.	1
US00003263	US00003264	Yes	7/15/2015	Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@mail.mil>	OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; MILLER, Stephanie P SES OSD OSD P-R (US) <stephanie.p.miller.civ@mail.mil>Bentz, Kevin R MAJ USARMY OSD OUSD P-R (US) <kevin.r.bentz.mil@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the HIV DoDI	1
US00003408	US00003408	No	8/14/2018	Haywood, William P. LCDR BUMED		DP - Deliberative Process	Draft document: ACCESSIONS OF APPLICANTS OR CANDIDATES ON HIV PROPHYLAXIS DATE: July 31, 2018; includes background on and key points on the topic	1
US00003417	US00003417	No	1/20/2016	Collins, Limone, CIV, DHA		DP - Deliberative Process	Draft Presentation: Discussion of Universal Hep. C Virus Screening at MEPS, includes information on the HIV policy.	1
US00003420	US00003420	No	6/5/2014	Paul Scott		DP - Deliberative Process	Deliberative Draft Presentation: Military Applicant HCV Screening Discussion	1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00003421	US00003427	Yes	7/20/2018	Blanks, Julie A SES OSD OUSD P-R (US) <julie.a.blanks.civ@mail.mil>	USAF OSD PA (US) <carla.m.gleason.mil@mail.mil>; Maxwell, Jessica R CIV OSD PA (US) <jessica.r.maxwell8.civ@mail.mil>; Mulcahy, Patricia SES OSD OUSD P-R (US) <patricia.mulcahy.civ@mail.mil>; Hebert, Lernes J SES OSD OUSD P-R (US) <lernes.j.hebert.civ@mail.mil>Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; MILLER, Stephanie P SES OSD OUSD P-R (US) <stephanie.p.miller.civ@mail.mil>; Clark, Robert E CIV OSD OUSD P-R (US) <robert.e.clark114.civ@mail.mil>; OSD Pentagon PA List DPO PR <osd.pentagon.pa.list.dpo-pr@mail.mil>; Penrod, Virginia S SES OSD OUSD P-R (US) <virginia.s.penrod.civ@mail.mil>; Smithson, Steven	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding DoD response to a news story about the HIV policy.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00003428	US00003431	Yes	6/10/2014	Mullen, Larry E Civ DoDMERB <Larry.Mullen@dodmerb.tma.osd.mil>	Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@mail.mil>Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; Collier James D Col DoDMERB <james.collier@dodmerb.tma.osd.mil>; Wempe Jack M COL DoDMERB <Jack.Wempe@dodmerb.tma.osd.mil>	DP - Deliberative Process	Deliberative email conversation regarding HIV screening at MEPs for new accessions.	1
US00003434	US00003434	No	11/25/2014	Sheila bowman <srtbowman@comcast.net>	Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; Maloney, Kathy J Col USMC OSD USMEPCOM (US)Smith, Jack W CIV (US); Obrien, David R CIV OSD USMEPCOM (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the 2014 Congressional Report on HIV military accessions.	2

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00003435	US00003435	No	11/26/2014	Smith, Jack, Dr., OASD(HA) <jack.smith@ha.osd.mil>	Hatchell, Jared J CIV (US) <jared.j.hatchell.civ@mail.mil>PI List <PI_List@dha.mil>; Fells, Quintin F CTR (US) <quintin.f.fells.ctr@mail.mil>; Matteson, Gary N CIV (US); Bowman, Sheila R CTR (US); Weaver, Nancy E SES OSD OUSD P-R (US); Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding a response to a Congressional inquiry on the DOD HIV policy	1
US00003436	US00003436	No	11/26/2014	AGM		DP - Deliberative Process	Deliberative information paper regarding HIV prevalence at MEPS for enlisted applicants	1
US00003437	US00003437	No	11/26/2014	Maloney, Kathy J Col USMC OSD USMEPCOM (US)	Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>Obrien, David R CIV OSD USMEPCOM (US)	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding a response to a Congressional inquiry on the DOD HIV policy	1
US00003438	US00003438	No	11/26/2014	AGM		DP - Deliberative Process	Deliberative information paper regarding the prevalence of HIV within the DoD population.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00003439	US00003439	No	11/25/2014	Sheila bowman <srtbowman@comcast.net>	Smith, Jack W CIV (US); Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ @mail.mil>	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding a response to a Congressional inquiry on the DOD HIV policy	1
US00003464	US00003464	No	6/9/2014	Goodrich, Scott G COL USARMY OSD USMEPCOM (US)	Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@ mail.mil>Arendt, Christopher P CIV OSD OSD P-R (US) <christopher.p.arendt.civ @mail.mil>; Waddelow, Annette D CIV OSD USMEPCOM (US) <annette.d.waddelow.civ @mail.mil>; Fuerte, Alfredo M CIV OSD USMEPCOM (US) <alfredo.m.fuerte.civ@m ail.mil>; Gundry, Raymond L LTC USARMY OSD USMEPCOM (US)	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding HIV screening at MEPCOM	1
US00005335	US00005335	No	1/9/2012	MSG ROBERSON		DP - Deliberative Process	Draft action memo on the DoD Service Academies HIV policies	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00005336	US00005336	No	2/22/2017	MILLER, Stephanie P SES OSD OUSD P-R (US)	Hebert, Lernes J SES OSD OUSD P-R (US) Cc: Arendt, Christopher P CIV OSD OUSD P-R (US); Washington, Keithen A Lt Col USAF OSD OUSD P-R (US); Brown, Gary W LTC USARMY OSD OUSD P-R (US); Kurta, Anthony M SES OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD Personnel regareding the 2015 AMSWG panel of experts recommendation on the HIV accession standard.	1
US00005337	US00005337	No	No date	Unknown	Unknown	DP - Deliberative Process	Deliberative Draft Information Paper titled: Accession Qualification Standards for Human Immunodeficiency Virus (HIV) Infection	1
US00005338	US00005338	No	8/14/2018	Haywood, William P. LCDR BUMED		DP - Deliberative Process	Deliberative Draft Information Paper titled: ACCESSIONS OF APPLICANTS OR CANDIDATES ON HIV PROPHYLAXIS	1
US00005417	US00005417	No	1/6/2012	DKlamt		DP - Deliberative Process	Deliberative Spreadsheet coordinating comments on DoDI 1322.22	1
US00005420	US00005420	No	1/9/2012	victoria.g.skinner		DP - Deliberative Process	Deliberative paper titled: Office of Management and Budget (OMB) and Department of Justice (DoJ) Concerns with DoD's Service Academies HIV Policies	1
US00005421	US00005421	No	2/22/2017	Marsh, K Elizabeth LTC USARMY OSD OUSD P-R (US) <kathleen.e.genest.mil@mail.mil>	Brown, Gary LTC	DP - Deliberative Process	Deliberative email chain between DoD personnel discussing proposed updates to DoD medical policy including HIV policy	1
US00005424	US00005424	No	2/12/2016	Unknown		DP - Deliberative Process	Deliberative Draft response to an RFI titled: Hepatitis B Disqualifications and Discharges	1
US00005425	US00005425	No	2/11/2016	Elizabeth.Packnett		DP - Deliberative Process	Deliberative Draft response to an RFI titled: Hepatitis B Disqualifications and Discharges	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00005426	US00005426	No	8/8/2014	Diniega, M.D., Benedict, CIV, OASD(HA)		DP - Deliberative Process	Deliberative Draft report titled: Report to Congress on Department of Defense Personnel Policies Regarding Members of the Armed Forces with HIV or Hepatitis B	2
US00005453	US00005453	No	1/20/2016	Unknown		DP - Deliberative Process	Deliberative White Paper proposal regarding HIV and accessions standards	1
US00005489	US00005489	No	1/6/2012	MintzT		DP - Deliberative Process	Deliberative Info Memo titled: DoJ's Comments on DoD's Rule Concerning HIV and Service Academies	1
US00005490	US00005490	No	1/4/2012	MintzT		DP - Deliberative Process	Deliberative Info Memo titled: DoJ's Comments on DoD's Rule Concerning HIV and Service Academies	1
US00005491	US00005491	No	1/4/2012	MintzT		DP - Deliberative Process	Deliberative Info Memo titled: Department of Justice (DoJ) Comments on Department of Defense (DoD) Rules Concerning Human Immunodeficiency Virus (HIV) and Service Academies	1
US00005492	US00005492	No	1/9/2012	MintzT		DP - Deliberative Process	Deliberative Info Memo titled: Department of Justice (DoJ) Comments on Department of Defense (DoD) Rules Concerning Human Immunodeficiency Virus (HIV) and Service Academies	1
US00005493	US00005493	No	1/9/2012	MSG ROBERSON		DP - Deliberative Process	Deliberative Info Memo titled: Department of Justice (DoJ) Comments on Department of Defense (DoD) Rules Concerning Human Immunodeficiency Virus (HIV) and Service Academies	1
US00005525	US00005525	No	4/11/2017	Pearce, Teresa D MAJ MIL USA		DP - Deliberative Process	Deliberative Draft response to an RFI titled: Hepatitis B Disqualifications and Waivers	1
US00005526	US00005526	No	7/24/2018	Anthony A. Arita, PhD		DP - Deliberative Process	Deliberative presentation titled: Human Immunodeficiency Virus (HIV) Pre-Exposure Prophylaxis (PrEP) Use in New Accessions: DoD-Wide Policy Recommendation	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00005738	US00005740	Yes	6/1/2018	Nakamura, Jason M. LTC	Calloway, Margaret CAPT CNRC MILLINGTON, TN Cc: Teneza, Brigilda C COL USARMY OSD USMEPCOM (US); Waddelow, Annette D CIV OSD USMEPCOM (US); Ciminera, Paul CIV OSD OUSD P-R (US); Brown, Gary W LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Email between DoD personnel discussing DoD medical policy stemming from specific question about specific service member.	1
US00005741	US00005741	No	2/23/2017	Gary Brown		DP - Deliberative Process	Document containing meeting minute summaries on HIV topics from several AMSWG meetings.	1
US00005758	US00005758	No	4/19/2018	Briski, Julie, CIV, DHA		DP - Deliberative Process	Deliberative Draft Memo: Interim Procedures Memorandum 18-00x, Guidance for the Provision of Human Immunodeficiency Virus (HIV) Pre-exposure Prophylaxis (PrEP) for Persons at High Risk of Acquiring HIV Infection	1
US00005759	US00005760	Yes	10/16/2017	Mullen, Lawrence E CIV DHA DIR SUPPORT (US)	Kemp, David S CAPT USN OSD USMEPCOM (US) Cc: Teneza, Brigilda C COL USARMY OSD USMEPCOM (US); Brown, Gary W LTC USARMY OSD OUSD P-R (US); Waddelow, Annette D CIV OSD USMEPCOM (US); Nakamura, Jason M LTC USARMY OSD USMEPCOM (US)	DP - Deliberative Process	Deliberative email between DoD personnel discussing thoughts and research material on Truvada.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00005761	US00005762	Yes	10/16/2017	Mullen, Lawrence E CIV DHA DIR SUPPORT (US)	Kemp, David S CAPT USN OSD USMEPCOM (US) Cc: Teneza, Brigilda C COL USARMY OSD USMEPCOM (US); Brown, Gary W LTC USARMY OSD OUSD P-R (US); Waddelow, Annette D CIV OSD USMEPCOM (US); Nakamura, Jason M LTC USARMY OSD USMEPCOM (US)	DP - Deliberative Process	Deliberative email between DoD personnel discussing thoughts and research material on Truvada.	1
US00005763	US00005763	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative Report titled: HIV Policy Summary	1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00005764	US00005764	No	8/14/2018	Fells, Quintin F CTR DHA POLICY COMP SUP (US) <quintin.f.fells.ctr@mail.mil>	OUSD P-R (US) <paul.ciminera.civ@mail.mil>; Fudge, Elizabeth R CIV OSD HA (US) <elizabeth.r.fudge.civ@mail.mil>; Fells, Quintin F CTR DHA POLICY COMP SUP (US) <quintin.f.fells.ctr@mail.mil>; Fisher, Neal V II CTR DHA DHA HA (US) <neal.v.fisher.ctr@mail.mil>; Mitchell, John P Col USAF OSD HA (US) <john.p.mitchell2.mil@mail.mil>; DHA NCR Comm Mailbox Health Affairs <dha.ncr.comm.mbx.health-affairs@mail.mil>; Wiesen, Andrew R COL USARMY OSD OUSD P-R (US) <andrew.r.wiesen.mil@mail.mil>Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>; Eubanks, Robbin D CTR OSD OUSD P-R (US) <robbin.d.eubanks.ctr@mail.mil>; Graham,	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the new retention policy as it pertains to HIV service members.	1
US00006017	US00006017	No	#####	Unknown	Unknown	DP - Deliberative Process	Deliberative Information Paper titled: Accession Qualification Standards for Human Immunodeficiency Virus (HIV) Infection	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00006034	US00006035	Yes	2/23/2017	Minarcik, Allison H CIV (US) <allison.h.minarcik.civ@mail.mil>	Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>Klimkowski, Paul Edward CDR USN BUMED FCH VA (US) <paul.e.klimkowski.mil@mail.mil>	DP - Deliberative Process	Deliberative email between DoD personnel requesting and providing specific research materials on HIV policy.	1
US00006036	US00006036	No	1/20/2016	Unknown	Unknown	DP - Deliberative Process	Deliberative White Paper Proposal regarding DoD HIV accessions policy.	1
US00006037	US00006037	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative report titled: HIV Policy Summary	1
US00006115	US00006115	No	3/20/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 29-30 January 2013 covering various topics including HIV.	1
US00006116	US00006116	No	3/20/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 4-6 August 2015 covering various topics including HIV.	1
US00006117	US00006117	No	1/6/2016	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various topics including HIV.	1
US00006118	US00006118	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1
US00006119	US00006119	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00006120	US00006120	No	7/3/2018	Ribeiro, Elizabeth M CTR OSD HA (US) <elizabeth.m.ribeiro.ctr@mail.mil>	Ciminera, Paul CIV OSD OUSD P-R (US) <paul.ciminera.civ@mail.mil>	DP - Deliberative Process	Deliberative email between DoD personnel discussing AMSWG minutes including questions about accessions policy.	1
US00006121	US00006121	No	7/3/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 6130.03 revisions as they were developed.	1

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US00006122	US00006122	No	6/1/2018	Adirim, Terry A SES OSD OUSD P-R (US) <terry.a.adirim.civ@mail.mil>	MILLER, Stephanie P SES OSD OUSD P-R (US) <stephanie.p.miller.civ@mail.mil>Arendt, Christopher P CIV OSD OUSD P-R (US) <christopher.p.arendt.civ@mail.mil>; Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>; Hebert, Lernes J SES OSD OUSD P-R (US) <lernes.j.hebert.civ@mail.mil>; Melillo, Michael R CIV OSD OUSD P-R (US) <michael.r.melillo4.civ@mail.mil>; Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>; Ciminera, Paul CIV OSD OUSD P-R (US) <paul.ciminera.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding accessions of HIV positive personnel and development of an info paper on the topic for leadership.	1
US00006123	US00006123	No	7/9/2018	Ribeiro, Elizabeth M CTR OSD HA (US) <elizabeth.m.ribeiro.ctr@mail.mil>	Ciminera, Paul CIV OSD OUSD P-R (US) <paul.ciminera.civ@mail.mil>; Chan, Edmund M CIV OSD OUSD P-R (US) <edmund.m.chan.civ@mail.mil>	DP - Deliberative Process	Deliberative email between DoD personnel discussing AMSWG working group decisions on HIV accessions and background reference material.	1

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US00006126	US00006126	No	2/23/2017	Minarcik, Allison H CIV (US) <allison.h.minarcik.civ@mail.mil>	Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>Klimkowski, Paul Edward CDR USN BUMED FCH VA (US) <paul.e.klimkowski.mil@mail.mil>	DP - Deliberative Process	Deliberative email between DoD personnel discussing AMSWG working group decisions on HIV accessions and background reference material.	1
US00006127	US00006127	No	1/20/2016	Unknown	Unknown	DP - Deliberative Process	Deliberative White Paper proposal involving HIV accessions.	1
US00006128	US00006128	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative study titled: HIV Policy Summary	1
US00006129	US00006129	No	3/20/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative meeting minutes of the AMSWG working group from August 4-6 2015, discussing various topics including HIV.	1
US00006130	US00006130	No	3/20/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative meeting minutes of the AMSWG working group from January 29-30, 2013, discussing various topics including HIV.	1
US00006131	US00006131	No	1/6/2016	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various accession topics including HIV.	1
US00006132	US00006132	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1
US00006133	US00006133	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00006134	US00006134	No	9/17/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative spreadsheet tracking current and proposed accession standards including HIV with commentary.	1
US00006135	US00006135	No	7/3/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative DoDI 6130.03 comment coordination sheet including discussion about accessions policy including various internal status changes.	1

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US00006136	US00006136	No	10/9/2018	Michael Melillo		DP - Deliberative Process	Deliberative Info Paper titled: DoDI 1332.45, "Retention Determinations for Non-deployable Service Members"	1
US00006143	US00006143	No	5/8/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 2 MAY 18 detailing deployment limiting conditions for each COCOM, marked draft and UNCLASSIFIED.	1
US00006144	US00006144	No	5/3/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 26 APR 18 detailing deployment limiting conditions for each COCOM, marked draft and UNCLASSIFIED.	1
US00006145	US00006145	No	6/6/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 2 MAY 18 detailing deployment limiting conditions for each COCOM, marked draft and UNCLASSIFIED.	1
US00006146	US00006146	No	3/22/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document containing draft communication regarding medical retention standards.	1
US00006147	US00006147	No	3/14/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document containing questions and answers and talking points for SASC discussion relating to non-deployable service members.	1
US00006148	US00006148	No	10/17/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slide with definitions of various terms relating to non deployable service members.	1
US00006149	US00006149	No	8/10/2018	OUSD-PR		DP - Deliberative Process	Deliberative draft into memo with edits and comments titled: DoDI 1332.45 Retention Determinations for Non-deployable Service Members	1
US00006150	US00006150	No	7/30/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides titled: Retention Determination for Non-deployable Service Members DoDI 1332.JB Update to SASC PSM	1

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US00006151	US00006151	No	9/26/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)	(Chris) LTC USARMY OSD OUSD P-R (US) Cc: Hebert, Lernes J SES OSD OUSD P-R (US); Melillo, Michael R CIV OSD OUSD P-R (US); Allen, Xavier C MAJ USARMY OSD OUSD P-R (US); Carnell, C M (Cherre) CMSgt USAF OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding an information paper and talking points on DoDI 1332.45	1
US00006152	US00006152	No	3/14/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006153	US00006153	No	5/10/2018	LReiner		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF.	4
US00006154	US00006154	No	3/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF.	4
US00006163	US00006163	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of 24 SEPT 18	4
US00006164	US00006164	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of July 2018	4
US00006165	US00006165	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of June 2018	4
US00006166	US00006166	No	8/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2018	4

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US00006167	US00006167	No	1/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2018	4
US00006168	US00006168	No	8/28/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Air Force as of August 2017	4
US00006169	US00006169	No	8/24/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Army as of August 2017	4
US00006170	US00006170	No	8/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the army as of aug 2017	4
US00006171	US00006171	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Army as of Aug 2017	4
US00006172	US00006172	No	8/24/2017	LTC Bukoski, G1 Readiness		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Army as of jul 2017	4
US00006173	US00006173	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the USMC as of JUL 2017	4
US00006174	US00006174	No	8/28/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Navy as of Aug 2017	4
US00006175	US00006175	No	8/24/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the USMC as of JUL 17	4
US00006176	US00006176	No	8/24/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the USMC as of JUL 17	4
US00006177	US00006177	No	1/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of Aug 2017	4

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US00006178	US00006178	No	10/26/2017	Michael Labejsza		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of Aug 2017	4
US00006179	US00006179	No	10/2/2017	MAJ Whittington, G1 Readiness		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2017	4
US00006180	US00006180	No	10/11/2017	MAJ Whittington, G1 Readiness		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2017	4
US00006181	US00006181	No	10/11/2017	Lauer, Cheryl H CAPT OPNAV N1, N13	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) Cc: Hart, Andrew T CAPT USN COMNAVRESFOR NOR VA (US); Trotter, Thomas G CIV USN CHIEF NAVY RESERVE (US); Squier, Renee J CAPT USN DCNO N1 (US); Truesdale, Lisa M CIV USN (US); Strebel, Theresa Maj ASN (M&RA), MMP; Harris, Christopher A CAPT USN DCNO N1 (US); Franzos, Marc Alaric CAPT USN BUMED FCH VA (US); Herrera, Rudolph R Jr CDR USN CHIEF NAVY RESERVE (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding non-deployable numbers for the Navy Reserve	4
US00006182	US00006182	No	10/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Navy as of August 2017	4

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US00006183	US00006183	No	9/29/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the Navy as of August 2017	4
US00006184	US00006184	No	10/17/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2017	4
US00006185	US00006185	No	10/25/2017	Michael Labejsza		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of August 2017	4
US00006186	US00006186	No	10/24/2017	Michael Labejsza		DP - Deliberative Process	Deliberative slide showing data on non-deployable service members.	4
US00006187	US00006187	No	10/17/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006188	US00006188	No	10/10/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides titled: Lethality Working Groups Final Report discussing non-deployable service members.	1
US00006189	US00006189	No	10/25/2017	Unknown	Unknown	DP - Deliberative Process	undated deliberative report on total number of non-deployable personnel for the National Guard	4

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US00006190	US00006190	No	9/27/2017	Kirkpatrick, Caryn L Col USAF AF-A1 (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US); Gammick, Gina M CIV USAF AF-A1 (US); Brady, Jamie S (Scott) CIV USAF SAF-MR (US); Diaz, Gerald (Jerry) CIV USAF AF-A1 (US); Bennett, Ricky E (Rick) CIV USAF AF-A1 (US) Cc: Little, Nekitha M Lt Col USAF AF-A1 (US); Fischer, William D Col USAF AF-A1 (US); Izawa, Emi CIV USAF AF-A1 (US)	DP - Deliberative Process	Deliberative email between DoD personnel gathering data on and discussing discussing non-deployable service members.	4
US00006191	US00006191	No	9/29/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Deliberative spreadsheet tracking codes and categories of non-deployable service members.	4
US00006192	US00006192	No	9/29/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006193	US00006193	No	9/29/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006194	US00006194	No	12/13/2017	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006195	US00006195	No	12/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006196	US00006196	No	12/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006197	US00006197	No	1/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006198	US00006198	No	10/30/2017	Col C Kirkpatrick		DP - Deliberative Process	Deliberative document containing numbers and categories of non-deployable service members.	4
US00006199	US00006199	No	11/14/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Deliberative spreadsheet tracking codes and categories of non-deployable service members.	4
US00006200	US00006200	No	11/14/2017	Col C Kirkpatrick		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006201	US00006201	No	11/27/2017	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006202	US00006202	No	11/27/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Deliberative spreadsheet tracking codes and categories of non-deployable service members.	4
US00006203	US00006203	No	10/23/2017	MAJ Whittington, G1 Readiness		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006204	US00006204	No	11/14/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006205	US00006205	No	11/14/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006206	US00006206	No	11/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006207	US00006207	No	11/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006208	US00006208	No	1/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006209	US00006209	No	3/15/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slide tracking numbers and categories of non-deployable service members.	4
US00006210	US00006210	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006211	US00006211	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006212	US00006212	No	12/8/2017	Col C Kirkpatrick		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006213	US00006213	No	12/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006214	US00006214	No	12/8/2017	MAJ Whittington, G1 Readiness		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006215	US00006215	No	11/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006216	US00006216	No	12/15/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006217	US00006217	No	12/20/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006218	US00006218	No	12/20/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006219	US00006219	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006220	US00006220	No	9/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006221	US00006221	No	9/7/2018	Zimmerman, Patrick J LtCol OSD RA		DP - Deliberative Process	Deliberative slides tracking numbers and categories of service members.	4
US00006222	US00006222	No	8/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006223	US00006223	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006224	US00006224	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006225	US00006225	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006226	US00006226	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006227	US00006227	No	8/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006228	US00006228	No	8/23/2018	Allen, Xavier C MAJ USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document containing analysis of data about non-deployable service members.	4
US00006229	US00006229	No	8/23/2018	Allen, Xavier C MAJ USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document containing analysis of data about non-deployable service members.	4
US00006230	US00006230	No	8/28/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006231	US00006231	No	8/28/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006232	US00006232	No	8/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006233	US00006233	No	8/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006234	US00006235	Yes	9/19/2018	Licari, Anthony D (Tony) LtCol USMC OSD OUSD P-R (US)	Allen, Xavier C MAJ USARMY OSD OUSD P-R (US); Melillo, Michael R CIV OSD OUSD P-R (US) Cc: Percich, David M CIV OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email between DoD personnel providing data regarding numbers of service members.	4
US00006236	US00006236	No	9/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006237	US00006237	No	9/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006238	US00006238	No	10/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006239	US00006239	No	10/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006240	US00006240	No	9/20/2018	Zimmerman, Patrick J LtCol OSD RA		DP - Deliberative Process	Deliberative slides tracking numbers and categories of service members.	4
US00006241	US00006241	No	9/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006242	US00006242	No	9/21/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006243	US00006243	No	9/11/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006244	US00006244	No	9/11/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006245	US00006245	No	9/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006246	US00006246	No	9/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006247	US00006247	No	9/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006248	US00006248	No	10/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006249	US00006249	No	10/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable personnel for the DoD as of OCT 2018	4
US00006250	US00006250	No	10/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable personnel for the DoD as of OCT 2018	4
US00006251	US00006251	No	10/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006252	US00006252	No	10/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable personnel for the DoD as of OCT 2018	4
US00006253	US00006253	No	10/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006254	US00006254	No	10/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006255	US00006255	No	10/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006256	US00006256	No	10/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006257	US00006257	No	10/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006258	US00006258	No	10/26/2018	Oconnor, Thomas R CPT MIL NG NGB ARNG		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006259	US00006259	No	10/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006261	US00006261	No	10/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006262	US00006262	No	10/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006263	US00006263	No	2/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006264	US00006264	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006265	US00006265	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006266	US00006266	No	2/9/2018	TB		DP - Deliberative Process	FOUO Undated deliberative report on total number of non-deployable personnel for the DoD	4
US00006267	US00006267	No	2/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006268	US00006268	No	2/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006269	US00006269	No	2/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative spreadsheet that outlines the total non-deployable population across the DoD as of Nov 2017	4
US00006270	US00006270	No	2/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006271	US00006271	No	1/26/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006272	US00006272	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006273	US00006273	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006274	US00006274	No	2/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006275	US00006275	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006276	US00006276	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006277	US00006277	No	2/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006278	US00006278	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006279	US00006279	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006280	US00006280	No	1/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006281	US00006281	No	2/8/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006282	US00006282	No	2/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006283	US00006283	No	2/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006284	US00006284	No	2/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006285	US00006285	No	2/14/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006286	US00006286	No	2/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006287	US00006287	No	1/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative undated report on total number of non-deployable personnel for the DoD.	4
US00006288	US00006288	No	1/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet containing the numbers of non-deployable service members in the Navy as of November 30, 2017	4
US00006289	US00006289	No	1/19/2018	Col C Kirkpatrick		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006290	US00006290	No	12/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006291	US00006291	No	12/15/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006292	US00006292	No	1/19/2018	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006293	US00006293	No	2/12/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006294	US00006294	No	2/12/2018	Michael Labejsza		DP - Deliberative Process	Draft Deliberative report on total number of non-deployable personnel for the DoD as of Nov 30, 2017	4
US00006295	US00006295	No	2/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006296	US00006296	No	2/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006297	US00006297	No	2/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006298	US00006298	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006299	US00006299	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006300	US00006300	No	3/7/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006301	US00006301	No	4/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006302	US00006302	No	3/9/2018	Michael Labejsza		DP - Deliberative Process	Draft Deliberative report on total number of non-deployable personnel for the DoD as of December 2017	4
US00006303	US00006303	No	3/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006304	US00006304	No	3/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006305	US00006305	No	2/14/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006306	US00006306	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006307	US00006307	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006308	US00006308	No	2/22/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006309	US00006309	No	2/22/2018	TB		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006310	US00006310	No	2/12/2018	Col C Kirkpatrick		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006311	US00006311	No	1/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006312	US00006312	No	1/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006313	US00006313	No	2/12/2018	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006314	US00006314	No	2/12/2018	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006315	US00006315	No	3/15/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF.	4

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US00006316	US00006316	No	3/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006317	US00006317	No	4/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006318	US00006318	No	3/13/2018	Michael Labejsza		DP - Deliberative Process	Deliberative presentation on the monthly non-deployable report for the DoD to the SECDEF.	4
US00006319	US00006319	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006320	US00006320	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006321	US00006321	No	3/20/2018	Rhonda Fraser		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006322	US00006322	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006323	US00006323	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006324	US00006324	No	3/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO, Deliberative presentation on the monthly non-deployable report for the DoD.	4
US00006325	US00006325	No	3/15/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006326	US00006326	No	3/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006327	US00006327	No	3/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006328	US00006328	No	3/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006329	US00006329	No	3/15/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006330	US00006330	No	3/14/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD on March 14, 2018	4
US00006331	US00006331	No	3/14/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD on March 14, 2018	4
US00006332	US00006332	No	3/14/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper on the differences in non-deployable data across the components	4
US00006333	US00006333	No	3/13/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006334	US00006334	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006335	US00006335	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006336	US00006336	No	3/13/2018	TB		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006337	US00006337	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006338	US00006338	No	3/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006339	US00006339	No	3/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006340	US00006340	No	2/28/2018	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006341	US00006341	No	4/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006342	US00006342	No	3/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006343	US00006343	No	10/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006344	US00006344	No	4/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006345	US00006345	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006346	US00006346	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006347	US00006347	No	4/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	pre-decisional document that outlines the total non-deployable population across the DoD	4
US00006348	US00006348	No	4/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006349	US00006349	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006350	US00006350	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006351	US00006351	No	4/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO, deliberative information paper on the March 2018 monthly non-deployable report for the DoD	4
US00006352	US00006352	No	4/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of February 2018	4

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US00006353	US00006353	No	4/16/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of February 2018	4
US00006354	US00006354	No	6/8/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006355	US00006355	No	4/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006356	US00006356	No	4/23/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006357	US00006357	No	3/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of February 2018	4
US00006358	US00006358	No	4/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of February 2018	4
US00006359	US00006359	No	4/3/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006360	US00006360	No	4/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006361	US00006361	No	3/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006362	US00006362	No	4/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006365	US00006365	No	3/19/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006366	US00006366	No	3/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006367	US00006367	No	3/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006368	US00006368	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006369	US00006369	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006370	US00006370	No	3/20/2018	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006371	US00006371	No	10/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006372	US00006372	No	5/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006373	US00006373	No	4/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006374	US00006374	No	4/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006375	US00006375	No	5/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006376	US00006376	No	5/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006377	US00006377	No	5/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006378	US00006378	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of April 2018	4
US00006379	US00006379	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006380	US00006380	No	6/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of April 2018	4
US00006381	US00006381	No	6/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of April 2018	4
US00006382	US00006382	No	10/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006383	US00006383	No	6/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006384	US00006384	No	5/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006385	US00006385	No	5/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006386	US00006386	No	6/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006387	US00006387	No	6/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006388	US00006388	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of May 2018	4

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US00006389	US00006389	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006390	US00006390	No	7/16/2018	Unknown	Unknown	DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of May 2018	4
US00006391	US00006391	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006392	US00006392	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006393	US00006393	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006394	US00006394	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006395	US00006395	No	7/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006396	US00006396	No	7/16/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006397	US00006397	No	8/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the Active component of DoD as of May 2018	4
US00006398	US00006398	No	10/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006399	US00006399	No	6/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006400	US00006400	No	6/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006401	US00006401	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006402	US00006402	Yes	6/29/2018	Brady, Jamie S (Scott) CIV USAF SAF-MR (US)	Memo, Michael R CIV OSD OUSD P-R (US) Cc: Kirkpatrick, Caryn L Col USAF AF-A1 (US); McWhirter, Matthew A Maj USAF AF-A1 (US); Brady, Jamie S (Scott) CIV USAF SAF-MR (US)	DP - Deliberative Process	Deliberative FOUO email conversation between DoD personnel regarding specific update from the Air Force on their non-deployable numbers from May 2018.	4
US00006403	US00006403	No	6/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006404	US00006404	No	6/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006405	US00006405	No	7/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006406	US00006406	No	6/28/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006407	US00006407	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006408	US00006408	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006409	US00006409	No	7/26/2018	PercicDM		DP - Deliberative Process	Deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4

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US00006410	US00006410	No	8/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population form the Active Component across the DoD as of June 2018	4
US00006411	US00006411	No	10/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006412	US00006412	No	8/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006413	US00006413	No	8/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006414	US00006414	No	7/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006415	US00006415	No	8/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006416	US00006416	No	8/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006417	US00006417	No	7/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006418	US00006418	No	8/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006419	US00006419	No	8/9/2018	Michael Labejsza		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006420	US00006420	No	8/14/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006421	US00006421	No	8/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006422	US00006422	No	8/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006423	US00006423	No	8/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of June 2018	4
US00006424	US00006424	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006425	US00006425	No	3/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006426	US00006426	No	11/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006427	US00006427	No	7/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006428	US00006428	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006429	US00006429	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006430	US00006430	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006431	US00006431	No	8/16/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006432	US00006432	No	4/19/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative table of contents for various documents and reports tracking non deployable service members.	4
US00006433	US00006433	No	9/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative table of contents for various documents and reports tracking non deployable service members.	4
US00006434	US00006434	No	4/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006435	US00006435	No	4/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006436	US00006436	No	5/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006437	US00006437	No	5/16/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006438	US00006438	No	11/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006439	US00006439	No	12/8/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006440	US00006440	No	11/22/2017	LUEB, RONALD M GS-13 USAF AFPC AFPC/DSYA		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006441	US00006441	No	11/22/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006442	US00006442	No	12/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006443	US00006443	No	11/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006444	US00006444	No	11/22/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006445	US00006445	No	11/22/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet template tracking numbers and categories of non-deployable service members.	4
US00006446	US00006446	No	12/1/2017	Johnson CTR Timothy L		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006447	US00006447	No	5/7/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document summarizing the deployment limiting conditions for the various COCOMS, marked draft and pre-decisional	4
US00006448	US00006448	No	5/16/2018	Caitlin		DP - Deliberative Process	Deliberative slides presenting information on recruitment and non-deployable service members.	4
US00006449	US00006449	No	4/26/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Draft email language that details a discussion on deployability and the tasks that were given to staff as they work to prepare the monthly non-deployable reports.	4
US00006450	US00006450	No	4/26/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Draft email to the Joint Staff regarding geographic CCMD non-deployability criteria, includes background and tasking.	4
US00006451	US00006451	No	10/9/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006452	US00006452	No	6/8/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006453	US00006453	No	6/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006454	US00006454	No	6/8/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006455	US00006455	No	7/24/2018	TB		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of May 2018	4
US00006456	US00006456	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006457	US00006457	No	7/24/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006458	US00006458	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006459	US00006459	No	8/17/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006460	US00006460	No	8/15/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006461	US00006461	No	10/10/2018	TB		DP - Deliberative Process	Deliberative slides tracking numbers and categories of non-deployable service members.	4
US00006462	US00006462	No	5/16/2018	Caitlin		DP - Deliberative Process	Deliberative presentation titled: Standardization of the Monthly National Defense Strategy Implementation Review (Recruiting, Deployability, & Retention)	4
US00006463	US00006463	No	5/1/2018	LReiner		DP - Deliberative Process	undated draft information paper on the Standardization of the Monthly National Defense Strategy Implementation Review of Personnel Deployability for the Dep SecDef	4
US00006464	US00006464	No	5/16/2018	Caitlin		DP - Deliberative Process	Deliberative slides presenting information on recruitment and non-deployable service members.	4
US00006465	US00006465	No	5/1/2018	LReiner		DP - Deliberative Process	undated information paper on the Standardization of the Monthly National Defense Strategy Implementation Review of Personnel Deployability for the Dep SecDef	4

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US00006466	US00006466	No	5/2/2018	LReiner		DP - Deliberative Process	undated draft information paper on the Standardization of the Monthly National Defense Strategy Implementation Review of Personnel Deployability for the Dep SecDef	4
US00006467	US00006467	No	5/16/2018	LReiner		DP - Deliberative Process	undated information paper on the Standardization of the Monthly National Defense Strategy Implementation Review of Personnel Deployability for the Dep SecDef	4
US00006468	US00006468	No	5/2/2018	Unknown	Unknown	DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of 31 MAR 18	4
US00006469	US00006471	Yes	5/2/2018	Unknown	Unknown	DP - Deliberative Process	FOUO deliberative information on a template used to outline the total non-deployable population across the DoD as of February 2018	4
US00006472	US00006472	No	10/23/2018	Unknown	Unknown	DP - Deliberative Process	deliberative document that outlines the total non-deployable population across the DoD as of FY 2019	4
US00006473	US00006473	No	5/14/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 2 MAY 18 detailing deployment limiting conditions for each COCOM, marked draft and UNCLASSIFIED.	4
US00006474	US00006474	No	5/14/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 26 APR 18 detailing deployment limiting conditions for each COCOM, marked draft, pre-decisional. and UNCLASSIFIED.	4
US00006475	US00006475	No	5/14/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document dated 2 MAY 18 detailing deployment limiting conditions for each COCOM, marked draft and UNCLASSIFIED.	4
US00006476	US00006476	No	5/7/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of FY March 18	4
US00006477	US00006477	No	5/23/2018	Caitlin		DP - Deliberative Process	Deliberative slides presenting information on recruitment and non-deployable service members.	4

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US00006478	US00006478	No	5/23/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Navy	4
US00006479	US00006479	No	5/25/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the USMC	4
US00006480	US00006480	No	8/13/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Air Force and the USMC	4
US00006481	US00006481	No	5/30/2018	Caitlin		DP - Deliberative Process	Deliberative slides presenting information on recruitment and non-deployable service members.	4
US00006482	US00006482	No	6/11/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative template report on total number of deployability of personnel for the services to report their information.	4
US00006483	US00006483	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Navy and the USMC	4
US00006484	US00006484	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Air Force	4
US00006485	US00006485	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Air Force, Navy, and the USMC	4
US00006486	US00006486	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative template report on total number of non-deployable and lethality of personnel for the services to provide their information	4
US00006487	US00006487	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Navy	4
US00006488	US00006488	No	8/1/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the USMC	4

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US00006489	US00006489	No	6/5/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Army as of January 4, 2018	4
US00006490	US00006490	No	6/5/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel for the Army as of June 4, 2018	4
US00006491	US00006491	No	6/5/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel from each service from June 4, 2018	4
US00006492	US00006492	No	6/5/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative report on total number of non-deployable and lethality of personnel from the Services from June 4, 2018	4
US00006493	US00006493	No	5/11/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative template for a report on the number of non-deployable and lethality of personnel for the services to report their information.	4
US00006494	US00006494	No	10/16/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006495	US00006495	No	10/16/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	undated FOUO Deliberative report on total number of non-deployable and lethality of personnel for the DoD	4
US00006496	US00006496	No	10/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006497	US00006497	No	10/15/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	undated FOUO Deliberative report on total number of non-deployable and lethality of personnel for the DoD	4
US00006498	US00006498	No	10/11/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006499	US00006499	No	7/27/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4

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US00006500	US00006500	No	7/27/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006501	US00006501	No	7/27/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet tracking numbers and categories of non-deployable service members.	4
US00006502	US00006502	No	7/26/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	undated FOUO Deliberative template of a report on total number of non-deployable and lethality of personnel for the DoD	4
US00006503	US00006503	No	7/27/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	undated FOUO Deliberative template of a report on total number of non-deployable and lethality of personnel for the DoD	4
US00006504	US00006504	No	7/23/2018	Allen, Xavier C MAJ OSD OUSD P-R		DP - Deliberative Process	deliberative document detailing proposed changes to slides that communicate the National Defense Strategy on non-deployable personnel.	4
US00006505	US00006505	No	7/27/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006506	US00006506	No	7/23/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD	4
US00006507	US00006507	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of May 2018	4
US00006508	US00006508	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	undated deliberative document that outlines the total non-deployable population across the DoD	4
US00006511	US00006511	No	6/28/2018	Bauer, Kent P CIV OSD OUSD P-R (US)		DP - Deliberative Process	draft document outlining the Non-deployable DoDI Approval schedule for July 2018, includes timelines and deliberative assumptions by the staff.	4
US00006512	US00006512	No	4/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1

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US00006527	US00006527	No	3/19/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Undated deliberative document summarizing a justification for the report on Non-Deployable DoD personnel and what the monthly report will contain.	1
US00006531	US00006531	No	3/19/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Undated deliberative document summarizing a justification for the accompanying form DD Form 2936 – to the report on Non-Deployable DoD personnel	1
US00006533	US00006533	No	2/7/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members.	1
US00006534	US00006534	No	3/7/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members.	1
US00006535	US00006535	No	3/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members.	1
US00006536	US00006536	No	4/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members.	1
US00006537	US00006537	No	4/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006538	US00006538	No	3/14/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45, section 3, prior to signature.	1
US00006539	US00006539	No	3/14/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45, section 3, prior to signature.	1
US00006540	US00006540	No	3/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members.	1
US00006541	US00006541	No	4/26/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed.	1
US00006542	US00006542	No	5/11/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006543	US00006543	No	3/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature, includes comments.	1
US00006544	US00006544	No	3/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature, includes comments	1

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US00006545	US00006545	No	4/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature, includes comments.	1
US00006546	US00006546	No	3/22/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members	1
US00006547	US00006547	No	4/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members including comments and notes	1
US00006548	US00006548	No	4/20/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members including comments and notes	1
US00006549	US00006550	Yes	3/20/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the specific responsibilities for the Service Secretaries in DoDI 1332.45	1
US00006551	US00006551	No	3/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members including comments and notes	1
US00006552	US00006552	No	4/20/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006553	US00006553	No	4/17/2018	Unknown	Unknown	DP - Deliberative Process	April 2018 deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel. Staff packages includes comments from the staff on the Draft DoDI for non-deployable personnel.	1
US00006554	US00006554	No	3/19/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Draft copy of DoDI 1300.XX Retention of Non-Deployable Service Members including comments and notes	1
US00006555	US00006556	Yes	4/17/2018	Hanscom CIV Steven M	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) Cc: Strebel Maj Theresa	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding specific language and whether inclusion of that language should be considered in DoDI 1332.45	1

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US00006557	US00006557	No	6/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006558	US00006558	No	5/15/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by DoD staff.	1
US00006559	US00006563	Yes	5/8/2018	Johnson, Eric R CAPT USN OSD OUSD P-R (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding specific language and whether inclusion of that language should be considered in DoDI 1332.45, in addition to other questions on this topic	1
US00006564	US00006564	No	5/8/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by DoD staff.	1
US00006565	US00006565	No	5/15/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by DoD staff.	1
US00006566	US00006566	No	5/15/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006567	US00006567	No	6/4/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document from May 2018 detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006568	US00006568	No	5/7/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document from May 2018 detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006569	US00006573	Yes	5/7/2018	Johnson, Eric R CAPT USN OSD OUSD P-R (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the specific responsibilities for the Service Secretaries in DoDI 1332.45	1
US00006574	US00006574	No	5/15/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1

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US00006578	US00006578	No	6/4/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006579	US00006579	No	6/4/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00006581	US00006581	No	6/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006582	US00006582	No	6/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006583	US00006583	No	6/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006584	US00006584	No	7/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006585	US00006585	No	7/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006586	US00006586	No	7/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006587	US00006587	No	7/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006588	US00006588	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006589	US00006589	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006590	US00006590	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006591	US00006591	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006592	US00006592	No	7/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, 2 July 2018 version of of DoDI 1332.45 prior to signature.	1
US00006593	US00006593	No	7/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, 5 JULY 2018 version of DoDI 1332.45 prior to signature.	1
US00006594	US00006594	No	7/1/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1

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US00006595	US00006595	No	7/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006596	US00006596	No	7/3/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006597	US00006597	No	7/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006598	US00006598	No	7/6/2018	MintzT		DP - Deliberative Process	Deliberative unsigned action memo titled: Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006605	US00006605	No	7/6/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006606	US00006606	No	7/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB with edits	1
US00006609	US00006609	No	7/6/2018	OUSD-PR		DP - Deliberative Process	Deliberative coordination sheet for DoDI 1332.JB	1
US00006610	US00006610	No	7/6/2018	OUSD P&R		DP - Deliberative Process	Deliberative cover memo discussing DoDI 1332.JB review process	1
US00006612	US00006612	No	7/19/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006615	US00006615	No	7/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006616	US00006616	No	7/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006617	US00006617	No	7/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB with edits and comments	1
US00006618	US00006618	No	7/16/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006620	US00006620	No	7/16/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006621	US00006621	No	7/13/2018	BerrioJS		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006622	US00006622	No	7/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1

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US00006623	US00006623	No	7/18/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006626	US00006626	No	7/16/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006627	US00006627	No	7/18/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006628	US00006628	No	7/18/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006629	US00006629	No	7/12/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006630	US00006630	No	7/17/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006631	US00006631	No	7/18/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments from the staff offices to the DoDI 1332.45revisions as it was being developed.	1
US00006632	US00006632	No	7/17/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006635	US00006635	No	7/17/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006636	US00006636	No	7/17/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006637	US00006637	No	7/17/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006638	US00006638	No	7/18/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006643	US00006643	No	7/10/2018	Nathalie Holberg		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006644	US00006644	No	7/10/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006645	US00006645	No	7/18/2018	OUSD-PR		DP - Deliberative Process	Unsigned deliberative action memo titled: Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006646	US00006646	No	7/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1

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US00006647	US00006647	No	7/12/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006648	US00006648	No	7/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006649	US00006649	No	7/17/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006650	US00006650	No	7/18/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB with edits and comments	1
US00006651	US00006651	No	7/23/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members" with edits	1
US00006652	US00006652	No	7/23/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members" with edits	1
US00006653	US00006653	No	7/23/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006654	US00006654	No	7/23/2018	Directives Division		DP - Deliberative Process	Deliberative list of coordinating officials with comments for DoDI 1332.JB	1
US00006655	US00006655	No	7/20/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006656	US00006656	No	7/19/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006657	US00006657	No	7/19/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006658	US00006658	No	7/20/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006660	US00006660	No	7/24/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1

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US00006661	US00006661	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006662	US00006662	No	7/24/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006664	US00006664	No	7/24/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006665	US00006665	No	7/24/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006666	US00006666	No	7/24/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006668	US00006668	No	7/26/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006669	US00006669	No	7/26/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members" with edits	1
US00006670	US00006670	No	7/24/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006671	US00006671	No	7/26/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1
US00006673	US00006673	No	7/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006674	US00006674	No	7/25/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006676	US00006676	No	7/26/2018	OUUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled:Department of Defense Instruction 1332.jb, "Retention Determinations for Non-Deployable Service Members"	1

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US00006678	US00006678	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006681	US00006681	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006702	US00006805	Yes	8/1/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff and the draft version of the DoDi with redline comments on the document.	1
US00006806	US00006806	No	7/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006807	US00006807	No	7/31/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff and a draft version of DoDI 1332.45 that shows the redline edits on the document.	1
US00006808	US00006808	No	7/30/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006809	US00006809	No	7/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1332.JB	1
US00006810	US00006810	No	7/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006811	US00006811	No	7/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	undated and deliberative version of DoDI 1332.45 prior to signature.	1
US00006812	US00006812	No	8/16/2018	Michael Melillo		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006813	US00006813	No	8/14/2018	Michael Labejsza		DP - Deliberative Process	Deliberative power point presentation on DoDI 1332.45 and non-deployable personnel.	1
US00006814	US00006814	No	8/16/2018	OUSD-PR		DP - Deliberative Process	Deliberative information memorandum and talking points for the Dep SecDef on DoDI 1332.45 and non-deployable personnel.	1

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US00006815	US00006815	No	7/31/2018	Pickard		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel that includes possible questions and answers for public affairs personnel as of July 31, 2018	1
US00006816	US00006817	Yes	7/6/2018	Dawkins, Latasha S CIV DODHRA HQ (US)	Memo, Michael R CIV OSD OUSD P-R (US); Kline, Dana F CIV OSD OUSD P-R (US) Cc: Mattison, Richard W CTR (US); Colleton, Artesia S CTR (US); Thomas, Correy T CIV DODHRA HQ (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the briefing schedule to inform leadership of coordination of DoDI 1332.	1
US00006851	US00006851	No	8/30/2018	Bauer, Kent P CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper and questions and answers on DoDI 1332.45 and non-deployable personnel for Public Affairs personnel	1
US00006852	US00006852	No	2/8/2018	LeeA1		DP - Deliberative Process	Deliberative information paper and talking points as of February 8, 2018 on non-deployable personnel	1
US00006853	US00006853	No	1/31/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)		DP - Deliberative Process	draft document detailing questions and answers for the public affairs staff on the non-deployability issue	1
US00006854	US00006854	No	7/30/2018	Michael Labejsza		DP - Deliberative Process	deliberative powerpoint presentation on DoDI 1332.45 for the Senate Armed Services Committee as of July 30, 2018	1
US00006855	US00006855	No	7/30/2018	Michael Labejsza		DP - Deliberative Process	deliberative powerpoint presentation on DoDI 1332.45 for the Senate Armed Services Committee as of July 30, 2018	1
US00006856	US00006856	No	7/25/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement with edits regarding DoD policy on retention of non-deployable service members.	1

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US00006857	US00006857	No	6/14/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006858	US00006860	Yes	1/23/2018	Gleason, Carla M Maj USAF OSD PA (US)	LTC USARMY OSD OUSD P-R (US); Ross, Gary L CDR USN OSD PA (US); Eastburn, David W MAJ USARMY OSD PA (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Mulcahy, Patricia SES OSD OUSD P-R (US); OSD Pentagon PA List DPO PR; Nokes, David L CIV OSD PA (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding questions and answers on specific non-deployable policy questions as they relate to DoD 1332.45	1
US00006861	US00006861	No	7/31/2018	SnyderWL		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006862	US00006862	No	7/31/2018	SnyderWL		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006863	US00006863	No	7/31/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006864	US00006864	No	7/27/2018	PickardD		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of July 27, 2018	4
US00006865	US00006865	No	7/31/2018	PickardD		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of July 30, 2018	4

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US00006866	US00006866	No	7/31/2018	Pickard		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of July 30, 2018 and includes draft questions and answers for the public affairs staff.	1
US00006867	US00006867	No	7/26/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006868	US00006868	No	7/26/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006869	US00006869	No	10/9/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	draft document detailing questions and answers for the public affairs staff on the non-deployability issue	1
US00006870	US00006870	No	9/28/2018	Michael Labejsza		DP - Deliberative Process	deliberative PowerPoint presentation on DoDI 1332.45 for the House Armed Services Committee as of July 30, 2018	1
US00006871	US00006871	No	10/15/2018	Michael Labejsza		DP - Deliberative Process	deliberative PowerPoint presentation on DoDI 1332.45 for the House Armed Services Committee as of October 15, 2018	1
US00006872	US00006872	No	9/26/2018	TB		DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the DoD as of 31 Aug 18	4
US00006873	US00006873	No	7/30/2018	Michael Labejsza		DP - Deliberative Process	deliberative PowerPoint presentation on DoDI 1332.45 for the Senate Armed Services Committee as of July 30, 2018	1
US00006874	US00006874	No	10/18/2018	Garza Capt Raul P		DP - Deliberative Process	deliberative PowerPoint presentation on DoDI 1332.45 as it pertains to the USMC for the House Armed Services Committee as of October 23, 2018	1
US00006875	US00006875	No	9/7/2018	Jovanovic, Olivera, CTR, DHA		DP - Deliberative Process	Draft Health Affairs Responses to Media Questions Regarding Deployability, Medications Impacting Deployability, and Human Immunodeficiency Virus as of September 4, 2018	1

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US00006876	US00006876	No	9/20/2018	Maxwell, Jessica R CIV OSD PA (US)	Alex Berg Cc: George Steptoe; OSD Pentagon PA List DPO PR	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding possible questions from the media and proposed answers for both the Public affairs staff and other leadership.	1
US00006877	US00006877	No	9/4/2018	Jovanovic, Olivera, CTR, DHA		DP - Deliberative Process	Draft Health Affairs Responses to Media Questions Regarding Deployability, Medications Impacting Deployability, and Human Immunodeficiency Virus as of August 30, 2018	1
US00006878	US00006880	Yes	2/20/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)	Carnell, C M (Cherrie) CMSgt USAF OSD OUSD P-R (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation regarding the timeline that leadership will be briefing various stakeholders on other non-HIV related tasks.	1
US00006881	US00006881	No	2/22/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	undated deliberative document detailing post-release requests that the media has made on the non-deployability policy.	1
US00006882	US00006882	No	2/15/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	draft document detailing questions and answers for the MSO/VSO round table on the non-deployability policy rollout.	1
US00006883	US00006883	No	2/22/2018	Cody, Michael P CDR OSD PA		DP - Deliberative Process	draft undated document detailing possible questions and answers for the Under Secretary Wilke from a member of the media on the non-deployability issue.	1

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US00006884	US00006884	No	2/16/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)	NORES, David E CIV OSD PA (US) Cc: Gleason, Carla M Maj USAF OSD PA (US); Melillo, Michael R CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Delibertative email conversation between DOD personnel regarding possible questions from the media and proposed answers for both the MSO and VSO community on the universal retention policy.	1
US00006886	US00006886	No	2/16/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	Bruner, A E (Al) CIV OSD HA (US); Stevens, Bret CIV OSD OUSD P-R (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Bauer, Kent P CIV OSD OUSD P-R (US)	DP - Deliberative Process	Delibertative email conversation between DOD personnel regarding possible questions and proposed answers for both the MSO and VSO community and the media on the universal retention policy.	1
US00006896	US00006896	No	10/3/2018	Michael Labejsza		DP - Deliberative Process	deliberative PowerPoint presentation on DoDI 1332.45 for the House Armed Services Committee as of OCT 2018	1
US00006897	US00006897	No	10/3/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft responses to Media inquiries regarding Non-deployable Retention Policy dated October 2, 2018	1
US00006898	US00006898	No	9/28/2018	Pickard		DP - Deliberative Process	Draft, undated, and deliberative version of public affairs guidance for DoDI 1332.45 prior to signature.	1
US00006899	US00006899	No	2/13/2018	EITSD		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the roll-out plan for the DoD policy on non-deployable service members as of Feb 13, 2018	1
US00006900	US00006900	No	2/15/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1

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US00006901	US00006901	No	2/13/2018	VanWiEP		DP - Deliberative Process	pre-decisional, deliberative document the draft media statement on the roll-out plan for the DoD policy on non-deployable service members	1
US00006902	US00006902	No	2/13/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)		DP - Deliberative Process	pre-decisional, deliberative document the draft media statement on the roll-out plan for the DoD policy on non-deployable service members	1
US00006903	US00006903	No	2/5/2018	CodyMP		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006904	US00006904	No	2/8/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006905	US00006905	No	2/9/2018	EITSD		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the roll-out plan for the DoD policy on non-deployable service members as of Feb 8, 2018	1
US00006906	US00006906	No	2/9/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006907	US00006907	No	2/13/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00006908	US00006908	No	2/8/2018	LReiner		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006909	US00006909	No	10/1/2018	SnyderWL		DP - Deliberative Process	pre-decisional information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006910	US00006910	No	9/27/2018	Eric Pahon		DP - Deliberative Process	Draft email communication regarding an invitation from OEPM to the force to participate in a roundtable on the Department's non-deployability policy, dated Sept 28, 2018	4

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US00006911	US00006911	No	9/27/2018	BabbHS		DP - Deliberative Process	Draft document regarding an opportunity to discuss with the force in a roundtable format the Department's non-deployability policy, dated June 6, 2018	4
US00006920	US00006920	No	10/4/2018	PerryPA		DP - Deliberative Process	Deliberative draft version of the U.S. Army retention policy for Non-deployable Soldiers, includes redlines throughout the document.	1
US00006921	US00006921	No	10/24/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft version of the the U.S. Army retention policy for Non-deployable Soldiers, includes handwritten note	1
US00006941	US00006941	No	2/23/2018	OUSD-PR		DP - Deliberative Process	Draft, unsigned version of a letter to the director or the VFW regarding retention of non-deployable service members.	1
US00006942	US00006942	No	2/28/2018	MSG ROBERSON		DP - Deliberative Process	Draft, unsigned version of a letter to the director or the VFW regarding retention of non-deployable service members.	1
US00006943	US00006943	No	3/9/2018	MSG ROBERSON		DP - Deliberative Process	Draft, unsigned version of a letter to the director or the Wounded Warrior Project regarding retention of non-deployable service members.	1
US00006944	US00006944	No	2/22/2018	OUSD-PR		DP - Deliberative Process	Draft, unsigned version of a letter to the director or the VFW regarding retention of non-deployable service members.	1
US00006947	US00006955	Yes	2/22/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative comments by OSD offices and the Services regarding the policy as it appears	1
US00006956	US00006956	No	2/16/2018	knightra		DP - Deliberative Process	Deliberative flowchart for non-deployable review process that could be followed if new regulations implemented	1
US00006957	US00006957	No	12/1/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006958	US00006958	No	12/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006959	US00006959	No	10/24/2018	Michael Melillo		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1

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US00006960	US00006960	No	12/5/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, undated, and deliberative version of DoDI 1332.45 prior to signature.	1
US00006962	US00006962	No	1/17/2018	LORNA GEGGIS		DP - Deliberative Process	FOUO, pre-decisional information paper and talking points on DoDI 1332.45 and non-deployable personnel.	1
US00006963	US00006963	No	1/30/2018	LORNA GEGGIS		DP - Deliberative Process	FOUO, pre-decisional information paper and talking points on DoDI 1332.45 and non-deployable personnel as of January 2018	1
US00006964	US00006964	No	2/8/2018	LORNA GEGGIS		DP - Deliberative Process	FOUO, pre-decisional information paper and talking points on DoDI 1332.45 and non-deployable personnel as of Jan 2018	1
US00006965	US00006965	No	1/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative comments from the Army on the DoD Retention policy for Non-deployable service members from Jan 2018	1
US00006966	US00006966	No	1/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative recommendation to the VDJS on the DoD Retention Policy for non-deployable Service members	1
US00006967	US00006967	Yes	1/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative signature blocks on the concurrence line for the staff package for DoDI 1332.45	4
US00006968	US00006968	No	1/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative memorandum for the USDP&R from the Air Force regarding DoD retention policy for non-deployable service members that includes additional commentary from the Air Force on the policy.	1
US00006969	US00006969	Yes	1/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative coordination sheet for the DoD policy on retention of non-deployable service members,	1
US00006970	US00006970	No	12/4/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the the Services regarding the DoD retention policy for non-deployable service members, includes redline edits and comments.	1

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US00006971	US00006971	No	12/5/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the DoD regarding the DoD retention policy for non-deployable service members, includes redline edits and comments.	1
US00006972	US00006972	No	12/5/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the DoD regarding the DoD retention policy for non-deployable service members, includes redline edits and comments.	1
US00006973	US00006973	No	11/30/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the DoD regarding the DoD retention policy for non-deployable service members	1
US00006974	US00006974	No	12/4/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the DoD regarding the DoD retention policy for non-deployable service members, includes redline edits and comments.	1

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US00006975	US00006975	No	12/4/2017	Hanscom CIV Steven M	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US); Truesdale, Lisa M CIV USN (US); Strebel Maj Theresa Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Ward, Gaines L Col USMC MARFORPAC (US); Swain, Calvin F Jr CIV USMC MANDR AFFAIRS (US); Tavuchis, Christopher A Col USMC PANDR (US); Clifford, Paul B II Maj USMC MANDR AFFAIRS (US); Bridges, Michael D CIV USN (US); Janiczek, Rudolph M Col USMC MARFORPAC (US); Wilson, Blake M Col USMC MCB QUANTICO (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel and regarding the USMC response to the DoD retention policy for non-deployable service members.	1
US00006976	US00006976	No	11/30/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft, deliberative memorandum for the DoD regarding the DoD retention policy for non-deployable service members	1
US00006977	US00006977	No	9/11/2018	Cole, Christie D CIV NPC, Pers-454		DP - Deliberative Process	Draft, deliberative Navy instruction on deployability assessment and assignment program.	1
US00006978	US00006978	No	1/18/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1

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US00006979	US00006979	No	1/18/2018	MSG ROBERSON		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006980	US00006980	No	1/18/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006981	US00006981	No	1/18/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006982	US00006982	No	2/7/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006983	US00006983	No	2/7/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006987	US00006987	No	1/18/2018	MckeagAK		DP - Deliberative Process	Deliberative internal coordinating materials for DoD Retention Policy for Non-Deployable Service Members	1
US00006988	US00006988	No	1/16/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft memo titled: DoD Retention Policy for Non-Deployable Service Members.	1
US00006989	US00006989	No	1/10/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft memo titled: DoD Retention Policy for Non-Deployable Service Members.	1
US00006990	US00006990	No	1/16/2018	OUSD-PR		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006991	US00006991	No	1/26/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Determinations for Non-Deployable Service Members	1
US00006992	US00006992	No	1/26/2018	MSG ROBERSON		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006993	US00006993	No	1/26/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1

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US00006994	US00006994	No	1/26/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00006996	US00006996	No	1/26/2018	OUSD-PR		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006997	US00006997	No	1/26/2018	OUSD P&R		DP - Deliberative Process	draft cover memo for the OEPM staff package for the guidance on non-deployable service members.	1
US00006998	US00006998	No	2/7/2018	OUSD-PR		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00006999	US00006999	Yes	3/1/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative comments from the Office of ASN(M&RA) on the DoD policy for non-deployable service members.	1
US00007000	US00007001	Yes	2/27/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative language detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00007002	US00007002	No	3/28/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative language detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00007003	US00007003	No	2/8/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00007004	US00007004	No	2/8/2018	LReiner		DP - Deliberative Process	Deliberative unsigned memo titled: DoD Retention Policy for Non-Deployable Service Members	1
US00007005	US00007005	No	2/8/2018	OUSD-PR		DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00007006	US00007006	No	1/10/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00007007	US00007007	No	1/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft memo titled: DoD Retention Policy for Non-Deployable Service Members with comment coordination sheet.	1

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US00007009	US00007009	No	1/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00007011	US00007011	No	3/13/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: Aggregate Numbers of Non-Deployable Service Members from each Service	4
US00007012	US00007012	No	3/14/2018	LReiner		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and numbers of non-deployable personnel.	1
US00007013	US00007013	No	3/14/2018	LReiner		DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45 and numbers of non-deployable personnel.	1
US00007014	US00007014	No	3/19/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00007015	US00007015	No	3/13/2018	Unknown	Unknown	DP - Deliberative Process	March 2018 deliberative tasker directing staff to start an info memo on non-deployable personnel from each service	4
US00007016	US00007016	No	3/20/2018	Unknown	Unknown	DP - Deliberative Process	deliberative document that outlines the total non-deployable population across the DoD as of 15 March 2018	4
US00007017	US00007017	No	3/29/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: Monthly Non-Deployable Report and Analysis	4
US00007018	US00007018	No	3/29/2018	LReiner		DP - Deliberative Process	undated draft information paper on the Review of Personnel Deployability report for the Dep SecDef	4
US00007019	US00007019	No	3/29/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	March 29, 2018 information paper on the March non-deployable report focused on the Active Component	4
US00007020	US00007020	No	3/29/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	March 29, 2018 information paper on the March non-deployable report focused on the Active Component	4
US00007021	US00007021	No	4/2/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO deliberative document that outlines the total non-deployable population across the DoD as of Feb. 28, 2018	4

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US00007022	US00007022	No	3/29/2018	Reid, Eric LtCol SD	Mohler, Hallock CAPT SD Sweeney, Kevin SES SD; Faller, Craig RADM SD; Verga, Peter SES SD; Raymond, Philip COL SD; Walsh, Laurel Col SD; LeGree, Larry CAPT SD	DP - Deliberative Process	Deliberative email conversation between DoD personnel and information paper on the aggregate number of non-deployable personnel from each service as of January 31, 2018	4
US00007025	US00007025	No	4/3/2018	LReiner		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF.	4
US00007026	US00007026	No	4/3/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper on the March 2018 monthly non-deployable report for the DoD to the SECDEF.	4
US00007027	US00007027	No	4/5/2018	LReiner		DP - Deliberative Process	Deliberative information paper on the Febraury 2018 non-deployable report for the DoD to the SECDEF.	4
US00007028	US00007028	No	4/5/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative information paper on the March 2018 non-deployable report for the DoD to the SECDEF.	4
US00007029	US00007029	No	4/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO Deliberative document on the numbers for the monthly non-deployable report for the DoD to the SECDEF for the month of February 2018.	4
US00007030	US00007030	No	4/4/2018	LReiner		DP - Deliberative Process	FOUO Deliberative information paper for the monthly non-deployable report for the DoD to the SECDEF for the month of February 2018.	4
US00007031	US00007031	No	4/5/2018	LReiner		DP - Deliberative Process	Deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF for the month of February 2018.	4
US00007032	US00007032	No	4/4/2018	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper on the monthly non-deployable report for the DoD to the SECDEF for the month of March 2018.	4

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US00007033	US00007033	No	4/4/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO Deliberative document on the numbers for the monthly non-deployable report for the DoD to the SECDEF for the month of February 2018.	4
US00007034	US00007034	No	4/4/2018	Unknown	Unknown	DP - Deliberative Process	FOUO Deliberative package containing a spreadsheet and information paper on the numbers for the monthly non-deployable report for the DoD to the SECDEF for the month of February 2018.	4
US00007035	US00007035	No	5/9/2018	OUSD-PR		DP - Deliberative Process	Deliberative unsigned action memo titled: Deployment Limiting Criteria for each Geographic Combatant Command	1
US00007036	US00007036	No	5/8/2018	LRReiner		DP - Deliberative Process	Deliberative information memorandum regarding deployment limiting conditions for each COCOM, marked	1
US00007037	US00007037	No	4/25/2018	Stephanie Barna		DP - Deliberative Process	Deliberative spreadsheet regarding non-deployability across the services and deployment limiting conditions for each COCOM, also lists recommended approaches for each issue	1
US00007038	US00007038	No	5/16/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for DoDI 1332.JB	1
US00007039	US00007039	No	5/10/2018	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD as of January 31st 2018.	4
US00007040	US00007040	No	4/3/2018	MettsWA		DP - Deliberative Process	undated deliberative document entitled lethality actions tracker that lists the specific tasks necessary to increase lethality across the force.	4
US00007041	US00007041	No	4/17/2018	MettsWA		DP - Deliberative Process	undated deliberative document entitled lethality actions tracker that lists the specific tasks necessary to increase lethality across the force.	4

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US00007042	US00007042	No	10/23/2018	Foley, Roger J Jr CPT USARMY OSD OUSD P-R (US)		DP - Deliberative Process	undated deliberative document entitled lethality actions tracker that lists the specific tasks necessary to increase lethality across the force.	4
US00007043	US00007043	No	10/2/2018	Foley, Roger J Jr CPT USARMY OSD OUSD P-R (US)		DP - Deliberative Process	undated deliberative document entitled lethality actions tracker that lists the specific tasks necessary to increase lethality across the force.	4
US00007044	US00007044	No	10/3/2018	Foley, Roger J Jr CPT USARMY OSD OUSD P-R (US)		DP - Deliberative Process	undated deliberative document entitled lethality actions tracker that lists the specific tasks necessary to increase lethality across the force.	4
US00007045	US00007045	No	4/24/2018	MettsWA		DP - Deliberative Process	undated deliberative document setting out the specific tasks necessary to increase lethality across the force.	4
US00007046	US00007046	No	12/28/2017	Michael Melillo		DP - Deliberative Process	FOUO, pre-decisional information paper dated Dec 22, 2017 regarding non-deployable personnel and the use of the Standby Reserve as an alternative to processing individuals for separation.	1
US00007047	US00007047	No	10/10/2017	LabejsMA		DP - Deliberative Process	Deliberative document titled: Lethality Working Groups Plans of Action and Milestones	1
US00007048	US00007048	No	11/27/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides titled: DoD Universal Retention Policy for the MPP Working Group Meeting 28 November 2017.	1
US00007049	US00007049	No	10/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative minutes of the MPP working group #10 meeting from October 26, 2017, includes due-outs for next meetings.	1
US00007050	US00007050	No	8/16/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00007051	US00007051	Yes	#####	Mulcahy, Patricia SES OSD OUSD P-R (US) (patricia.mulcahy.civ@mail.mil)	Kuzara, Michael J LTC USARMY OSD CAPE (US) <michael.j.kuzara.mil@mail.mil>; Kolb, Michael K COL USARMY OSD CAPE (US) <michael.k.kolb.mil@mail.mil>; Stevens, Bret CIV OSD OUSD P-R (US) <bret.stevens1.civ@mail.mil>Melillo, Michael R CIV OSD OUSD P-R (US) <michael.r.melillo4.civ@mail.mil>; Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) <rebekah.s.lust.mil@mail.mil>; Pannullo, Jerome E SES OSD CAPE (US) <jerome.e.pannullo.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding efforts of the Non-deployable working group to provide cost estimates to leadership on this cohort of service members.	1
US00007052	US00007052	No	9/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	undated deliberative document regarding possible non-deployable working group questions	1
US00007223	US00007223	No	7/12/2017	Ops Briefers		DP - Deliberative Process	Deliberative Slides titled: DoD Balanced Scorecard Individual Medical Readiness Metrics July 14, 2017.	1
US00007381	US00007381	No	9/25/2017	Blalock, Brian, LtCol, DHA		DP - Deliberative Process	Deliberative PowerPoint presentation detailing a comparison of individual medical readiness requirements by DoD service component with proposed changes	1

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US00007383	US00007383	No	7/21/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative PowerPoint presentation that outlines the total non-deployable population across the DoD as of OCT 2014	4
US00007388	US00007388	No	8/10/2017	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	undated deliberative document that outlines the total non-deployable population across the DoD	4
US00008850	US00008850	No	8/14/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00008852	US00008852	No	10/25/2017	Gammick, Gina M CIV USAF AF-A1 (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) Cc: Brady, Jamie S (Scott) CIV USAF SAF-MR (US); Kirkpatrick, Caryn L Col USAF AF-A1 (US); Little, Nekitha M Lt Col USAF AF-A1 (US); Gammick, Gina M CIV USAF AF-A1 (US)	DP - Deliberative Process	Deliberative email chain circulating data regarding non-deployable air force service members.	4
US00008853	US00008853	No	10/19/2017	BROWN, DAVID A GS-13 USAF AFPC AFPC/DPAPS		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00008854	US00008854	No	3/13/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00008855	US00008855	No	3/13/2018	BOATNER, MARGARET E GS-12 USAF HAF SAF/SAF/MR		DP - Deliberative Process	undated deliberative document that outlines and provides context for the the total non-deployable population across the AF	4
US00008856	US00008856	No	10/19/2017	BROWN, DAVID A GS-13 USAF AFPC AFPC/DPAPS		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00008857	US00008857	No	8/11/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	undated deliberative document that outlines and provides context for the the total non-deployable population across the AF	4
US00009183	US00009183	No	10/17/2017	Unknown	Unknown	DP - Deliberative Process	Draft information paper on readiness and lethality working groups that includes several topics considered in the decision making process	1
US00009184	US00009184	No	11/1/2017	Johnson, Helen R COL USARMY HQDA OTSG (US)		DP - Deliberative Process	undated draft information paper on the consideration of Expedited Separation during the DES from the Army.	1
US00009319	US00009319	No	8/7/2017	Bukoski, Franklin J MAJ MIL USA HQDA DCS G-1		DP - Deliberative Process	Deliberative spreadsheet containing the various codes that service members receive when they are non-deployable.	4
US00009340	US00009340	No	8/10/2017	LTC Bukoski, G1 Readiness		DP - Deliberative Process	Deliberative Slides titled: Individual Deployability Summary	1
US00009342	US00009342	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009344	US00009344	No	9/13/2017	Davis, William		DP - Deliberative Process	undated draft version of the First Annual Cost and Payout Report on the Impact of the Disability Evaluation System (DES)	1
US00009345	US00009345	No	9/20/2017	MontinMJ		DP - Deliberative Process	draft, pre-decisional review of the Disability Evaluation System (DES) performance goal and standards	1
US00009457	US00009457	No	3/26/2018	Jack, Jarrett R Lt Col USAF DHA DEPLOY HEALTH (US)	Caviccina, Melinda A COL USARMY DHA PUB HEALTH (US) Cc: Jones, Steven P CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding efforts of the Military personnel policy working group to draft a non-deployable DoDI and to generate non-deployable numbers for leadership.	1
US00009458	US00009458	No	3/21/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft copy of DoDI 1300.## with edits.	1

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US00009459	US00009460	Yes	2/12/2018	Jack, Jarrett R Lt Col USAF DHA DEPLOY HEALTH (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) Cc: Cavicchia, Melinda A COL USARMY DHA PUB HEALTH (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding a change in the IMR rate from 85% to 90% and the various agencies who could review that decision.	1
US00009523	US00009523	No	10/27/2016	Sikorski, Cynthia S CDR NPC/BUPERS, Pers-8M		DP - Deliberative Process	FOUO deliberative document that outlines the Deployability Assessment Branch for the Navy Career Counselor's symposium, dated August 2016.	1
US00009525	US00009525	No	9/28/2017	Unknown	Unknown	DP - Deliberative Process	Draft, undated, and deliberative version of OPNAINST 1300 prior to signature that has handwritten notes on it.	1
US00009526	US00009526	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009527	US00009527	Yes	4/8/2018	Franzos, Marc Alaric CAPT USN BUMED FCH VA (US)	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding specific language and whether inclusion of that language should be considered in DoDI 1332.45	1
US00009607	US00009607	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009608	US00009608	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009609	US00009609	No	9/12/2017	Michael Labejsza		DP - Deliberative Process	Deliberative MPP Working Group slides on non-deployability.	1

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US00009610	US00009610	No	9/7/2017	Mulcahy, Patricia SES OSD OUSD P-R (US)	Salo, Donald G Jr SES USARMY HQDA ASA MRA (US); Mayo, Jeffrey R SES USAF SAFMR (US); McNeely, Kevin L MG USARMY NG NGB (US); Pannullo, Jerome E SES OSD CAPE (US); Adirim, Terry A SES OSD HA (US); Barrow, Brent H CIV OSD OUSD P-R (US); Kremer, Kyle J Brig Gen USAF JS J1 (US) Cc: Nowell, John B Jr RADM USN (US); Benedict, Scott F BGen USMC (US); Strobl, Michael R SES USMC MANDR AFFAIRS (US); Calloway, Joseph R BG USARMY HQDA DCS G-1 (US); Engelbaum, Mark R SES USAF AF-A1 (US); Crowley, Kevin J CIV NG NGB (US); Hebert, Lernes J SES OSD OUSD P-R (US); Melillo, Michael R CIV OSD OUSD P-R (US); Lust, Rebekah S	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the MPP working group, updates to the Non-deployable policy, and next steps in the policy change	1
US00009611	US00009611	No	9/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, draft, deliberative document that outlines the total non-deployable population across the DoD as of September 2017	4

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US00009612	US00009612	No	7/1/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on the non-deployable population across the DoD to the SECDEF as of July 2018, includes handwritten notes.	1
US00009613	US00009613	No	10/16/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative slides titled Military Department Feedback regarding non-deployability.	1
US00009615	US00009615	No	8/30/2017	Michael Melillo		DP - Deliberative Process	Draft, deliberative information paper on personnel polices to enhance readiness and lethality for the DepSecDef as of September 2017	1
US00009616	US00009616	No	8/24/2017	Michael Melillo		DP - Deliberative Process	Draft, deliberative information paper on personnel polices to enhance readiness and lethality for the DepSecDef as of September 2017	1
US00009617	US00009617	No	10/11/2017	Michael Melillo		DP - Deliberative Process	Draft, deliberative information paper on personnel polices to enhance readiness and lethality as of OCT 2017	1
US00009618	US00009618	No	9/14/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009619	US00009619	No	9/14/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009620	US00009620	No	9/15/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009621	US00009621	No	11/1/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009622	US00009622	No	11/2/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009623	US00009623	No	11/2/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1

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US00009624	US00009624	No	11/2/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009625	US00009625	No	11/1/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009626	US00009626	No	11/1/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009627	US00009627	No	11/1/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009628	US00009628	No	9/8/2017	LabejsMA		DP - Deliberative Process	Deliberative document titled: Lethality Working Groups Plans of Action and Milestones	1
US00009629	US00009629	No	9/8/2017	LabejsMA		DP - Deliberative Process	Draft, document on Administrative and Personnel Policies to Enhance Readiness and Lethality Working Group and the tasks that specific individuals will be responsible for as the group complies its final report	1
US00009630	US00009630	No	9/13/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009631	US00009631	No	10/16/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009632	US00009632	No	9/15/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Lethality working group regarding non-deployability.	1
US00009633	US00009633	No	9/15/2017	LabejsMA		DP - Deliberative Process	Deliberative document titled: Lethality Working Groups Plans of Action and Milestones	1
US00009634	US00009634	No	9/1/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Lethality working group regarding non-deployability.	1
US00009635	US00009635	No	10/27/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Lethality working group regarding non-deployability.	1

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US00009636	US00009636	No	8/15/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009637	US00009637	No	8/15/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009638	US00009638	No	8/17/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009639	US00009639	No	9/14/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009640	US00009640	No	11/3/2017	MettsWA		DP - Deliberative Process	undated, FOUO, pre-decisional version of the Personnel Polices to Enhance Readiness and Lethality work group - FINAL REPORT	1
US00009641	US00009641	No	11/16/2017	MettsWA		DP - Deliberative Process	undated, FOUO, pre-decisional annex to the a version of the Personnel Polices to Enhance Readiness and Lethality work group's final report, contains comments from various personnel	1
US00009642	US00009642	No	10/26/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009643	US00009643	No	10/27/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009644	US00009644	No	10/31/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009645	US00009645	No	11/6/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1

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US00009646	US00009646	No	10/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	undated, deliberative word document containing comments from leadership that addressed the various lethality working groups.	1
US00009647	US00009647	No	10/3/2017	Mulcahy, Patricia SES OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper regarding feedback from sessions for October 4 DHRB on MPP WG on non-deployability	1
US00009648	US00009648	No	9/29/2017	MettsWA		DP - Deliberative Process	FOUO information paper regarding personnel policies to enhance readiness and lethality for an in-progress review meeting, dated September 27, 2017.	1
US00009649	US00009649	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009650	US00009650	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009651	US00009651	No	10/2/2017	MettsWA		DP - Deliberative Process	FOUO information paper regarding personnel policies to enhance readiness and lethality for an in-progress review meeting, dated September 27, 2017.	1
US00009652	US00009652	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009653	US00009653	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009654	US00009654	No	9/29/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009655	US00009655	No	10/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009656	US00009656	No	10/5/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009657	US00009657	No	10/5/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009658	US00009658	No	9/22/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO information paper regarding personnel policies to enhance readiness and lethality for an in-progress review meeting, dated September 22, 2017.	1
US00009659	US00009659	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009660	US00009660	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009661	US00009661	No	9/21/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009662	US00009662	No	9/27/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO information paper regarding lethality working group on military personnel policies dated September 27, 2017.	1
US00009663	US00009663	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009664	US00009664	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009665	US00009665	No	10/2/2017	MettsWA		DP - Deliberative Process	FOUO information paper regarding personnel policies to enhance readiness and lethality for an in-progress review meeting, dated September 27, 2017.	1
US00009666	US00009666	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009667	US00009667	No	9/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009668	US00009668	No	11/7/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009669	US00009669	No	11/8/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009670	US00009670	No	11/8/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009671	US00009671	No	11/8/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009672	US00009672	No	11/13/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding updates to the defense human resources board dated November 2107.	1
US00009673	US00009673	No	11/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009674	US00009674	No	11/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009675	US00009675	No	11/14/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional slide presentation to the readiness and lethality working group regarding updates to the defense human resources board dated November 2107.	1
US00009676	US00009676	No	11/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009677	US00009677	No	11/13/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009678	US00009678	No	11/9/2017	ClardyHS		DP - Deliberative Process	pre-decisional information paper to the readiness and lethality working group regarding updates to the defense human resources board dated 9 November 2017.	1
US00009679	US00009679	No	11/8/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009680	US00009680	No	11/9/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Readiness and Lethality working group regarding non-deployability.	1
US00009681	US00009681	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009682	US00009682	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009683	US00009683	No	11/8/2017	ClardyHS		DP - Deliberative Process	pre-decisional information paper to the readiness and lethality working group regarding updates to the defense human resources board dated 9 November 2017.	1
US00009684	US00009684	No	11/9/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009685	US00009685	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009686	US00009686	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009687	US00009687	No	11/9/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009688	US00009688	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009689	US00009689	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009690	US00009690	No	11/9/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009691	US00009691	No	9/29/2017	Michael Labejsza		DP - Deliberative Process	undated pre-decisional presentation to the readiness and lethality working group regarding updates to the defense human resources board	1
US00009692	US00009692	No	9/25/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding a report to the defense human resources board dated October 4, 2017.	1
US00009693	US00009693	No	9/27/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding a report to the defense human resources board dated October 4, 2017.	1
US00009694	US00009694	No	9/29/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding a report to the defense human resources board dated October 4, 2017.	1
US00009695	US00009695	No	9/29/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding a report to the defense human resources board dated October 4, 2017.	1
US00009696	US00009696	No	9/19/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	pre-decisional, FOUO read-ahead information paper to the readiness and lethality working group regarding a report to the defense human resources board dated 2017.	1
US00009697	US00009697	No	9/19/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding a report to the defense human resources board dated October 4, 2017.	1

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US00009698	US00009698	No	11/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative, un-dated information paper to the readiness and lethality working group regarding reducing the permanent non-deployable population.	1
US00009699	US00009699	No	11/22/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative, un-dated information paper to the readiness and lethality working group regarding reducing the permanent non-deployable population.	1
US00009700	US00009700	No	11/29/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative, un-dated information paper to the readiness and lethality working group regarding reducing the permanent non-deployable population.	1
US00009701	US00009701	No	11/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative, un-dated information paper to the readiness and lethality working group regarding reducing the permanent non-deployable population.	1
US00009702	US00009702	No	11/20/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009703	US00009703	No	11/30/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009704	US00009704	No	12/5/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009705	US00009705	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009706	US00009706	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009707	US00009707	No	12/4/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Civilian Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009708	US00009708	No	12/4/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009709	US00009709	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009710	US00009710	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009711	US00009711	No	12/6/2017	MSG ROBERSON		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1

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US00009712	US00009713	Yes	1/23/2018	Mulcahy, Patricia SES OSD OUSD P-R (US)	USARMY HQDA ASA MRA (US); Beyler, Juliet M SES (US); Mayo, Jeffrey R SES USAF SAFMR (US); Calloway, Joseph R BG USARMY HQDA DCS G-1 (US); Nowell, John B Jr RADM USN (US); Benedict, Scott F BGen USMC (US); Strobl, Michael R SES USMC MANDR AFFAIRS (US); Labrutta, Robert D Maj Gen USAF AF-A1 (US); Kremer, Kyle J Brig Gen USAF JS J1 (US); McNeely, Kevin L MG USARMY NG NGB (US); Lannon, Kevin B SES OSD OUSD C (US); Pannullo, Jerome E SES OSD CAPE (US); Adirim, Terry A SES OSD HA (US); Rauch, Terry M CIV OSD HA (US); Wark, Lawrence J SES JS J1 (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Hebert, Lernes J SES OSD	DP - Deliberative Process	Deliberative email between DoD personnel discussing coordination of DoD Retention Policy for Non-Deployable Service Members and Individual Medical Readiness.	1
US00009714	US00009714	No	12/6/2017	MSG ROBERSON		DP - Deliberative Process	Deliberative unsigned action memo titled: DoD Retention Policy for Non-Deployable Service Members	1

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US00009715	US00009715	No	12/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft memo titled: DoD Retention Policy for Non-Deployable Service Members.	1
US00009720	US00009720	No	12/4/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional, deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group Update to the Dep SecDef as of December 2017	1
US00009721	US00009721	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009722	US00009722	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009723	US00009723	No	12/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft memo titled: DoD Retention Policy for Non-Deployable Service Members.	1
US00009725	US00009725	No	11/2/2017	MettsWA		DP - Deliberative Process	undated, FOUO, pre-decisional version of the Personnel Polices to Enhance Readiness and Lethality work group - FINAL REPORT	1
US00009726	US00009726	No	10/31/2017	MettsWA		DP - Deliberative Process	undated, FOUO, pre-decisional version of the Personnel Polices to Enhance Readiness and Lethality work group - FINAL REPORT	1
US00009727	US00009727	No	11/7/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document with language defining different categories of non deployable service members.	1
US00009728	US00009728	No	10/27/2017	MettsWA		DP - Deliberative Process	Deliberative draft report titled: Personnel Polices to Enhance Readiness and Lethality	1
US00009729	US00009729	No	10/31/2017	MettsWA		DP - Deliberative Process	information paper regarding personnel policies to enhance readiness and lethality, dated november 2017.	1
US00009730	US00009730	No	10/27/2017	MettsWA		DP - Deliberative Process	FOUO information paper regarding personnel policies to enhance readiness and lethality, dated November, 2017.	1
US00009731	US00009731	No	11/7/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative analysis of non deployable service member population.	1
US00009732	US00009732	No	11/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative document with analysis of non deployable service member population.	4

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US00009733	US00009733	No	9/15/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding non-deployable military cohort	1
US00009734	US00009734	No	9/15/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional presentation to the readiness and lethality working group regarding non-deployable military cohort	1
US00009735	US00009735	No	1/9/2018	MSG ROBERSON		DP - Deliberative Process	undated draft action memo on administrative and personnel policies to enhance readiness and lethality.	1
US00009736	US00009736	No	10/31/2017	MettsWA		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the DoD policy on non-deployable service members and the policy to enhance readiness and lethality.	1
US00009737	US00009737	No	11/7/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	undated deliberative document regarding the number of non-deployable personnel for leadership.	4
US00009738	US00009738	No	11/7/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	deliberative document that outlines the total non-deployable population across the DoD as of August 2017	4
US00009739	US00009739	No	11/15/2017	MettsWA		DP - Deliberative Process	Draft, deliberative annex and information paper on personnel polices to enhance readiness and lethality for the DepSecDef	1
US00009740	US00009740	No	11/14/2017	MettsWA		DP - Deliberative Process	Draft, deliberative information paper on personnel polices to enhance readiness and lethality as of November 2017	1
US00009741	US00009741	No	11/14/2017	MettsWA		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the DoD policy on non-deployable service members and the policy to enhance readiness and lethality.	1
US00009742	US00009742	No	11/14/2017	MSG ROBERSON		DP - Deliberative Process	Deliberative unsigned action memo titled: Administrative and Personnel Policies to Enhance Readiness and Lethality Final Report	1
US00009743	US00009743	No	1/9/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed.	1

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US00009744	US00009744	No	11/20/2017	MettsWA		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the DoD policy on non-deployable service members and the policy to enhance readiness and lethality.	1
US00009747	US00009747	No	11/27/2017	McVickCA		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00009748	US00009748	No	12/6/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00009749	US00009749	No	11/28/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document detailing comments to the DoDI 1332.45 revisions as they were developed and staffed by OSD staff.	1
US00009750	US00009750	No	11/21/2017	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009751	US00009751	No	11/21/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing concurrence and comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009752	US00009752	No	11/22/2017	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009753	US00009753	No	11/27/2017	Nathalie Holberg		DP - Deliberative Process	Deliberative document detailing concurrence and comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009754	US00009754	No	11/21/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for Personnel Policies to enhance Readiness and Lethality Final Report	1

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US00009755	US00009755	No	11/21/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative component coordination response documentation for Personnel Policies to enhance Readiness and Lethality Final Report	1
US00009756	US00009756	No	11/21/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing concurrence and comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009757	US00009757	No	11/16/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides regarding non-deployable service members.	1
US00009758	US00009758	No	11/30/2017	MettsWA		DP - Deliberative Process	Deliberative draft list with information regarding policy actions including actions relating to non-deployability.	1
US00009759	US00009759	No	11/22/2017	MettsWA		DP - Deliberative Process	Deliberative draft document with comments titled: Personnel Polices to Enhance Readiness and Lethality FINAL REPORT	1
US00009760	US00009760	No	3/9/2018	MettsWA		DP - Deliberative Process	Deliberative document detailing the annex that contains the concurrence and comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009761	US00009761	No	4/24/2018	MettsWA		DP - Deliberative Process	undated draft executive summary on administrative and personnel policies to enhance readiness and lethality.	1
US00009762	US00009763	Yes	4/24/2018	Unknown	Unknown	DP - Deliberative Process	Unsigned deliberative draft containing specific recommendations for the DSD and VCJCS to assist in reducing the number of non-deployable personnel	1
US00009764	US00009764	No	11/28/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative document detailing concurrence and comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009765	US00009765	No	11/27/2017	Nathalie Holberg		DP - Deliberative Process	Deliberative comment coordination sheet for Personnel Policies to Enhance Readiness and Lethality Final Report.	1

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US00009766	US00009766	No	3/9/2018	MettsWA		DP - Deliberative Process	Deliberative executive summary detailing comments to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009768	US00009768	No	11/1/2017	MettsWA		DP - Deliberative Process	Deliberative document detailing the annex which contains information pertaining to the enhance readiness and lethality final report as they were developed and staffed by OSD staff.	1
US00009769	US00009769	No	11/7/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding non-deployable military cohort as of August 31, 2017 across all of the services and the components.	1
US00009770	US00009770	No	10/26/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding non-deployable military cohort as of August 31, 2017 across all of the services and the components.	1
US00009771	US00009771	No	8/31/2017	Michael Melillo		DP - Deliberative Process	Deliberative information papers on various military health topics, including readiness initiatives from P&R as of August 31, 2017	1
US00009772	US00009772	No	8/31/2017	Michael Melillo		DP - Deliberative Process	Deliberative information papers on various military health topics, including readiness initiatives from P&R as of August 31, 2017	1
US00009773	US00009773	No	8/31/2017	Michael Melillo		DP - Deliberative Process	Deliberative information papers on various military health topics, including readiness initiatives from P&R as of August 31, 2017 - includes redline comments.	1
US00009774	US00009774	No	12/19/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document on the five W's for the MPP working group plan of action and milestones	1
US00009775	US00009775	No	9/28/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document on the five W's for the MPP working group plan of action and milestones, includes deliverables.	1
US00009776	US00009776	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document on the five W's for the MPP working group plan of action and milestones	1

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US00009777	US00009777	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document on the five W's for the MPP working group plan of action and milestones, includes deliverables.	1
US00009778	US00009778	No	12/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	FOUO information paper regarding the MPP working group on increasing readiness and lethality dated August 31, 2017.	1
US00009779	US00009779	No	12/1/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding Military Personnel Policies (MPP) Working Group Update to the Deputy Secretary of Defense dated 6 Dec 2017	1
US00009780	US00009780	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009781	US00009781	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009782	US00009782	No	8/3/2017	Tiaa Henderson		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding draft problem statements for the Military Personnel Policies (MPP) Working Group Update to the Deputy Secretary of Defense.	1
US00009783	US00009783	No	8/7/2017	Unknown	Unknown	DP - Deliberative Process	deliberative document regarding the problem statement for the administrative and personnel policies to enhance readiness and lethality initiative.	1
US00009784	US00009784	No	8/3/2017	Tiaa Henderson		DP - Deliberative Process	pre-decisional presentation regarding the problem statement for the administrative and personnel policies to enhance readiness and lethality initiative.	1
US00009785	US00009785	No	8/7/2017	Tiaa Henderson		DP - Deliberative Process	pre-decisional presentation regarding the problem statement for the administrative and personnel policies to enhance readiness and lethality initiative	1

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US00009786	US00009786	No	8/10/2017	Tiaa Henderson		DP - Deliberative Process	pre-decisional presentation regarding the problem statement for the administrative and personnel policies to enhance readiness and lethality initiative as of 9 AUG 2016	1
US00009787	US00009787	No	8/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group - includes redline comments	1
US00009788	US00009788	No	8/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group - includes redline comments	1
US00009789	US00009789	No	11/2/2017	MettsWA		DP - Deliberative Process	undated draft action memo on administrative and personnel policies to enhance readiness and lethality from November 2, 2017	1
US00009790	US00009790	No	11/2/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding the readiness and lethality working group update to the senior steering group dated 6 Nov 2017	1
US00009791	US00009791	No	11/3/2017	Michael Labejsza		DP - Deliberative Process	pre-decisional Powerpoint presentation regarding the readiness and lethality working group update to the senior steering group dated 3 Nov 2017	1
US00009792	US00009792	No	8/16/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group as of August 16, 2017	1
US00009793	US00009793	No	8/17/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group as of August 18, 2017	1
US00009794	US00009794	No	8/8/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group	1
US00009795	US00009795	No	8/9/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group	1
US00009796	US00009796	No	8/2/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group	1
US00009797	US00009797	No	8/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group - includes redline comments	1

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US00009798	US00009798	No	8/8/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group - includes redline comments	1
US00009799	US00009799	No	8/3/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group	1
US00009800	US00009800	No	8/10/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group as of August 9, 2017	1
US00009801	US00009801	No	8/11/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group as of August 11, 2017	1
US00009802	US00009802	No	8/11/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Draft terms of reference for military personnel policy working group August 11, 2017	1
US00009803	US00009803	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009804	US00009804	No	9/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 14, 2017 that includes data on non-deployable cohort of service members.	4
US00009805	US00009805	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009806	US00009806	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009807	US00009807	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009808	US00009808	No	9/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 14, 2017 that includes data on non-deployable cohort of service members.	1

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US00009809	US00009809	No	9/21/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 20, 2017 that includes data on non-deployable cohort of service members and redline comments.	1
US00009810	US00009810	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009811	US00009811	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009812	US00009812	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009813	US00009813	No	9/1/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 1, 2017 that includes data on non-deployable cohort of service members.	1
US00009814	US00009814	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009815	US00009815	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009816	US00009816	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009817	US00009817	No	8/31/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper on the assessment of non-deployable personnel as of September 14, 2017 that includes data on non-deployable cohort of service members.	1
US00009818	US00009818	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009819	US00009819	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009820	US00009820	No	9/5/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper on the assessment of non-deployable personnel as of September 5, 2017 that includes data on non-deployable cohort of service members.	1
US00009821	US00009821	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009822	US00009822	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009823	US00009823	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009824	US00009824	No	9/5/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 5, 2017 that includes data on non-deployable cohort of service members.	1
US00009825	US00009825	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009826	US00009826	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009827	US00009827	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009828	US00009828	No	9/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper on the assessment of non-deployable personnel as of September 5, 2017 that includes data on non-deployable cohort of service members.	1

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US00009829	US00009829	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009830	US00009830	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009831	US00009831	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009832	US00009832	No	9/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	deliberative information paper on the assessment of non-deployable personnel as of September 5, 2017 that includes data on non-deployable cohort of service members.	1
US00009833	US00009833	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009834	US00009834	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009835	US00009835	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009836	US00009836	No	9/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 7, 2017 that includes data on non-deployable cohort of service members.	1
US00009837	US00009837	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009838	US00009838	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009839	US00009839	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00009840	US00009840	No	9/7/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 7, 2017 that includes data on non-deployable cohort of service members.	1
US00009841	US00009841	No	9/8/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 8, 2017 that includes data on non-deployable cohort of service members.	1
US00009842	US00009842	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009843	US00009843	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009844	US00009844	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009845	US00009845	No	9/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft document titled: Assessment of Non-deployable Military Personnel	1
US00009846	US00009846	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009847	US00009847	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009848	US00009848	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009849	US00009849	No	9/14/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 8, 2017 that includes data on non-deployable cohort of service members.	1
US00009850	US00009850	No	8/22/2017	Mulcahy, Patricia SES OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative outline for white paper regarding non-deployable service members.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00009851	US00009851	No	9/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft paper with comments titled: Assessment of Non-deployable Military Personnel	1
US00009852	US00009852	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009853	US00009853	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009854	US00009854	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009855	US00009855	No	9/6/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft paper with comments titled: Assessment of Non-deployable Military Personnel	1
US00009856	US00009856	No	9/1/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009857	US00009857	No	9/5/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009858	US00009858	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009859	US00009859	No	6/13/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	4
US00009860	US00009860	No	2/12/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	4
US00009861	US00009861	No	2/13/2018	EITSD		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the roll-out plan for the DoD policy on non-deployable service members as of Feb 13, 2018	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00009862	US00009862	No	2/13/2018	EITSD		DP - Deliberative Process	FOUO, pre-decisional, deliberative document detailing the roll-out plan for the DoD policy on non-deployable service members as of Feb 13, 2018	1
US00009863	US00009863	No	2/9/2018	LORNA GEGGIS		DP - Deliberative Process	Deliberative draft public statement regarding DoD policy on retention of non-deployable service members.	1
US00009864	US00009864	No	11/14/2017	EITSD		DP - Deliberative Process	Deliberative slides regarding non-deployable service members titled: Lethality in Administrative and Personnel Policies	1
US00009865	US00009865	No	11/16/2017	EITSD		DP - Deliberative Process	Deliberative slides regarding non-deployable service members titled: Lethality in Administrative and Personnel Policies	1
US00009866	US00009866	No	11/16/2017	EITSD		DP - Deliberative Process	Deliberative slides regarding non-deployable service members titled: Lethality in Administrative and Personnel Policies	1
US00009867	US00009867	No	11/17/2017	EITSD		DP - Deliberative Process	Deliberative slides regarding non-deployable service members titled: Lethality in Administrative and Personnel Policies	1
US00009868	US00009868	No	11/14/2017	EITSD		DP - Deliberative Process	Deliberative slides regarding non-deployable service members titled: Lethality in Administrative and Personnel Policies	1
US00009869	US00009869	No	11/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009870	US00009870	No	11/14/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009871	US00009871	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009872	US00009872	No	11/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00009873	US00009873	No	11/14/2017	EITSD		DP - Deliberative Process	deliberative version of a PowerPoint presentation from the Military Personnel Policies Working Group as of 31 August 2017	1
US00009874	US00009874	No	7/28/2017	Jeffrey W. Eanes		DP - Deliberative Process	Deliberative draft memo titled: Execution of the Administrative and Personnel Policies to Enhance Readiness and Lethality – Working Groups and Timeline	1
US00009876	US00009876	No	1/22/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative scanned slides regarding non-deployable service members with hand written edits.	1
US00009877	US00009877	No	8/2/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative meeting agenda titled Military Personnel Policies Working Group Plan of Action & Milestones	4
US00009878	US00009878	No	7/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft document titled: Non-Deployable Working Group Plan of Action & Milestones.	1
US00009879	US00009879	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft document titled: Military Personnel Policy Working Group Plan of Action & Milestones.	1
US00009880	US00009880	No	7/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative draft document titled: Non-Deployable Working Group Plan of Action & Milestones.	1
US00009881	US00009881	No	7/28/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative meeting agenda titled Military Personnel Policies Working Group Plan of Action & Milestones	4
US00009882	US00009882	No	8/11/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative draft document titled: TERMS OF REFERENCE FOR THE ADMINISTRATIVE AND PERSONNEL POLICIES TO ENHANCE READINESS AND LETHALITY MILITARY PERSONNEL POLICIES (ACCESSION, DEVELOPMENT, RETENTION) WORKING GROUP	1

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US00009883	US00009883	No	8/11/2017	HashDA		DP - Deliberative Process	Deliberative draft document titled: TERMS OF REFERENCE FOR THE ADMINISTRATIVE AND PERSONNEL POLICIES TO ENHANCE READINESS AND LETHALITY MILITARY TRAINING (CORE TRAINING) WORKING GROUP	1
US00009884	US00009884	No	8/11/2017	RussiER		DP - Deliberative Process	Deliberative draft document titled: TERMS OF REFERENCE FOR THE ADMINISTRATIVE AND PERSONNEL POLICIES TO ENHANCE READINESS AND LETHALITY PROFESSIONAL MILITARY EDUCATION (THE ART AND SCIENCE OF WARFIGHTING) WORKING GROUP	1
US00009885	US00009885	No	3/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009886	US00009886	No	4/20/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009887	US00009887	No	1/19/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009888	US00009888	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009889	US00009889	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009890	US00009890	No	1/26/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009891	US00009891	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009892	US00009892	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009893	US00009893	No	1/12/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009894	US00009894	No	3/15/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009895	US00009895	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009896	US00009896	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009897	US00009897	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009898	US00009898	No	3/6/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009899	US00009899	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009900	US00009900	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009901	US00009901	No	12/20/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009902	US00009902	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009903	US00009903	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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US00009904	US00009904	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009905	US00009905	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009906	US00009906	No	1/2/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00009907	US00009907	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009908	US00009908	No	12/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009909	US00009909	No	12/20/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00009932	US00009932	No	11/8/2017	United States Army		DP - Deliberative Process	Deliberative slide regarding Army HIV Separation Management Policy.	1
US00009933	US00009933	No	11/28/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative slide regarding Army HIV separation policies.	1
US00009934	US00009934	No	9/11/2017	Jared Mckendall		DP - Deliberative Process	undated Draft version of MILPERSMAN 1300-1300, contains redlines and comments	1
US00009935	US00009935	No	4/26/2018	Unknown	Unknown	DP - Deliberative Process	Disability advisory Council meeting minutes from the April 5, 2018 meeting.	1
US00009936	US00009936	No	10/11/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative presentation on the DES proposal for WG discussion dated Oct 4, 2018; includes handwritten notes on this copy.	1

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US00009938	US00009938	Yes	9/15/2017	Bruner, A E (AI) CIV OSD HA (US)	Melillo, Michael R CIV OSD OUSD P-R (US); Bauer, Kent P CIV OSD OUSD P-R (US); Truesdale, Lisa M CIV USN (US) Cc: Berry, Priscilla A CIV DHA DISABILITY (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding the costs associated with DES and the non-deployable population.	1
US00009939	US00009939	No	No date	Unknown	Unknown	DP - Deliberative Process	undated deliberative spreadsheet depicting forecasted average costs for a service member in the DES program	4
US00009942	US00009942	No	8/2/2018	Stahlberg, Max L CTR (US)		DP - Deliberative Process	Deliberative Information Paper on the 180-Day Disability Evaluation System, dated July 2018	1
US00009943	US00009943	No	12/6/2017	BrunerA		DP - Deliberative Process	undated deliberative information paper regarding the RAND Study on Interrelationships Among Disability Evaluation and Accession and Retention Medical Standards and Screening	1
US00009944	US00009944	No	4/10/2018	BlondeSE		DP - Deliberative Process	undated deliberative version of the charter for the Retention Medical Standards Working Group, includes comments and redline edits	1
US00009945	US00009945	No	9/13/2017	HODGE, LORIANNE R GS-13 (NON-MAIL ENABLED)		DP - Deliberative Process	Deliberative BULLET BACKGROUND PAPER ON AIR FORCE NON-DEPLOYABLE CODING AND IDES REFERRAL, dated 13 SEPT 2017	1
US00009946	US00009946	No	9/13/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	deliberative BULLET BACKGROUND PAPER ON MEDICAL SEPARATION / RETIREMENT AND WAIVER PROCESS, dated 27 JUN 2017	1
US00009947	US00009947	No	9/13/2017	Orser		DP - Deliberative Process	Draft version of Army Physical Evaluation Board (PEB) and Transition Phase Policies Concerning Integrated Disability Evaluation System (IDES) Processing, dated 13 SEPT 2017	1

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US00009948	US00009948	No	9/12/2017	Wills, Nicholas J CTR (US)		DP - Deliberative Process	Deliberative information regarding treatment and Medical Evaluation Board (MEB) Phases, dated 11 SEPT 2017	1
US00009949	US00009949	No	9/14/2017	LummeD		DP - Deliberative Process	deliberative information regarding the Navy medicine non-deployable process, dated 11 SEP 2017	1
US00009950	US00009950	No	9/14/2017	BUMED		DP - Deliberative Process	Deliberative slides titled: Navy Medicine Non-Deployable Process	1
US00009951	US00009951	No	1/4/2018	Unknown	Unknown	DP - Deliberative Process	Draft, undated and unsigned version of Directive-type Memorandum (DTM) 18-00# – “Revised Timeliness Standards for the Integrated Disability Evaluation System (IDES)”	1
US00009952	US00009952	No	2/27/2018	Unknown	Unknown	DP - Deliberative Process	Draft, undated, and unsigned Directive-type Memorandum (DTM) 18-00# – “Revised Timeliness Standards for the Integrated Disability Evaluation System (IDES)”	1
US00009954	US00009954	No	12/20/2017	Snodgrass, Steven [USA]		DP - Deliberative Process	Documents relating to the Improved Integrated DES (IDES) Timeliness Meeting including material on non-deployable service members.	1
US00009955	US00009955	No	4/11/2018	Unknown	Unknown	DP - Deliberative Process	Draft, undated and unsigned version of Directive-type Memorandum (DTM) 18-00# – “Revised Timeliness Standards for the Integrated Disability Evaluation System (IDES)” with comments.	1
US00009956	US00009956	No	10/24/2017	Snodgrass, Steven [USA]		DP - Deliberative Process	FOUO, deliberative information paper on the number of non-deployable personnel as of October 24, 2017 that includes data on non-deployable cohort of service members.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00009957	US00009957	No	10/27/2017	Lannon, Kevin B SES OSD OUSD C	Mulcahy, Patricia SES OSD OUSD P-R (US) Cc: Constable, Thomas A SES OSD OUSD C (US); Berry, Priscilla A CIV DHA DISABILITY (US); Melillo, Michael R CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US); Kolb, Michael K COL USARMY OSD CAPE (US); Bruner, A E (AI) CIV OSD HA (US); Kuzara, Michael J LTC USARMY OSD CAPE (US); Pannullo, Jerome E SES OSD CAPE (US); Stevens, Bret CIV OSD OUSD P-R (US); McAndrew, Anne J SES	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding efforts of the Non-deployable working group to provide cost estimates to leadership on this cohort of service members.	1
US00009958	US00009958	No	10/21/2017	Hernandez, Daniel G CTR OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD as of OCT 20, 2017	4
US00009959	US00009959	No	10/20/2017	Hernandez, Daniel G CTR OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD as of OCT 20, 2017	4
US00009960	US00009960	No	10/21/2017	Hernandez, Daniel G CTR OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD as of 20 OCT 2017	4
US00010012	US00010012	No	8/2/2017	james.a.evans		DP - Deliberative Process	Deliberative slides titled: Assessment of Marine Non-Deployability and the Effects on Readiness March 2014	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010013	US00010013	No	9/11/2017	Charles Hash		DP - Deliberative Process	Draft version of Directive-type Memorandum (DTM) 18-00# – “Revised Timeliness Standards for the Integrated Disability Evaluation System (IDES)”, dated 21 jan 2011	1
US00010014	US00010014	No	7/25/2017	Mulcahy, Patricia SES OSD OUSD P-R (US)	Hebert, Lernes J SES OSD OUSD P-R (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US); Warren, Jill M CIV OSD OUSD P-R (US); Hofmann, Matthew T MAJ USARMY OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DOD personnel regarding a tasker to provide data on each of the service's non-deployable populations.	4
US00010015	US00010015	No	7/18/2017	Gibson, Patrice A CTR OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned action memo titled: Personnel Non-deployability in the Military Services	1
US00010016	US00010016	No	7/18/2017	MSG ROBERSON		DP - Deliberative Process	undated, deliberative information paper regarding personnel Non-deployability in the Military Services	1
US00010017	US00010017	No	7/18/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010019	US00010019	No	7/17/2017	LTC Bukoski, G1 Readiness		DP - Deliberative Process	Deliberative Army slides titled: Individual Deployability Summary	1
US00010020	US00010020	No	7/18/2017	STANCIK, KEVIN CIV USAF AFPC AFPC/DPWOC		DP - Deliberative Process	deliberative information paper on the tasker to determine the number of long-term non-deployable personnel	1
US00010021	US00010021	No	7/17/2017	Cole, Christie D PSC BUPERS-32, BUPERS-320		DP - Deliberative Process	deliberative information paper regarding NON-DEPLOYABLE SAILORS PERS-454, DEPLOYABILITY ASSESSMENT AND ASSIGNMENT BRANCH, includes data from the force	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010022	US00010022	No	7/18/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the USMC as of June 2017	1
US00010023	US00010023	No	7/18/2017	MSG ROBERSON		DP - Deliberative Process	undated, deliberative information papers on Personnel Non-deployability in the Military Services	1
US00010024	US00010024	No	7/18/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010025	US00010025	No	7/18/2017	MSG ROBERSON		DP - Deliberative Process	undated, deliberative information papers on Personnel Non-deployability in the Military Services	1
US00010026	US00010026	No	7/18/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010027	US00010027	No	8/4/2017	Unknown	Unknown	DP - Deliberative Process	deliberative information papers on Personnel Non-deployability in the Military Services , dated July 2018 and includes data on the non-deployable cohort from the services	1
US00010028	US00010028	No	7/18/2017	Gibson, Patrice A CTR OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative unsigned action memo titled: Personnel Non-deployability in the Military Services	1
US00010029	US00010029	No	7/19/2017	MSG ROBERSON		DP - Deliberative Process	deliberative information papers on Personnel Non-deployability in the Military Services, includes data on the non-deployable cohort from the services	1
US00010030	US00010030	No	7/19/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010032	US00010032	No	7/19/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010033	US00010033	No	7/20/2017	Cole, Christie D PSC BUPERS-32, BUPERS-320		DP - Deliberative Process	Deliberative information paper regarding NON-DEPLOYABLE SAILORS PERS-454, DEPLOYABILITY ASSESSMENT AND ASSIGNMENT BRANCH	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010034	US00010034	No	7/18/2017	Unknown	Unknown	DP - Deliberative Process	Deliberative report on total number of non-deployable personnel for the USMC, includes data on the active duty non-deployable cohort.	4
US00010035	US00010035	No	7/17/2017	Cole, Christie D PSC BUPERS-32, BUPERS-320		DP - Deliberative Process	Deliberative information paper regarding NON-DEPLOYABLE SAILORS PERS-454, DEPLOYABILITY ASSESSMENT AND ASSIGNMENT BRANCH	1
US00010036	US00010036	No	7/18/2017	STANCIK, KEVIN CIV USAF AFPC AFPC/DPWOC		DP - Deliberative Process	Deliberative information paper regarding a tasker to provide data on each of the service's non-deployable populations.	1
US00010037	US00010037	No	7/17/2017	LTC Bukoski, G1 Readiness		DP - Deliberative Process	Deliberative Army slides titled: Individual Deployability Summary	1
US00010038	US00010038	No	7/18/2017	MSG ROBERSON		DP - Deliberative Process	Deliberative information memo regarding Personnel Non-deployability in the Military Services	1
US00010039	US00010039	No	7/18/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010040	US00010040	No	9/25/2017	EITSD		DP - Deliberative Process	Deliberative briefing slides on military personnel issues and policies including non-deployable service members.	1
US00010041	US00010041	No	8/31/2017	EITSD		DP - Deliberative Process	Deliberative briefing slides on military personnel issues and policies including non-deployable service members.	1
US00010042	US00010042	No	9/22/2017	Melillo, Michael R CIV OSD OUSD P-R (US)		DP - Deliberative Process	FOUO, deliberative information paper on the assessment of non-deployable personnel as of September 22, 2017 that includes data on non-deployable cohort of service members.	1
US00010043	US00010043	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010044	US00010044	No	9/6/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010045	US00010045	No	9/21/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010046	US00010046	No	9/21/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010049	US00010049	No	8/1/2017	Mulcahy, Patricia SES OSD OUSD P-R (US)	USARMY HQDA ASA MRA (US); Mayo, Jeffrey R SES USAF SAF-MR (US); Beyler, Juliet M SES (US); Calloway, Joseph R BG USARMY HQDA DCS G-1 (US); Engelbaum, Mark R SES USAF AF-A1 (US); Nowell, John B Jr RADM USN (US); Benedict, Scott F BGen USMC (US); Strobl, Michael R SES USMC MANDR AFFAIRS (US); Kremer, Kyle J Brig Gen USAF JS J1 (US); Pannullo, Jerome E SES OSD CAPE (US); McNeely, Kevin L MG USARMY NG NGB (US); Meyeraan, Jessica Brig Gen USAF NG NGB (US); Adirim, Terry A SES OSD HA (US); Barrow, Brent H CIV OSD OUSD P-R (US) Cc: Golya, Lorri A COL USARMY HQDA ASA MRA (US); Rado, Mark A CIV USARMY HQDA ASA MRA	DP - Deliberative Process	FOUO, Deliberative email conversation between DoD personnel regarding efforts of the Non-deployable working group to provide data to leadership on this cohort of service members.	1
US00010050	US00010050	No	7/26/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative unsigned info memo titled: Personnel Non-deployability in the Military Services	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010053	US00010053	No	7/26/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010054	US00010054	No	9/18/2017	Johnson, Helen R COL USARMY HQDA OTSG (US)		DP - Deliberative Process	Deliberative document containing notes regarding policy proposals related to medical readiness for MPP Working Group.	1
US00010055	US00010055	No	9/14/2017	Blalock, Brian, LtCol, DHA		DP - Deliberative Process	Deliberative spreadsheet regarding non-deployability across the services and deployment limiting conditions for each DODI	4
US00010056	US00010056	No	8/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010057	US00010057	No	8/31/2017	Mayer Col Douglas S		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010058	US00010058	No	9/7/2017	Laura D Guay		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010059	US00010059	No	9/7/2017	MACSATA, JOHN J GS-13 USAF ANG ANG READINESS FO/A1MP		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010060	US00010060	No	7/26/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative unsigned info paper titled: Personnel Non-deployability in the Military Services	1
US00010062	US00010062	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Agenda for meetings involving non-deployable service member policy titled: Military Personnel Policies Working Group Plan of Action & Milestones	1
US00010063	US00010063	No	7/26/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative Agenda for meetings involving non-deployable service member policy titled: Non-Deployable Working Group Plan of Action & Milestones	1
US00010064	US00010064	No	7/26/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010065	US00010065	No	7/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative email providing background on information paper regarding non-deployable service members.	1
US00010072	US00010072	No	8/4/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010073	US00010073	No	8/4/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010074	US00010074	No	8/4/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010075	US00010075	No	8/7/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010077	US00010077	No	10/5/2018	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010078	US00010078	No	7/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010079	US00010079	No	7/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010080	US00010080	No	7/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010081	US00010081	No	7/27/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010082	US00010082	No	10/30/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010083	US00010083	No	10/26/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010084	US00010084	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010085	US00010085	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010086	US00010086	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010087	US00010087	No	10/30/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010088	US00010088	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010089	US00010089	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010090	US00010090	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010091	US00010091	No	10/25/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010092	US00010092	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010093	US00010093	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010094	US00010094	No	10/25/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010095	US00010095	No	11/3/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010096	US00010096	No	10/31/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010097	US00010097	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010098	US00010098	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010099	US00010099	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010100	US00010100	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010101	US00010101	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010102	US00010102	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010103	US00010103	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010104	US00010104	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010105	US00010105	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010106	US00010106	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010107	US00010107	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010108	US00010108	No	10/31/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010109	US00010109	No	11/27/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010110	US00010110	No	11/22/2017	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010111	US00010111	No	1/9/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010112	US00010112	No	1/11/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010113	US00010113	No	1/24/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010114	US00010114	No	1/25/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010115	US00010115	No	2/15/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010116	US00010116	No	2/6/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010117	US00010117	No	2/16/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010118	US00010118	No	2/16/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010119	US00010119	No	3/5/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010120	US00010120	No	3/5/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010121	US00010121	No	3/9/2018	Conway, Gerald A CIV USARMY HQDA DCS G-1 (US)	Daal, Kenneth CIV OSD OUSD P-R (US); Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US) Cc: Heflin, Rowland C CIV USARMY HQDA DCS G-1 (US); Rice, Trina LTC USARMY HQDA DCS G-1 (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding hypothetical scenarios that may arise as the non-deployable policy is developed.	1
US00010122	US00010122	No	3/7/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010123	US00010123	No	3/16/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010124	US00010124	No	3/19/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010125	US00010125	No	4/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010126	US00010126	No	4/9/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010127	US00010127	No	3/23/2018	Whittington, Kemau Abdul MAJ USARMY HQDA DCS G-1 (US)		DP - Deliberative Process	Deliberative information paper containing an executive summary of the March 2018 meeting of the MPP working group on non-deployable service member DoDI	1
US00010128	US00010128	No	4/10/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010129	US00010129	No	4/13/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010130	US00010130	Yes	8/10/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative email between DoD personnel providing feedback on non-deployable service member policy.	1
US00010131	US00010131	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010132	US00010132	No	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010133	US00010134	Yes	8/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative email between DoD personnel providing feedback on non-deployable service member policy.	1
US00010135	US00010135	No	8/10/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010136	US00010136	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010137	US00010137	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010138	US00010138	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010139	US00010139	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010140	US00010140	No	8/9/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010141	US00010141	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010142	US00010142	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010143	US00010143	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010144	US00010144	No	8/9/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010145	US00010145	No	8/8/2018	TB		DP - Deliberative Process	Deliberative slides regarding changes to officer policies and requirements by the Officer Management Modernization Working Group	1
US00010146	US00010146	No	8/9/2018	Michael Labejsza		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010147	US00010147	No	8/7/2018	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010148	US00010150	Yes	8/15/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative email between DoD personnel providing feedback on non-deployable service member policy.	1
US00010151	US00010151	No	8/17/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010152	US00010152	No	8/17/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010153	US00010153	No	8/16/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010154	US00010154	No	9/22/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010155	US00010155	No	8/16/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010156	US00010156	No	8/16/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010157	US00010157	No	8/24/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010158	US00010158	No	8/24/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010159	US00010160	Yes	8/24/2017	Squier, Renee J CAPT, OPNAV N1Z	Lust, Rebekah S (Becky) LTC USARMY OSD OUSD P-R (US); Hunt, Cort J COL USARMY HQDA (US); Kirkpatrick, Caryn L Col USAF AF-A1 (US); Ward, Gaines L Col USMC MARFORPAC (US) Cc: Melillo, Michael R CIV OSD OUSD P-R (US); Lofstrom, Alvaro W COL USARMY HQDA ASA MRA (US); Brady, Jamie S (Scott) CIV USAF SAF-MR (US); Truesdale, Lisa M CIV USN (US); Bauer, Kent P CIV OSD OUSD P-R (US); Lauer, Cheryl H CAPT USN DCNO N1 (US); Harris, Christopher A CAPT USN DCNO N1 (US); Benson, Charles R CAPT USN BUMED FCH VA (US)	DP - Deliberative Process	Deliberative email between DoD personnel providing feedback on non-deployable service member policy.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010161	US00010161	No	8/22/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010162	US00010162	No	9/8/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010163	US00010163	No	9/8/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010164	US00010164	No	9/7/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010165	US00010165	No	9/14/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative spreadsheet that outlines the total non-deployable population across the DoD.	4
US00010166	US00010166	No	9/19/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010167	US00010167	No	9/15/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010168	US00010168	No	9/28/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010169	US00010169	No	9/25/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010170	US00010170	No	10/11/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010171	US00010171	No	10/4/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010172	US00010172	No	10/12/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative P and R slides relating to service actions regarding non-deployable service members.	1
US00010173	US00010173	No	10/12/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010174	US00010174	No	10/19/2017	LTC Rebekah S. Lust, OSD OUSD P-R		DP - Deliberative Process	Deliberative document containing Military Personnel Policies Working Group meeting minutes including discussion of non-deployable service members.	1
US00010175	US00010175	No	10/17/2017	Tiaa Henderson		DP - Deliberative Process	Deliberative Slides from the Military Personnel Policy working group regarding non-deployability.	1
US00010383	US00010383	No	7/20/2018	Blalock, Brian, LtCol, DHA		DP - Deliberative Process	Deliberative spreadsheet containing comments to various DoD regulations in a comparison of COCOM specific deployment limiting medical conditions/restrictions.	1
US00010590	US00010590	No	9/27/2018	Urbano, Peggy J LTC USARMY OSD OUSD P-R (US)		DP - Deliberative Process	Agenda for the AMSWG meeting for monday Oct, 1 2018, containing deliberative information.	1
US00010591	US00010591	No	7/13/2018	JarretMR		DP - Deliberative Process	Deliberative spreadsheet containing the participants of the Retention Medical Standards Working Group.	4
US00010743	US00010743	No	6/1/2018	Unknown	Unknown	DP - Deliberative Process	May 30 2018 version of the deliberative document detailing the Charter for the RMSWG	4
US00010757	US00010757	No	6/21/2018	Yoshiye Peralta Anjos		DP - Deliberative Process	FOUO deliberative information paper regarding patient blood transfusions in OIF/OEF	1
US00010758	US00010758	No	6/20/2018	MSG ROBERSON		DP - Deliberative Process	Unsigned info memo titled: Response to Your Questions about the Deployment of HIV Positive Service Members	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010760	US00010760	No	Sep-15	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper regarding accession qualification standards for HIV infection, dated September 2015.	1
US00010761	US00010762	Yes	2/23/2017	Minarcik, Allison H CIV (US) <allison.h.minarcik.civ@mail.mil>	Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>Klimkowski, Paul Edward CDR USN BUMED FCH VA (US) <paul.e.klimkowski.mil@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding information papers on HIV accessions for specific cohorts of individuals that were not for dissemination.	1
US00010763	US00010763	No	1/20/2016	Unknown	Unknown	DP - Deliberative Process	undated, deliberative information paper on a proposal for further white papers on the accessions of HIV infected individuals into the military.	1
US00010764	US00010764	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative information paper summarizing the DoD HIV policy, dated 14 April 2015	1
US00010766	US00010766	No	Sep-15	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on accession qualification standards for HIV infection dated September 2015.	1
US00010783	US00010784	Yes	2/23/2017	Minarcik, Allison H CIV (US) <allison.h.minarcik.civ@mail.mil>	Brown, Gary W LTC USARMY OSD OUSD P-R (US) <gary.w.brown.mil@mail.mil>Klimkowski, Paul Edward CDR USN BUMED FCH VA (US) <paul.e.klimkowski.mil@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding information papers on HIV accessions for specific cohorts of individuals that were not for dissemination.	1
US00010785	US00010785	No	1/20/2016	Unknown	Unknown	DP - Deliberative Process	Undated deliberative information paper on a proposal for a white for additional papers on new accession into the DoD Armed Forces.	1
US00010786	US00010786	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative policy summary on the DoD's HIV policy, dated 14 April 2015.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00010804	US00010804	No	Sep-15	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on the the accession qualification standards for HIV infection, as of September 2015	1
US00010822	US00010822	No	Sep-15	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on the the accession qualification standards for HIV infection, as of September 2015	1
US00010840	US00010840	No	Sep-15	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper on the the accession qualification standards for HIV infection, as of September 2015	1
US00010882	US00010882	No	7/24/2018	Shell, Donald CIV OSD OUSD P-R (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DONALD.SHELL4.CIV1E5>	Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>	DP - Deliberative Process	Deliberative email chain gathering medical research materials and discussing edits to legal filings.	1
US00010903	US00010903	No	7/26/18 06:31 (GMT-05:00)	Shell, Donald CIV OSD OUSD P-R (US)	Jovanovic; Olivera A CTR OSD OUSD P-R (US)	DP - Deliberative Process	Deliberative email conversation between DoD personnel and regarding a review of the information that was used to formulate the basis of the governments response to the instant PI.	1

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US00010985	US00010985	No	7/27/2018	Paul Scott <pscott@hivresearch.org>	Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US) <jason.f.okulicz.mil@mail.mil>; Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>; Shilpa Hakre <shakre@hivresearch.org>; Gleeson, Todd D CDR USN NAVBLDINFMANCEN MD (US) <todd.d.gleeson.mil@mail.mil>; Blaylock, Jason M LTC USARMY DHA WRNMMC (US) <jason.m.blaylock.mil@mail.mil>Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>	DP - Deliberative Process	Deliberative email chain gathering medical research materials and discussing edits to legal filings.	1
US00011013	US00011013	No	10/29/2018	ADO		DP - Deliberative Process	Deliberative unsigned draft copy of report: Department of Defense Personnel Policies Regarding Members of the Armed Forces Infected with Human Immunodeficiency Virus: Report to the Committees on the Armed Services of the Senate and House of Representatives	1
US00011077	US00011077	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 29-30 January 2013 covering various topics including HIV discussions.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00011078	US00011078	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 4-6 August 2016 covering various topics including HIV discussions.	1
US00011079	US00011079	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various accession topics including HIV.	1
US00011080	US00011080	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1
US00011081	US00011081	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00011083	US00011083	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative information paper and talking points on DoDI 1332.45, 6130.03 and accessions and retention of non-deployable personnel.	1
US00011084	US00011084	No	8/2/2018	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative Report titled: HIV Policy Summary	1
US00011085	US00011085	No	6/20/2018	Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>	Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel on the creation of a new information paper on the aggregate number of non-deployable personnel from each service	1
US00011087	US00011087	No	6/20/2018	Yoshiye Peralta Anjos		DP - Deliberative Process	FOUO, deliberative spreadsheet containing data on Patient Transfusions by Blood Product Type	1
US00011088	US00011088	No	6/20/2018	MSG ROBERSON		DP - Deliberative Process	Unsigned info memo titled: Response to Your Questions about the Deployment of HIV Positive Service Members	1
US00011099	US00011099	No	7/31/2018	Bauer, Kent P CIV OSD OUSD P-R (US) <kent.p.bauer.civ@mail.mil>	Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding specific language and whether inclusion of that language was considered in DoDI 1332.45	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00011100	US00011100	No	7/20/2018	Mulcahy, Patricia SES OSD OUSD P-R (US) <patricia.mulcahy.civ@mail.mil>	Blanks, Julie A SES OSD OUSD P-R (US) <julie.a.blanks.civ@mail.mil>Bauer, Kent P CIV OSD OUSD P-R (US) <kent.p.bauer.civ@mail.mil>; Melillo, Michael R CIV OSD OUSD P-R (US) <michael.r.melillo4.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel and personnel from the DoD public affairs office regarding a proposed response to a media story concerning HIV and non-deployability.	4
US00011101	US00011104	Yes	7/20/2018	Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>	Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>	DP - Deliberative Process	Deliberative email conversation between DoD personnel regarding a response to a media article concerning DoDI 1332.45.	4
US00011277	US00011277	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various accession topics including HIV.	1
US00011278	US00011278	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1
US00011279	US00011279	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00011280	US00011280	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 4-6 August 2016 covering various topics including HIV discussions.	1
US00011281	US00011281	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 29-30 January 2013 covering various topics including HIV discussions.	1
US00011351	US00011351	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various accession topics including HIV.	1
US00011352	US00011352	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00011353	US00011353	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00011354	US00011354	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 4-6 August 2016 covering various topics including HIV discussions.	1
US00011355	US00011355	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 29-30 January 2013 covering various topics including HIV discussions.	1
US00011374	US00011374	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative White paper proposal regarding military HIV accessions.	1
US00011375	US00011375	No	4/12/2015	David C. Miller, DO, MPH		DP - Deliberative Process	Deliberative report titled: HIV Policy Summary	1
US00011447	US00011447	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG Meeting Minutes for 6-8 October 2015 covering various accession topics including HIV.	1
US00011448	US00011448	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with edits and comments	1
US00011449	US00011449	No	10/30/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative Spreadsheet tracking proposed changes to accession standards with commentary including HIV.	1
US00011450	US00011450	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 4-6 August 2016 covering various topics including HIV discussions.	1
US00011451	US00011451	No	8/2/2018	Unknown	Unknown	DP - Deliberative Process	Deliberative draft of AMSWG meeting minutes for 29-30 January 2013 covering various topics including HIV discussions.	1
US00012347	US00012347	No	8/5/2015	Unknown	Ciminera, Paul	DP - Deliberative Process	Deliberative audio recording of AMSWG meeting including pre-decisional deliberative discussions of HIV and accessions policy.	1
US00012348	US00012348	No	8/6/2015	Unknown	Ciminera, Paul	DP - Deliberative Process	Deliberative audio recording of AMSWG meeting including pre-decisional deliberative discussions of HIV and accessions policy.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00012349	US00012349	No	10/14/2015	Unknown	Ciminera, Paul	DP - Deliberative Process	Deliberative audio recording of AMSWG meeting including pre-decisional deliberative discussions of HIV and accessions policy.	1
US00012980	US00012980	No	3/9/2016			DP - Deliberative Process	DP - meeting minutes/discussion of use of PrEP in DoD from JPMPG meeting 10/22/2015	1
US00012983	US00012983	No	10/21/2015	Robin M. Smith		DP - Deliberative Process	DP - brief from JPMPG meeting/discussion of use of PrEP in DoD from JPMPG meeting 10/22/2015	1
US00013170	US00013170	No	12/11/2018			DP - Deliberative Process	Email from a Navy Captain to a Coast Guard Commander attaching a draft Navy Counseling Statement and draft OTF Medicine Regs; PII personal cell numbers.	1
US00013171	US00013171	No	12/8/2015			DP - Deliberative Process	Draft DoD Counseling Statement (SECNAVINST 5300.30F).	1
US00013172	US00013172	No	12/8/2015			DP - Deliberative Process	Draft DoD "Order to Follow Preventive Medicine Requirements" (SECNAVINST 5300.30F).	1
US00013187	US00013187	No	8/14/2018	Haywood, William P. LCDR BUMED		DP - Deliberative Process	Draft document from CAPT Franzos at BUMED discussing policy for military applicants on PrEP.	1
US00013354	US00013354	No	8/14/2018	Haywood, William P. LCDR BUMED		DP - Deliberative Process	Deliberative process - draft document from CAPT Franzos at BUMED discussing accession of applicants on HIV prophylaxis. Includes comments in track changes from multiple reviewers.	1
US00013708	US00013708	No	12/18/2017	Briski, Julie, CIV, DHA		DP - Deliberative Process	DP - Draft DoD Document discussing guidance for DOD members who request PrEP medication.	1
US00013709	US00013709	No	12/18/2017	Briski, Julie, CIV, DHA		DP - Deliberative Process	DP - Draft DoD Document discussing guidance for DOD members who request PrEP medication.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00013756	US00013756	No	7/15/2015	Kathleen Marsh		DP - Deliberative Process	Deliberative agenda from the 4-6 August 2015 AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013757	US00013757	No	2/13/2007	Lisa Mims		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013758	US00013758	No	9/11/2015	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013759	US00013759	No	12/13/2018	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013760	US00013760	No	7/27/2018	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013763	US00013763	No	10/13/2017	Unknown		DP - Deliberative Process	Deliberative spreadsheet regarding number of accessions by waivers by year with additional deliberative analysis.	3
US00013764	US00013764	No	10/13/2017	Camille.Wada		DP - Deliberative Process	Deliberative spreadsheet regarding number of accessions by waivers by year with additional deliberative analysis.	3
US00013765	US00013765	No	10/12/2017	Unknown		DP - Deliberative Process	Deliberative spreadsheet regarding number of accessions by waivers by year with additional deliberative analysis.	3

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00013769	US00013769	No	10/8/2017	Unknown		DP - Deliberative Process	Deliberative slides from a draft presentation, including material about HIV testing of applicants.	1
US00013771	US00013771	No	10/30/2016	Unknown		DP - Deliberative Process	Deliberative Accessions Mental Health Screening Meeting agenda.	1
US00013841	US00013841	No	8/12/2016	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013842	US00013842	No	7/19/2016	Rachael DeNale		DP - Deliberative Process	Deliberative draft copy of DoDI 6130.03 with comments and edits.	1
US00013843	US00013843	No	10/17/2016	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013844	US00013844	No	6/27/2017	Unknown		DP - Deliberative Process	Deliberative agenda from an AMSWG meeting where Communicable and Infectious diseases, including HIV were discussed, includes talking points notes from the meeting, and comments from various offices.	1
US00013847	US00013847	No	1/20/2016	WHS/ESD/DD		DP - Deliberative Process	Deliberative draft copy of INSTRUCTIONS FOR COMPLETING DD FORM 2807-2, ACCESSIONS Prescreen MEDICAL with comments and edits.	1
US00013848	US00013848	No	1/20/2016	WHS/ESD/IMD		DP - Deliberative Process	Deliberative draft copy of REPORT OF MEDICAL EXAMINATION with edits	1
US00013849	US00013849	No	2/26/2016	Rachael DeNale		DP - Deliberative Process	Deliberative Draft copy of DoDI 6130.03 with comments and edits.	1
US00013851	US00013851	No	3/20/2014	Unknown		DP - Deliberative Process	Deliberative draft copy of INSTRUCTIONS FOR COMPLETING DD FORM 2807-2, ACCESSIONS MEDICAL PRESCREEN REPORT.	1
US00013854	US00013854	No	11/1/2002	Unknown		DP - Deliberative Process	Partial draft copy of a list of medical codes and issues with changes tracked.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00013855	US00013855	No	11/1/2016	david.hamby		DP - Deliberative Process	Deliberative draft copy of AF Accession Waiver Working Group with comments and edits.	3
US00013978	US00013978	No	6/5/2013	Nathalie Lawrence		DP - Deliberative Process	Deliberative comments from the Services and the OSD staff on the most recent version of DoDI 6485.01.	1
US00014079	US00014079	No	12/14/2018	ADO		DP - Deliberative Process	Draft Document (DoD Personnel Policies Regarding Members of the Armed Forces Infected with HIV: Report to the Committees on the Armed Services of the Senate and House of Representatives). Marked--Draft: For Internal Use Only. Dated 2018.	2
US00014080	US00014080	No	8/1/2018	Collier, Raymond E LT NPC, Pers-454		DP - Deliberative Process	Dated meeting notes regarding updating U.S. Navy Military Personnel Manual (MILPERSMAN 1300-1300 Assignment of Personnel with Blood Borne Pathogens (BBP)); author unknown, Contains pre-decisional and deliberative materials regarding the addition of DODI 1332.45 "Retention Determinations for Non-Deployable Service Members." to the MILPERSMAN. The meeting notes reflect opinions and recommendations from the author.	1
US00014105	US00014107	Yes	12/27/2017	andrea.hicks		DP - Deliberative Process	Undated and unsigned Memorandum for Assistant Secretary of the Navy (Manpower and Reserve Affairs) in re "Data Request Regarding Personnel Policies for Members of the Armed Forces Infected with Human Immunodeficiency Virus" containing pre-decisional and deliberative materials, to wit-- suggestions, from the author which have been appropriately redacted.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00014113	US00014113	No	8/1/2018			DP - Deliberative Process	This draft document MILPERSMAN 1300-1300 Assignment of Personnel with Bloodborne Pathogens (BBP) contains pre-decisional and deliberative materials, to wit: track changes and comments.	1
US00014114	US00014114	No	12/8/2015			DP - Deliberative Process	Draft BBP Counseling Statement for Draft SECNAVINST 5300.30F. Document contains pre-decisional and deliberative materials, to wit: recommended document language.	1
US00014115	US00014115	No	12/8/2015			DP - Deliberative Process	Draft Order to Follow Preventive Medicine Requirement for Draft SECNAVINST 5300.30F. Document contains pre-decisional and deliberative materials, to wit: recommended document language.	1
US00014116	US00014116	No	2/2/2018	ADO		DP - Deliberative Process	Undated and unsigned draft letter from the Under Secretary of Defense to Senator McCain, Chairman, SASC. A draft document in regard to the DoD deliberative process.	2
US00014117	US00014117	No	4/2/2018	ADO		DP - Deliberative Process	Draft Document (DoD Personnel Policies Regarding Members of the Armed Forces Infected with HIV: Report to the Committees on the Armed Services of the Senate and House of Representatives). Marked--Draft: For Internal Use Only. Dated 2018. This draft document contains predecisional and deliberative materials.	2
US00014864	US00014864	Yes	12/13/2018			DP - Deliberative Process	An e-mail dated 13 Apr 2016, describing the Nuclear HIV Policy. Redacted portions of the e-mail contain deliberative process material, to wit: advice about agency decisions by the author.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00015288	US00015290	Yes	12/12/2018	SGT EVANS		DP - Deliberative Process	Information Paper dated 1 Mar 2011. Contains several sentences containing privileged deliberative process material; to wit: recommendations regarding agency decisions. Appropriate redactions have been made.	1
US00015317	US00015317	No	3/12/2012	DKlamt		DP - Deliberative Process	Undated comments matrix for DoD Issuances: DTM 08-033 "Interim Guidance for Clinical Case Management for the Wounded, Ill, and Injured Service Member in the Military Health System. Document contains deliberative process materials; to wit: comments and recommendations IRT DoD guidance as it relates to Navy and Marine Corps.	1
US00015318	US00015318	No	3/12/2012	DKlamt		DP - Deliberative Process	Undated comments matrix for DoD Issuances: DTM 08-033 "Interim Guidance for Clinical Case Management for the Wounded, Ill, and Injured Service Member in the Military Health System. Document contains deliberative process materials; to wit: comments and recommendations IRT DoD guidance as it relates to Navy and Marine Corps.	1
US00015328	US00015328	No	2/7/2014	Janice T Robinson		DP - Deliberative Process	Undated and unsigned MPO comments on Reserve Affairs Comment qtr to MARFORRES ltr did 4 Dec 2013. Draft letter is deliberative process material.	1
US00015352	US00015353	Yes	12/12/2018			DP - Deliberative Process	7 Feb 2014 and signed MPO comments on Reserve Affairs Comment ltr to MARFORRES ltr did 4 Dec 2013. Letter contains deliberative process material; to wit: recommended comments to be included in the response regarding reserve mobilization policies.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00015490	US00015490	No	4/25/2014	Janice T Robinson		DP - Deliberative Process	Undated and unsigned letter from Director, Manpower Plans and Policy to ASN M&RA in re Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document is pre-decisional and contains deliberative materials.	1
US00015495	US00015495	No	4/17/2014	andrea.hicks		DP - Deliberative Process	Undated and unsigned draft BUMED Memorandum for ASN M&RA in re Report on DOD Personnel Policies Regarding Members of the Armed Force with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	1
US00015523	US00015523	No	10/30/2015	USD(P&R)		DP - Deliberative Process	Unsigned and undated draft of DODI 6130.03 containing track changes and comments. This draft document contains pre-decisional and deliberative materials.	1
US00015569	US00015569	No	3/7/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned memorandum for OLA in re Policies for HIV Positive Marines. This draft memorandum contains pre-decisional and deliberative materials.	1
US00015572	US00015572	No	3/7/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned memorandum for OLA in re Policies for HIV Positive Marines. This undated and unsigned draft memorandum contains pre-decisional and deliberative materials.	1
US00015580	US00015580	No	3/7/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned memorandum for OLA in re Policies for HIV Positive Marines. This draft memorandum contains pre-decisional and deliberative materials.	1
US00015586	US00015592	Yes	3/16/2016	Cerny CIV Kerry A <kerry.cerny@usmc.mil>	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Email dated 16 Mar 2016 contains pre-decisional and deliberative materials in the e-mail trails that have been properly redacted.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00015593	US00015593	No	3/23/2012	DKlamt		DP - Deliberative Process	Comment Matrix for DoD Issuances: DTM 08-033 "Interim Guidance for Clinical Case Management for the Wounded, Ill, and Injured Service Member in the Military Health System." Document contains pre-decisional and deliberative materials to include opinions, comments, and recommendations.	1
US00015597	US00015597	No	3/12/2012	DKlamt		DP - Deliberative Process	Comment Matrix for DoD Issuances: DTM 08-033 "Interim Guidance for Clinical Case Management for the Wounded, Ill, and Injured Service Member in the Military Health System." Document contains pre-decisional and deliberative materials to include opinions, comments, and recommendations.	1
US00015598	US00015598	No	2/16/2012	Walter.Elias		DP - Deliberative Process	Undated and unsigned draft SECNAVINST 5300.30E. This draft document contains pre-decisional and deliberative materials.	1
US00015599	US00015599	No	3/16/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00015602	US00015602	No	3/16/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00015605	US00015605	No	3/16/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00015606	US00015608	Yes	3/16/2016	Wunderlich LtCol Erwin J <erwin.wunderlich@usmc.mil>	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	LtCol Wunderlich e-mail dated 16 Mar 2016 contains deliberative materials; to wit: recommendations. The proper redaction has been made.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00015609	US00015609	No	3/16/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00015915	US00015915	No	3/17/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00015929	US00015929	No	3/17/2016	Janice T Robinson		DP - Deliberative Process	Undated and unsigned Memorandum for Office of Legislative Affairs in re Policies for HIV Positive Marines. Draft Memorandum contains pre-decisional and deliberative materials.	1
US00016398	US00016398	No	12/27/2016			DP - Deliberative Process	Marine and Family Programs Division Comments on DON Tracker Task 2016-MRA_MP_MPO-000000030.002.001. This document contains pre-decisional and deliberative materials; to wit: opinions and recommendations.	1
US00016399	US00016403	Yes	12/22/2016			DP - Deliberative Process	DON Tasker Data for 2016-MRA_MP-MPO-000000030 contains deliberative materials; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00016405	US00016409	Yes	12/22/2016			DP - Deliberative Process	DON Tasker Data for 2016-MRA_MP-MPO-000000030 contains deliberative materials; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00017774	US00017774	No	4/25/2014	Janice T Robinson		DP - Deliberative Process	Undated and unsigned letter from Director Manpower Plans and Policy to ASN M&RA in re Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017781	US00017781	No	12/21/2017	Janice T Robinson		DP - Deliberative Process	Working Draft dated 21 Dec 2017 in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This working draft document contains pre-decisional and deliberative materials.	2
US00017787	US00017787	No	12/21/2017	Janice T Robinson		DP - Deliberative Process	Working Draft dated 21 Dec 2017 in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This working draft document contains pre-decisional and deliberative materials.	2
US00017798	US00017798	No	12/23/2017	Janice T Robinson		DP - Deliberative Process	Working Draft dated 21 Dec 2017 in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This working draft document contains pre-decisional and deliberative materials.	2
US00017831	US00017831	No	12/27/2017	Janice T Robinson		DP - Deliberative Process	This undated and unsigned draft document in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	2
US00017841	US00017841	No	12/28/2017	Janice T Robinson		DP - Deliberative Process	This undated and unsigned draft document in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	2

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017846	US00017846	No	12/28/2017	Janice T Robinson		DP - Deliberative Process	Working Draft dated 21 Dec 2017 in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This working draft document contains pre-decisional and deliberative materials.	2
US00017859	US00017859	No	1/3/2018	Janice T Robinson		DP - Deliberative Process	This undated and unsigned draft document in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	2
US00017865	US00017865	No	12/27/2017	andrea.hicks		DP - Deliberative Process	Undated and unsigned, draft Deputy Chief, Readiness & health, BUMED Memorandum for ASN M&RA for Data Request Regarding Personnel Policies for Members of the Armed Forces Infected with HIV. This draft memorandum contains pre-decisional and deliberative materials.	1
US00017866	US00017866	No	1/3/2018	andrea.hicks		DP - Deliberative Process	Undated and unsigned, draft Deputy Chief, Readiness & health, BUMED Memorandum for ASN M&RA for Data Request Regarding Personnel Policies for Members of the Armed Forces Infected with HIV. This draft memorandum contains pre-decisional and deliberative materials.	1
US00017867	US00017873	Yes	1/3/2018			DP - Deliberative Process	Tasker Data 2017-MMP-000000268.001.001.001.001 in re Data Request Regarding Personnel Policies for Members of the Armed Forces Infected with HIV contains pre-decisional and deliberative materials; to wit: opinion and recommendations.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017877	US00017877	Yes	1/3/2018	USMC		DP - Deliberative Process	MP Division Brief Sheet of 2 Jan 2018 contains pre-decisional and deliberative materials; to wit, recommendations. The subject recommendations were appropriately redacted.	1
US00017878	US00017878	No	1/3/2018	Janice T Robinson		DP - Deliberative Process	This undated and unsigned draft document in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	2
US00017882	US00017913	Yes	12/12/2018			DP - Deliberative Process	MP Division Brief Sheet of 2 Jan 2018 contains pre-decisional and deliberative materials; to wit, recommendations. The subject recommendations were appropriately redacted.	1
US00017918	US00017918	No	1/3/2018	Janice T Robinson		DP - Deliberative Process	This undated and unsigned draft document in re M&RA Comment for Report on DoD Personnel Policies Regarding Members of the Armed Forces with HIV or HEP B. This draft document contains pre-decisional and deliberative materials.	2
US00017937	US00017937	No	3/7/2018	Turkal LtCol Joseph B <joseph.turkal@usmc.mil>	Barry CIV Robert W Jr <robert.w.barry@usmc.mil> Ford Col Dom D <dom.ford@usmc.mil>; Haycock Maj Kelly P <kelly.haycock@usmc.mil>	DP - Deliberative Process	LtCol Turkal's e-mail of 7 Mar 2018 contains pre-decisional and deliberative materials; to wit: opinion and recommendation.	1
US00017938	US00017938	No	3/8/2018	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	charmagne.g.beckett.mil@mail.mil Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Barry's e-mail of 8 Mar 2018 contains material that is pre-decisional and deliberative; to wit: advice about agency decisions.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017939	US00017939	No	3/8/2018	Beckett, Charmagne G CAPT USN NAVBLDINFMANCEN MD (US) <charmagne.g.beckett.mil@mail.mil>	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>Barry CIV Robert W Jr <robert.w.barry@usmc.mil>; Figueroa, Mildred Vanessa CIV USN NAVBLDINFMANCEN MD (US) <mildred.v.figueroa.civ@mail.mil>; Mclean, Scotia L CIV USN NAVBLDINFMANCEN MD (US) <scotia.l.mclean.civ@mail.mil>	DP - Deliberative Process	CAPT Beckett's e-mail of 8 Mar 2018 contains material that is pre-decisional and deliberative; to wit: recommendation.	1
US00017940	US00017940	No	3/8/2018	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	Beckett, Charmagne G CAPT USN NAVBLDINFMANCEN MD (US)' <charmagne.g.beckett.mil@mail.mil>Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Barry's e-mail of 8 Mar 2018 contains material that is pre-decisional and deliberative; to wit: recommendations and advice about agency decisions.	1
US00017941	US00017941	No	3/8/2018	Beckett, Charmagne G CAPT USN NAVBLDINFMANCEN MD (US) <charmagne.g.beckett.mil@mail.mil>	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	CAPT Beckett's e-mail of 8 Mar 2018 contains material that is pre-decisional and deliberative; to wit: opinion.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017942	US00017942	Yes	3/8/2018	Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	Turkal LtCol Joseph B <joseph.turkal@usmc.mil> >Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Barry's e-mail contains material in the e-mail thread that is pre-decisional and deliberative; to wit: advice about agency decisions. The appropriate material has been redacted.	1
US00017943	US00017945	Yes	6/26/2018	Cerny CIV Kerry A <kerry.cerny@usmc.mil>	Broom CDR Kimberly L <kimberly.broom@usmc.mil>; Hanscom CIV Steven M <steven.hanscom@usmc.mil>McCarroll LtCol Mark <mark.mccarroll@usmc.mil>; Gahagan CIV Brian S <brian.gahagan@usmc.mil>; Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Cerny's e-mail of 26 Jun 2018 in re HIV Prep contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00017946	US00017946	No	4/11/2017	Tran GySgt Hung V		DP - Deliberative Process	This undated and unsigned document from Manpower Management Integration Branch in re Assignment of Personnel with Bloodborne Pathogens is a draft document and pre-decisional and deliberative.	1
US00017947	US00017947	No	4/7/2017	JMSheffield		DP - Deliberative Process	Draft Guide for Commanding Officers and Officers in Charge of HIV-Infected Members dated April 2017 is pre-decisional and deliberative; to wit: it contains track changes	1
US00017957	US00017957	No	6/26/2018	Creecy, Nicole, CTR, OASD(HA)/TMA		DP - Deliberative Process	Undated and unsigned Draft document on Service Policies On Human Immunodeficiency Virus Pre-Exposure Prophylaxis Information Paper. This draft document is pre-decisional and deliberative.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017958	US00017961	Yes	6/26/2018	Gahagan CIV Brian S <brian.gahagan@usmc.mil>	Cerny CIV Kerry A <kerry.cerny@usmc.mil>; Broom CDR Kimberly L <kimberly.broom@usmc.mil>; Hanscom CIV Steven M <steven.hanscom@usmc.mil>McCarroll LtCol Mark <mark.mccarroll@usmc.mil>; Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Gahagan's e-mail of 26 Jun 2018 in re HIV PrEP contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00017962	US00017965	Yes	6/26/2018	Broom CDR Kimberly L <kimberly.broom@usmc.mil>	Gahagan CIV Brian S <brian.gahagan@usmc.mil>; Cerny CIV Kerry A <kerry.cerny@usmc.mil>; Hanscom CIV Steven M <steven.hanscom@usmc.mil>McCarroll LtCol Mark <mark.mccarroll@usmc.mil>; Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	CDR Broom's e-mail of 26 Jun 2018 in re HIV PrEP contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017966	US00017970	Yes	6/27/2018	Cerny CIV Kerry A <kerry.cerny@usmc.mil>	Broom CDR Kimberly L <kimberly.broom@usmc.mil>; Gahagan CIV Brian S <brian.gahagan@usmc.mil>; Hanscom CIV Steven M <steven.hanscom@usmc.mil>McCarroll LtCol Mark <mark.mccarroll@usmc.mil>; Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Cerny's e-mail of 27 Jun 2018 in re HIV PrEP contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00017972	US00017972	Yes	6/27/2018	Cerny CIV Kerry A <kerry.cerny@usmc.mil>	Mayer Col Douglas S <douglas.mayer@usmc.mil>Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	Mr. Cerny's e-mail of 27 Jun 2018 in re HIV PrEP contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00017982	US00017982	No	6/26/2018	Creecy, Nicole, CTR, OASD(HA)/TMA		DP - Deliberative Process	Undated and unsigned draft document on Service Policies On Human Immunodeficiency Virus Pre-Exposure Prophylaxis Information Paper. This draft document is pre-decisional and deliberative.	1
US00017990	US00017990	No	6/27/2018	Creecy, Nicole, CTR, OASD(HA)/TMA		DP - Deliberative Process	Undated and unsigned Draft document on Service Policies On Human Immunodeficiency Virus Pre-Exposure Prophylaxis Information Paper. This draft document is pre-decisional and deliberative.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00017991	US00017994	Yes	6/28/2018	Broom CDR Kimberly L <kimberly.broom@usmc.mil>	Cerny CIV Kerry A <kerry.cerny@usmc.mil>; Hanscom CIV Steven M <steven.hanscom@usmc.mil> McCarroll LtCol Mark <mark.mccarroll@usmc.mil>; Gahagan CIV Brian S <brian.gahagan@usmc.mil>; Barry CIV Robert W Jr <robert.w.barry@usmc.mil>	DP - Deliberative Process	CDR Broom's e-mail of 28 Jun 2018 in re HIV PrEP contains material that is pre-decisional and deliberative; to wit: opinion and recommendation. The appropriate material has been redacted.	1
US00018198	US00018198	No	4/25/2014	Burkett Maj Jason E		DP - Deliberative Process	Synchronization Document dated 25 Apr 2014 is a pre-decisional and deliberative document; to wit: opinion and recommendation.	1
US00018199	US00018199	No	7/25/2014	Burkett Maj Jason E		DP - Deliberative Process	Draft MARADMIN dated 25 Jul 2014 in re Policy Clarification Regarding the Assignment of Reserve Marines with HIV infections. This draft document contains pre-decisional and deliberative material.	1
US00018203	US00018203	No	5/13/2014	Burkett Maj Jason E		DP - Deliberative Process	Draft MARADMIN dated 12 May 2014 in re Policy Clarification Regarding the Assignment of Reserve Marines with HIV infections. This draft document contains pre-decisional and deliberative material.	1
US00018204	US00018204	No	6/2/2014	Burkett Maj Jason E		DP - Deliberative Process	Draft MARADMIN dated 25 Jul 2014 in re Policy Clarification Regarding the Assignment of Reserve Marines with HIV infections. This draft document contains pre-decisional and deliberative material.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00018205	US00018205	No	7/24/2014	Burkett Maj Jason E		DP - Deliberative Process	HIV MARADMIN Sync Document of 24 Jul 2014 contains material that is pre-decisional and deliberative; to wit: opinion and recommendation.	1
US00018206	US00018206	No	6/9/2014	Burkett Maj Jason E		DP - Deliberative Process	Draft MARADMIN dated 12 May 2014 in re Policy Clarification Regarding the Assignment of Reserve Marines with HIV infections. This draft document contains pre-decisional and deliberative material.	1
US00018208	US00018208	Yes	5/12/2014	Burkett Maj Jason E		DP - Deliberative Process	Tasker Coordination document in re Draft MARADMIN Policy Clarification WRT the Assignment of RC Marines with HIV Infection (AO Level Review) contains material that is pre-decisional and deliberative; to wit: opinion. The appropriate material has been redacted.	1
US00019117	US00019117	No	6/9/2014	Burkett Maj Jason E		DP - Deliberative Process	Draft MARADMIN dated 12 May 2014 n re Policy Clarification Regarding the Assignment of Reserve Marines with HIV infections. This draft document contains pre-decisional and deliberative material.	1
US00019118	US00019118	No	1/27/2014			DP - Deliberative Process	Draft SECNAV 5300.30F is a document that contains pre-decisional and deliberative material; to wit: Comments and Track Changes	1
US00019783	US00019783	No	12/17/2018	Jared Mckendall		DP - Deliberative Process	Draft MILPERSMAN 1300-1300 is a document that contains pre-decisional and deliberative materials, to wit: opinion, recommendation, and track changes.	1
US00019784	US00019784	No	9/23/2018	Jared Mckendall		DP - Deliberative Process	Draft MILPERSMAN 1300-1300 is a document that contains pre-decisional and deliberative materials, to wit: opinion, recommendation, and track changes.	1
US00019785	US00019785	No	8/8/2018	Jared Mckendall		DP - Deliberative Process	Draft MILPERSMAN 1300-1300 is a document that contains pre-decisional and deliberative materials, to wit: opinion, recommendation, and track changes.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00019833	US00019833	No	12/13/2018	P013		DP - Deliberative Process	This document, in re MILPERSMAN Review and Change Request (Administrative Review/Update) MILPERSMAN 1306-1600 (Hospitalization of Enlisted Personnel) contains pre-decisional and deliberative materials; to wit: handwritten edits and comments.	1
US00019834	US00019834	No	12/13/2018	P013		DP - Deliberative Process	This document, in re MILPERSMAN Review and Change Request (Administrative Review/Update) MILPERSMAN 1306-1600 (Hospitalization of Enlisted Personnel) contains pre-decisional and deliberative materials; to wit: handwritten edits and comments.	1
US00019858	US00019858	No	12/13/2018			DP - Deliberative Process	Undated and unsigned draft SECNAVINST 5300.30F. This draft document contains pre-decisional and deliberative materials.	1
US00019931	US00019931	No	7/11/2018	Nathalie Holberg		DP - Deliberative Process	DoD Issuance Coordination Response in re SECNAVINST 5430.107 "Mission and Functions of The Naval Criminal Investigative Service" is a document that contains pre-decisional and deliberative materials, to wit: opinion and recommendations.	1
US00020034	US00020034	No	2/5/2018			DP - Deliberative Process	Component Coordinator Response dated 9 Jan 2018 in re SECNAVINST 5300.30F, "Management of HIV, HEP B Virus, and HEP C Virus Infection in the Navy and Marine Corps" is a document that contains pre-decisional and deliberative materials, to wit: opinion and recommendation.	1
US00020067	US00020067	No	8/2/2018			DP - Deliberative Process	Undated and unsigned draft SECNAVINST 5300.30F. This draft document contains pre-decisional and deliberative materials.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020069	US00020069	No	12/17/2018			DP - Deliberative Process	Coordination Sheet dated 27 Feb 2018 in re DoD Retention Policy for Non-Deployable Service Members is a document that contains deliberative materials, to wit: recommendation.	4
US00020074	US00020074	No	12/17/2018			DP - Deliberative Process	Deputy ASN M&RA Memorandum for Director, Defense Health Agency in re Formal Coordination Request for Defense Health Agency Interim Procedures Memorandum 18-00x, "Guidance for the Provision of HIV Pre-exposure Prophylaxis (PrEP) for Persons at High Risk of Acquiring HIV Infection" is a document that contains pre-decisional and deliberative materials.	1
US00020112	US00020112	No	12/14/2018	ADO		DP - Deliberative Process	Draft DoD Personnel Policies Regarding Members of the Armed Forces Infected with HIV: Report to the Committees on the Armed Services of the Senate and House of Representatives. is a draft document that contains pre-decisional and deliberative material.	1
US00020151	US00020151	No	10/2/2018	rodrick.perryman		DP - Deliberative Process	Draft SECNAV Memorandum for Chief of Naval Personnel in re Management and Reporting of Non-Deployable Service Members in the Department of the Navy. This is a draft document that contains pre-decisional and deliberative material; to wit: tracked changes.	1
US00020154	US00020154	No	10/2/2018	rodrick.perryman		DP - Deliberative Process	Draft SECNAV Memorandum for Chief of Naval Personnel in re Management and Reporting of Non-Deployable Service Members in the Department of the Navy. This is a draft document that contains pre-decisional and deliberative material; to wit: tracked changes.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020183	US00020185	Yes	10/25/2017			DP - Deliberative Process	Spreadsheet dated 8/31/17 detailing categories of non-deployable servicemembers and numbers of each type.	4
US00020186	US00020186	No	8/10/2017	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing deployment availability codes and numbers of airmen assigned each code.	4
US00020187	US00020187	No	10/19/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers of each.	4
US00020188	US00020188	No	1/17/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers.	4
US00020189	US00020191	Yes	12/18/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers in each category.	4
US00020192	US00020192	No	9/27/2017	MACSATA, JOHN J GS-13 USAF ANG ANG READINESS FO/A1MP		DP - Deliberative Process	Spreadsheet containing codes assigned to non-deployable Air National Guard members by unit of assignment.	4
US00020193	US00020193	No	10/12/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers of each type.	4
US00020194	US00020194	No	8/31/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Spreadsheet containing categories of Air Force members non-deployable for non-medical reasons.	4
US00020195	US00020195	Yes	8/4/2016	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Blank deployment availability code creation/modification/deletion request.	4
US00020196	US00020197	Yes	8/21/2018	JOHNSON, MARK N GS-12 USAF AFMAA AFMAA/MAOF		DP - Deliberative Process	Bullet Background Paper on Military Man-Hour Availability Factor components. Analysis of factors affecting non-availability of military personnel in workplace.	1
US00020198	US00020198	No	8/22/2018	BUSQUE, CHRISTOPHER M Lt Col USAF AETC AWC/AY18 Fellows		DP - Deliberative Process	Draft memo from AF/A1 discussing potential actions to increase deployability of Air Force members.	1
US00020199	US00020199	No	10/15/2018	LeDoux, Jacqueline F CIV		DP - Deliberative Process	Overview of proposed review of Air Force personnel policy aimed at improving deployability rates.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020200	US00020200	No	10/15/2018	LeDoux, Jacqueline F CIV		DP - Deliberative Process	Overview of study aimed at increasing deployability rates through changes in personnel policy.	1
US00020201	US00020201	No	8/22/2018	BUSQUE, CHRISTOPHER M Lt Col USAF AETC AWC/AY18 Fellows		DP - Deliberative Process	Responses to AF/A1 plan to increase deployability rates.	1
US00020202	US00020202	No	8/22/2018	Hoecherl, Joseph C (Joey) Capt USAF AF-A1 (US)		DP - Deliberative Process	Powerpoint presentation dated 8/15/18 created by AF/A1 discussing categories of non-deployable airmen and potential policy changes to increase deployability rates.	1
US00020203	US00020203	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers in each category.	4
US00020204	US00020204	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020205	US00020205	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020206	US00020206	No	8/20/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020207	US00020207	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020208	US00020208	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020209	US00020209	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020210	US00020210	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020211	US00020211	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020212	US00020212	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020213	US00020213	No	8/16/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers and numbers assigned to each category.	4
US00020214	US00020214	No	10/25/2018			DP - Deliberative Process	Outline of proposed study "identifying Policy Options to Reduce Nondeployable Rates"	1
US00020215	US00020215	No	10/3/2018	RAND		DP - Deliberative Process	Outline of proposed study "identifying Policy Options to Reduce Nondeployable Rates"	1
US00020216	US00020216	No	8/15/2018	Donnelly, Glenn, LTC, USAF		DP - Deliberative Process	Spreadsheet containing various proposed courses of action for increasing deployment rates with analysis of potential effectiveness and costs.	1
US00020217	US00020217	No	10/30/2018			DP - Deliberative Process	Memo from AF/A1 to A9 regarding deployability policy study.	1
US00020613	US00020613	No	4/4/2018	Bauer, Kent P CIV OSD OUSD P-R (US)		DP - Deliberative Process	Power point presentation from working group meeting discussing separation of non-deployable personnel.	1
US00020614	US00020614	No	12/12/2018	BANKS, BRIAN D GS-12 USAF HAF SAF/SAF/LL		DP - Deliberative Process	Paper with talking points regarding non-deployability. Created by AF/A1, marked as "Predecisional/Internal to AF/Nonreleasable." Discusses various strategies for increasing deployability rates.	1
US00020616	US00020616	No	10/17/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 1017/17 meeting of Military Personnel Policy Working Group discussing deployability policy. Marked pre-decisional, not for release.	1
US00020617	US00020617	No	8/7/2018	Michael Labejsza		DP - Deliberative Process	Powerpoint presentation from 8/8/18 Military Personnel Policy Working Group discussing DODI 1332.45.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020618	US00020618	No	8/10/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 8/10/17 meeting of Military Personnel Policy Working Group. Marked Pre-decisional, not for release.	1
US00020619	US00020619	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each category.	4
US00020620	US00020620	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020621	US00020621	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020622	US00020622	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020623	US00020623	No	8/16/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from Military Personnel Policy Working Group meeting dated 8/18/17. Marked pre-decisional, not for release.	4
US00020624	US00020624	No	8/16/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020625	US00020625	No	8/16/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020626	US00020626	No	9/18/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 9/7/17 Military Personnel Policy Working Group. Marked pre-decisional, not for release.	1
US00020627	US00020627	No	9/18/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 9/15/17 meeting of Military Personnel Policy Working Group. Marked pre-decisional, not for release.	1
US00020628	US00020628	No	11/1/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 11/1/17 meeting of Military Personnel Policy Working group, marked pre-decisional, not for release.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020629	US00020629	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020630	US00020630	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020631	US00020631	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020632	US00020632	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020633	US00020633	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020634	US00020634	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020635	US00020635	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020636	US00020636	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020637	US00020637	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020638	US00020638	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020639	US00020639	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020640	US00020640	No	10/31/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020641	US00020641	No	8/2/2017	Tiaa Henderson		DP - Deliberative Process	Powerpoint presentation from 8/3/17 Military Personnel Policy Working Group, marked pre-decisional and not for release.	1
US00020642	US00020642	No	7/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020643	US00020643	No	7/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020644	US00020644	No	7/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020645	US00020645	No	7/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020646	US00020646	No	6/8/2018			DP - Deliberative Process	Draft information paper discussing draft of DoDI 1332.45 and its impact on Air National Guard.	1
US00020647	US00020647	No	11/17/2017	LUEB, RONALD M GS-13 USAF AFPC AFPC/DSYA		DP - Deliberative Process	Spreadsheet with list of deployment availability codes and number of non-deployable airmen by AFSC.	4
US00020649	US00020649	No	11/13/2017	Michael Labejsza		DP - Deliberative Process	Powerpoint presentation dated 11/13/17 titled Readiness and Lethality Working Group Updates to the Defense Human Resources Board. Marked pre-decisional not for release.	1
US00020650	US00020650	No	11/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020652	US00020652	No	5/22/2018	Caitlin		DP - Deliberative Process	Template slide show for reporting deployment, separation, and recruiting statistics.	4

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US00020653	US00020653	No	3/12/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020654	US00020654	No	3/12/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020655	US00020655	No	3/7/2018	WHALEN, AMANDA R Capt US Air Force HAF U S AIR FORCE HQ/A1		DP - Deliberative Process	AF/A1 Powerpoint presentation discussing various developing personnel policies including retention standards for non-deployable personnel.	1
US00020656	US00020656	No	7/24/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Bullet Background Paper discussing Deployability Rates of Air Force Personnel.	4
US00020662	US00020662	No	10/26/2017	Christopher.McClain		DP - Deliberative Process	Spreadsheet containing readiness statistics by MAJCOM.	4
US00020663	US00020663	No	10/24/2017			DP - Deliberative Process	Spreadsheet containing readiness statistics by MAJCOM.	4
US00020664	US00020664	No	10/24/2017	Ralph.Celento		DP - Deliberative Process	Spreadsheet containing readiness statistics by MAJCOM.	4
US00020665	US00020665	No	10/24/2017	Ronald Lueb		DP - Deliberative Process	Spreadsheet containing deployability statistics.	4
US00020666	US00020666	No	10/24/2017	Ralph.Celento		DP - Deliberative Process	Spreadsheet containing deployment statistics.	4
US00020688	US00020688	No	2/21/2018	Arlene.Collazo		DP - Deliberative Process	Blank powerpoint presentation with spreadsheets containing framework for analysis of possible separations policies for non-deployable servicemembers.	1
US00020689	US00020689	No	3/12/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable members with numbers assigned to each category.	4
US00020690	US00020690	No	2/20/2018	Mullins, James, Col, USAF		DP - Deliberative Process	Spreadsheet containing overall Individual Medical Readiness statistics for AD, AFRC, and AD AF.	4
US00020691	US00020691	No	2/23/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020692	US00020692	No	2/28/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020693	US00020693	No	3/2/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020694	US00020694	No	2/23/2018	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing deployment availability data broken down by AFSC.	4
US00020696	US00020696	No	10/18/2017	Greg Barnes		DP - Deliberative Process	Data request from A1 to AFPC for statistics regarding members in patient and appellate leave status.	4
US00020697	US00020697	No	12/18/2018			DP - Deliberative Process	Spreadsheet with statistics of members with deployment limitations by AFSC.	4
US00020698	US00020698	No	1/25/2018	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable members and numbers assigned to each.	4
US00020699	US00020699	No	11/22/2017	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020700	US00020700	No	11/1/2017	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020701	US00020701	No	2/26/2018	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020702	US00020702	No	11/17/2017	Rebecca Hall		DP - Deliberative Process	Spreadsheet containing gross numbers and percentage of force with assignment limitation codes.	4
US00020703	US00020703	No	10/3/2018			DP - Deliberative Process	Bullet background paper discussing policy options on reporting of non-deployable airmen. Dated 3 Oct 18.	1
US00020704	US00020704	No	8/6/2018			DP - Deliberative Process	Bullet background paper discussing policy options regarding reporting of non-deployable airmen. Dated 8/3/18.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020705	US00020705	No	8/20/2018	LACEY, ANN M CIV USAF AFPC AFPC/DP3SA		DP - Deliberative Process	AFPC bullet background paper on DOD Retention Policy for Non-Deployable Service Members.	1
US00020706	US00020706	No	9/28/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	Bullet background paper discussing AF implementation of DODI 1332.45 dated 9/28/18 by AF/A1.	1
US00020710	US00020710	No	2/27/2018	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020711	US00020711	No	2/23/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020713	US00020713	No	8/9/2017	Tiaa Henderson		DP - Deliberative Process	Slide deck containing categories of non-deployable personnel and numbers assigned to each. Marked pre-decisional, not for release.	4
US00020714	US00020714	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020715	US00020715	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020716	US00020716	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020717	US00020717	No	8/9/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020718	US00020718	No	10/18/2017			DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020719	US00020719	No	11/22/2017			DP - Deliberative Process	Spreadsheet with list of deployment availability codes.	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020720	US00020720	No	2/21/2018	ALLOWAY, ROGER D GS-13 USAF AFPC DS/DSYDR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020721	US00020721	No	11/21/2017	Nathalie Holberg		DP - Deliberative Process	AF Coordination on Personnel Policies to Enhance Readiness and Lethality Final Report.	4
US00020722	US00020722	No	11/17/2017	Nathalie Holberg		DP - Deliberative Process	AF coordination on Personnel Policies to Enhance Readiness and Lethality Final Report.	4
US00020723	US00020723	No	11/21/2017	Nathalie Holberg		DP - Deliberative Process	AF coordination on Personnel Policies to Enhance Readiness and Lethality Final Report	4
US00020725	US00020725	No	12/19/2017	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing Dental readiness data.	4
US00020726	US00020726	No	11/17/2017	LUEB, RONALD M GS-13 USAF AFPC AFPC/DSYA		DP - Deliberative Process	Spreadsheet containing statistics for temporary and permanently non-deployable members.	4
US00020727	US00020727	No	11/20/2017	LUEB, RONALD M GS-13 USAF AFPC AFPC/DSYA		DP - Deliberative Process	Spreadsheet containing categories of permanent and temporary non-deployable members.	4
US00020728	US00020728	No	3/28/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020729	US00020729	No	4/12/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020730	US00020730	No	7/30/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020743	US00020743	No	8/1/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	A1 memo discussing possible strategies to increase deployability rates.	1
US00020744	US00020744	No	8/1/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	A1 memo discussing possible policies to increase deployability rates.	1
US00020745	US00020745	No	8/1/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	ESSS routing request for information to develop strategy for increasing deployability rates.	1
US00020746	US00020746	No	8/7/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	ESSS requesting strategies for increasing deployment rates.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020747	US00020747	No	8/8/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	ESSS requesting strategies for increasing deployment rates.	1
US00020748	US00020748	No	8/8/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	ESSS requesting strategies for increasing deployment rates.	1
US00020749	US00020749	No	3/13/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020750	US00020750	No	3/23/2018	LtCol White		DP - Deliberative Process	Powerpoint presentation discussing February 2018 DoD policy memo and development of follow up guidance from AF on non-deployability and separations.	1
US00020751	US00020751	No	10/3/2017	Michael Labejsza		DP - Deliberative Process	Readiness and Lethality Working Group slides discussing in progress review. Marked pre-decisional.	1
US00020752	US00020752	No	8/11/2017	GOODMAN, SONJA S GS-12 USAF AFPC AFPC/DPWORS		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020753	US00020753	No	8/7/2017	GOODMAN, SONJA S GS-12 USAF AFPC AFPC/DPWORS		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020754	US00020754	No	8/9/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020755	US00020755	No	11/13/2017	ClardyHS		DP - Deliberative Process	Updates to Defense Human Resource Board from Readiness and Lethality Working Group dated 11/9/17.	1
US00020756	US00020756	No	10/12/2018			DP - Deliberative Process	Spreadsheet containing deployability rates by service.	4
US00020757	US00020757	No	3/1/2018	WHALEN, AMANDA R Capt US Air Force HAF U S AIR FORCE HQ/A1		DP - Deliberative Process	Media prep briefing for CSAF from A1, including slide indicating AF guidance under development for retention of non-deployable airmen.	4

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US00020758	US00020758	No	9/10/2018	MCWHIRTER, MATTHEW A Maj US Air Force HAF AF/A1PPS		DP - Deliberative Process	Notes from AFPC meeting discussing progress of developing AF implementation of retention of non-deployable service members.	1
US00020759	US00020759	No	11/29/2017	HENDERSON, JOHN A GS-12 USAF AFPC AFPC/DPWOR		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020761	US00020761	No	9/28/2017	Michael Labejsza		DP - Deliberative Process	Slide show titled Lethality Working Groups Interim Reports, marked pre-decisional not for release.	1
US00020762	US00020762	No	10/10/2017	Michael Labejsza		DP - Deliberative Process	Interim reports from Lethality Working Group, 10/4/17	1
US00020763	US00020763	No	10/3/2017	MelillMR		DP - Deliberative Process	Interim report from Lethality Working Group on Military Personnel Policies, 9.27.17, marked pre-decisional.	1
US00020764	US00020764	No	9/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020765	US00020765	No	9/27/2017	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020766	US00020766	No	3/9/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020767	US00020767	No	3/27/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020768	US00020768	No	3/7/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020769	US00020769	No	3/9/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020770	US00020770	No	9/13/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1

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US00020771	US00020771	No	9/16/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020772	US00020772	No	9/12/2018	USD(P&R)		DP - Deliberative Process	Draft AF supplement to DODI 1332.45	1
US00020773	US00020773	No	9/5/2018	USD(P&R)		DP - Deliberative Process	Draft AF supplement to DODI 1332.45	1
US00020774	US00020774	No	9/5/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020775	US00020775	No	9/4/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020776	US00020776	No	9/7/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020777	US00020777	No	9/13/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020778	US00020778	No	9/7/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020779	US00020779	No	9/7/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020780	US00020780	No	9/11/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020781	US00020781	No	9/11/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020782	US00020782	No	9/14/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020783	US00020783	No	9/18/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020784	US00020784	No	9/14/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020785	US00020785	No	9/5/2018	Cole, Christie D CIV NPC, Pers-454		DP - Deliberative Process	Draft of Navy supplement to DODI 1332.45	1
US00020786	US00020786	No	9/20/2018	JENNIFER MACK		DP - Deliberative Process	Notes from A1 telephone conference discussing AF implementation of DODI 1332.45	1

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US00020787	US00020787	No	8/7/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020788	US00020788	No	8/14/2018	Pickard		DP - Deliberative Process	Draft public affairs guidance regarding DOD Policy on Retention of Non-Deployable Servicemembers	4
US00020789	US00020789	No	3/20/2018			DP - Deliberative Process	Slideshow containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020790	US00020790	No	5/10/2018			DP - Deliberative Process	Powerpoint presentation briefing to SECAF regarding non-deployability percentages and development of AF retention policy and other information regarding implementation of National defense strategy.	1
US00020791	US00020791	No	8/7/2018			DP - Deliberative Process	Draft slides for briefing progress on reducing deployment rates and implementation of DODI 1332.45	1
US00020792	US00020792	No	2/7/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020793	US00020793	No	3/22/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020794	US00020794	No	2/22/2018	STANDRIDGE, JIMMY B GS-12 USAF AFPC AFPC/DP3SA		DP - Deliberative Process	Spreadsheet containing AFPC comments on development of DODI 1332.45	1
US00020795	US00020795	No	9/25/2018	BLAS, JOMIA T Capt USAF AFPC AFPC/CCX		DP - Deliberative Process	Powerpoint presentation from AFPC detailing implementation of DODI 1332.45 in USAF.	1
US00020796	US00020796	No	9/25/2018	BLAS, JOMIA T Capt USAF AFPC AFPC/CCX		DP - Deliberative Process	AFPC powerpoint presentation detailing progress of implementing DODI 1332.45 in USAF	1
US00020797	US00020797	No	10/4/2018	JENNIFER MACK		DP - Deliberative Process	Bullet background paper by AF/A1 discussing retention determinations for non-deployable airmen.	1

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US00020798	US00020798	No	10/4/2018	LeDoux, Jacqueline F CIV		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020799	US00020799	No	12/12/2018	BANKS, BRIAN D GS-12 USAF HAF SAF/SAF/LL		DP - Deliberative Process	Talking points paper covering publication of retention for non-deployable servicemember policy.	1
US00020800	US00020800	No	3/20/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020801	US00020801	No	8/1/2018	Col C Kirkpatrick		DP - Deliberative Process	Bullet background paper on deployability rates by AF/A1 prepared in anticipation of publication of DODI 1332.45	1
US00020802	US00020802	No	8/1/2018	Col C Kirkpatrick		DP - Deliberative Process	Bullet background paper on deployability rates by AF/A1 prepared in anticipation of publication of DODI 1332.45	1
US00020803	US00020803	No	12/18/2018			DP - Deliberative Process	Bullet background paper on deployability rates by AF/A1 prepared in anticipation of publication of DODI 1332.45	1
US00020804	US00020804	No	7/25/2018	Col C Kirkpatrick		DP - Deliberative Process	Bullet background paper on deployability rates by AF/A1 prepared in anticipation of publication of DODI 1332.45	1
US00020805	US00020805	No	8/8/2018	Col C Kirkpatrick		DP - Deliberative Process	Bullet background paper on deployability rates by AF/A1 prepared in anticipation of publication of DODI 1332.45	1
US00020806	US00020806	No	6/29/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	Notes from brainstorming session on lowering non-deployability percentage	1
US00020807	US00020807	No		Sitterly, Daniel R SES USAF SAF-MR (US) <daniel.r.sitterly.civ@mail.mil>		DP - Deliberative Process	Email between SAF/MR and HAF discussing deployability percentages, dated 3/13/18	1
US00020808	US00020808	No	3/13/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4

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US00020809	US00020809	No	10/3/2017	MettsWA		DP - Deliberative Process	In Progress Review of Lethality Working Group Personnel Policies to Enhance Readiness and Lethality, 10/4/17	1
US00020810	US00020810	No	3/8/2018	Michael Labejsza		DP - Deliberative Process	Powerpoint discussing prioritization of categories of non-deployable personnel	1
US00020811	US00020811	No	3/5/2018	FISCHER, WILLIAM D Col USAF HAF AF/AF/A1P		DP - Deliberative Process	Draft memo to commanders regarding policy in DODI 1332.45	1
US00020812	US00020812	No	3/8/2018	LtCol White		DP - Deliberative Process	Slide show discussing categories of deployability potentially to be included in DOD/AF policy	1
US00020813	US00020813	No	3/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020816	US00020816	No	3/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020820	US00020820	No	3/7/2018	LtCol White		DP - Deliberative Process	Slide show depicting trends of non-deployability categories and discussing other ways to categorize	1
US00020825	US00020825	No	3/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020826	US00020826	No	3/9/2018	LtCol White		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020828	US00020828	No	3/9/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020829	US00020829	No	3/8/2018	KIRKPATRICK, CARYN L Lt Col USAF HAF U S AIR FORCE HQ/AF/A1P		DP - Deliberative Process	Staff summary sheet seeking methods of reporting numbers of non-deployable personnel to OSD	1
US00020830	US00020830	No	3/5/2018	Col C Kirkpatrick		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020831	US00020831	No	2/28/2018	LtCol White		DP - Deliberative Process	Slides discussing implementation of DODI 1332.45	1
US00020832	US00020832	No	8/28/2018	BUSQUE, CHRISTOPHER M Lt Col USAF AETC AWC/AY18 Fellows		DP - Deliberative Process	Document discussing methods of reducing non-deployable rates	1
US00020833	US00020833	No	3/8/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020834	US00020834	No	8/1/2018	Miller, David, LTC, USAF		DP - Deliberative Process	Bullet background paper discussing reporting of non-deployability statistics	1
US00020835	US00020835	No	8/1/2018	Miller, David, LTC, USAF		DP - Deliberative Process	Background paper on medical deployability principles	4
US00020836	US00020836	No	8/1/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020837	US00020837	No	8/1/2018	Miller, David, LTC, USAF		DP - Deliberative Process	Bullet background paper on Air Force Non-deployable personnel reporting	1
US00020838	US00020838	No	8/1/2018	Miller, David, LTC, USAF		DP - Deliberative Process	Bullet background paper on medical deployability principles	4
US00020839	US00020839	No	8/1/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020840	US00020840	No	7/12/2018			DP - Deliberative Process	Spreadsheet reflecting IDES timeline	4
US00020841	US00020841	No	3/8/2018	LtCol White		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020842	US00020842	No	3/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020844	US00020844	No	8/14/2018	Donnelly, Glenn, LTC, USAF		DP - Deliberative Process	Spreadsheet with ideas for decreasing non-deployability rates	1
US00020845	US00020845	No	8/15/2018	Miller, David, LTC, USAF		DP - Deliberative Process	Bullet background paper discussing short term solutions for lowering non-deployability rates	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020846	US00020846	No	8/15/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020847	US00020847	No	2/23/2018	Boykin.Jordan		DP - Deliberative Process	Slideshow from 2/18 discussing non-deployability rates	1
US00020848	US00020848	No	2/23/2018	ROSENMEIER, STEVEN R Brig Gen (NON-MAIL ENABLED)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category	4
US00020849	US00020849	No	8/10/2017	MelillMR		DP - Deliberative Process	Draft of terms of reference for development of retention policy for non-deployable personnel. Marked Draft/Pre-decisional.	1
US00020850	US00020850	No	3/27/2018	janene.stallcup		DP - Deliberative Process	Talking paper for SASC on USAF non-deployables due to medical reasons.	1
US00020851	US00020851	No	11/27/2017	Michael Labejsza		DP - Deliberative Process	Slideshow discussing draft version of DODI 1332.45 for MPWG.	1
US00020852	US00020852	No	3/12/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable personnel with numbers assigned to each category.	4
US00020864	US00020864	No	8/8/2018	Donnelly, Glenn, LTC, USAF		DP - Deliberative Process	Spreadsheet containing proposed strategies to decrease non-deployability rates.	1
US00020865	US00020865	No	8/6/2018	Donnelly, Glenn, LTC, USAF		DP - Deliberative Process	Spreadsheet containing proposed strategies to decrease non-deployability rates.	1
US00020866	US00020866	No	8/8/2018	Donnelly, Glenn, LTC, USAF		DP - Deliberative Process	Spreadsheet containing proposed strategies to decrease non-deployability rates.	1
US00020867	US00020867	No	9/24/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations for non-deployable airmen.	1
US00020868	US00020868	No	9/28/2018			DP - Deliberative Process	Draft memo delegating authority to act on retention determinations.	1
US00020869	US00020869	No	10/15/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020870	US00020870	No	10/15/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020871	US00020871	No	10/17/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020872	US00020872	No	10/17/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020873	US00020873	No	10/17/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020874	US00020874	No	10/17/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020875	US00020875	No	10/18/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020876	US00020876	No	10/18/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020877	US00020877	No	10/19/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020878	US00020878	No	10/24/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020879	US00020879	No	10/25/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations.	1
US00020880	US00020880	No	10/30/2018			DP - Deliberative Process	Draft memo for Implementation of DODI 1332.45	1
US00020881	US00020881	No	10/30/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020882	US00020882	No	10/31/2018			DP - Deliberative Process	Draft of memo for implementation of DODI 1332.45	1
US00020883	US00020883	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020884	US00020884	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020885	US00020885	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020886	US00020886	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020887	US00020887	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020888	US00020888	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1

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US00020889	US00020889	No	10/31/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020890	US00020890	No	11/1/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020891	US00020891	No	11/1/2018			DP - Deliberative Process	Draft memo regarding implementation of DODI 1332.45	1
US00020892	US00020892	No	11/1/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020893	US00020893	No	11/1/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020894	US00020894	No	11/1/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020895	US00020895	No	11/1/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020896	US00020896	No	9/17/2018			DP - Deliberative Process	MR retention plan for implementation of DODI 1332.45	1
US00020897	US00020897	No	9/17/2018			DP - Deliberative Process	Draft memo for delegation of authority to act on retention determinations	1
US00020898	US00020898	No	9/18/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations	1
US00020899	US00020899	No	9/18/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations	1
US00020900	US00020900	No	9/19/2018			DP - Deliberative Process	draft memo for delegating authority to act on retention determinations	1
US00020901	US00020901	No	9/21/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations	1
US00020902	US00020902	No	9/17/2018			DP - Deliberative Process	Draft memo for delegating authority to act on retention determinations	1
US00020904	US00020904	No	10/15/2018	winston schmidt		DP - Deliberative Process	Comment matrix for draft AF supplement to DODI 1332.45 containing legal advice.	1
US00020906	US00020906	No	11/15/2018	Unknown		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020907	US00020907	No	11/1/2018	Unknown		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020908	US00020908	No	10/15/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020909	US00020909	No	9/24/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	ESSS routing AF supplemental guidance to DODI 1332.45 for signature	1
US00020910	US00020910	No	10/15/2018			DP - Deliberative Process	Routing sheet for AFRC for signature on AF supplement to DODI 1332.45	1
US00020911	US00020911	No	10/3/2018			DP - Deliberative Process	Draft memo for implementation of DODI 1332.45	1
US00020912	US00020912	No	10/3/2018	winston schmidt		DP - Deliberative Process	Comment matrix for AF supplement to DODI 1332.45 with legal advice.	1
US00020916	US00020916	No	11/15/2018	Unknown		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020917	US00020917	No	11/16/2018	Unknown		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020918	US00020918	No	9/17/2018	USD(P&R)		DP - Deliberative Process	Draft of AF supplement to DODI 1332.45	1
US00020919	US00020919	No	12/7/2018	Kormis		DP - Deliberative Process	ESSS for memo delegating authority to act on retention determinations to SAF/MR	1
US00020920	US00020920	No	9/12/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	ESSS for 2 letter coordination on AF Supplement to DODI 1332.45	1
US00020921	US00020921	No	9/13/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	ESSS for request for delegation of authority for retention of non-deployable servicemembers	1
US00020922	US00020922	No	9/12/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	ESSS for requesting delegation of authority for retention of non-deployable airmen	1
US00020923	US00020923	No	10/19/2018			DP - Deliberative Process	ESSS for delegation of authority of retention of non-deployable servicemembers	1
US00020924	US00020924	No	10/30/2018			DP - Deliberative Process	Draft of Army supplement to DODI 1332.45	1
US00020925	US00020925	No	10/19/2018			DP - Deliberative Process	Draft memo for delegating authority for retention of non-deployable servicemembers.	1
US00020926	US00020926	No	9/13/2018			DP - Deliberative Process	Draft memo for delegation of authority for retention of non-deployable airmen	1
US00020927	US00020927	No	9/12/2018			DP - Deliberative Process	Draft memo for delegation of authority for retention of non-deployable airmen.	1

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US00020929	US00020929	No	7/20/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020930	US00020930	No	5/8/2018	Nathalie Lawrence		DP - Deliberative Process	Comment matrix for AF supplement to DODI 1332.45	1
US00020931	US00020931	No	3/30/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020932	US00020932	No	4/20/2018			DP - Deliberative Process	Email dated 4/2/18 between NGB and A1 discussing draft of DODI 1332.45	1
US00020933	US00020933	No	3/29/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020934	US00020934	No	7/19/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020935	US00020935	No	3/23/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020936	US00020936	No	3/28/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020937	US00020937	No	3/27/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft od DODI 1332.45	1
US00020938	US00020938	No	3/29/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020939	US00020939	No	3/28/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020940	US00020940	No	3/22/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020941	US00020941	No	3/28/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020942	US00020942	No	7/5/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020943	US00020943	No	4/24/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020944	US00020944	No	1/9/2018	Michael Labejsza		DP - Deliberative Process	Slideshow from Military Personnel Policy working group discussing draft of DODI 1332.45	1

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US00020945	US00020945	No	1/23/2018	Michael Labejsza		DP - Deliberative Process	Slideshow from Military Personnel Policy working group discussing draft of DODI 1332.45	1
US00020946	US00020946	No	2/6/2018	Michael Labejsza		DP - Deliberative Process	Slideshow from Military Personnel Policy working group discussing draft of DODI 1332.45	1
US00020947	US00020947	No	2/21/2018	Michael Labejsza		DP - Deliberative Process	Slideshow from Military Personnel Policy working group discussing draft of DODI 1332.45	1
US00020948	US00020948	No	5/31/2018	Michael Labejsza		DP - Deliberative Process	Slideshow from Military Personnel Policy working group discussing draft of DODI 1332.45	1
US00020949	US00020949	No	7/5/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020950	US00020950	No	3/29/2018			DP - Deliberative Process	Email discussing draft of DODI 1332.45 between AF/RE and AF/A1. Dated 3/28/18.	1
US00020951	US00020951	No	3/29/2018			DP - Deliberative Process	Email between NGB/A1 and AF/A1 discussing draft of DODI 1332.45	1
US00020952	US00020952	No	3/29/2018	Nathalie Lawrence		DP - Deliberative Process	Comment matrix discussing AF guidance to DODI 1332.45	1
US00020953	US00020953	No	7/13/2018	LTC Rebekah (Becky) Lust, USA		DP - Deliberative Process	Draft of DODI 1332.45	1
US00020954	US00020954	No	3/27/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	Routing of draft DODI 1332.45	1
US00020955	US00020955	No	8/15/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	Working group discussing AF supplement to DODI 1332.45	1
US00020956	US00020956	No	2/23/2018	Boykin.Jordan		DP - Deliberative Process	Slideshow discussing data regarding non-deployable population in USAF	4
US00020957	US00020957	No	2/23/2018	ROSENMEIER, STEVEN R Brig Gen (NON-MAIL ENABLED)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4

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US00020958	US00020958	No	7/5/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020959	US00020959	No	7/5/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020960	US00020960	No	7/6/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020961	US00020961	No	7/6/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020962	US00020962	No	6/27/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020963	US00020963	No	6/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020964	US00020964	No	6/28/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020966	US00020966	No	6/28/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020968	US00020968	No	6/28/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020970	US00020970	No	6/28/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020971	US00020971	No	6/7/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4

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US00020973	US00020973	No	6/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020974	US00020974	No	6/6/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020976	US00020976	No	6/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020977	US00020977	No	7/3/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020979	US00020979	No	12/18/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020980	US00020980	No	7/6/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020981	US00020981	No	7/3/2018	SCHNEIDER, MATTHEW W CMSgt USAF		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020982	US00020982	No	7/6/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020983	US00020983	No	12/18/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020984	US00020984	No	8/8/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020985	US00020985	No	8/8/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00020986	US00020986	No	12/18/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020988	US00020988	No	8/8/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020989	US00020989	No	12/18/2018			DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020990	US00020990	No	6/27/2018			DP - Deliberative Process	Email within AF/A1 discussing progress and updates on reducing number of non-deployable personnel	1
US00020991	US00020991	No				DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020992	US00020992	No	5/30/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020993	US00020993	No	6/6/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020995	US00020995	No	6/6/2018	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020996	US00020996	No	6/5/2018	Caitlin		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020997	US00020997	No	6/5/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00020998	US00020998	No	6/5/2018	Clifford Capt Paul B		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4

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US00020999	US00020999	No	8/7/2018	Hebert, Lernes J SES OSD OUSD P-R (US)		DP - Deliberative Process	Spreadsheet containing categories of non-deployable servicemembers with numbers assigned to each	4
US00021000	US00021000	No	9/10/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021001	US00021001	No	9/11/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021002	US00021002	No	9/9/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021003	US00021003	No	9/11/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021004	US00021004	No	9/17/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021005	US00021005	No	9/18/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021006	US00021006	No	9/15/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021007	US00021007	No	10/9/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021008	US00021008	No	10/11/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021009	US00021009	No	10/10/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021010	US00021010	No	10/26/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021011	US00021011	No	11/8/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021012	US00021012	No	12/4/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021013	US00021013	No	12/7/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021014	US00021014	No	12/15/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1
US00021015	US00021015	No	9/10/2018	CMSgt Matthew Pague		DP - Deliberative Process	Draft PSDG for implementation of DODI 1332.45	1

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US00021019	US00021019	No	6/30/2017			DP - Deliberative Process	Unsigned Advisory opinion from AF/A1 titled HIV Policy Regarding DES Processing	1
US00021020	US00021020	No	7/26/2017			DP - Deliberative Process	Unsigned AF/A1 advisory opinion discussing DES processing for asymptomatic HIV	1
US00021173	US00021173	No	9/18/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Bullet background paper prepared by AF/A1 titled DES Processing for Asymptomatic HIV Conditions	1
US00021174	US00021174	No	9/20/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Bullet background paper discussing IDES processing for HIV airmen	1
US00021175	US00021175	No	9/22/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Bullet background paper titled DES Processing for Asymptomatic HIV	1
US00021183	US00021183	No	6/14/2017			DP - Deliberative Process	Email between AFPC and AFMOA discussing enrollemtn of asymptomatic HIV members in the IDES	1
US00021184	US00021184	No	6/14/2017			DP - Deliberative Process	Email between AFPC and AFMOA discussing enrollment of members with asymptomatic HIV in IDES	1
US00021228	US00021228	No	1/31/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of memo addressing treatment of members with asymptomatic HIV in IDES	1
US00021229	US00021229	No	1/31/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix discussing retention of members with asymptomatic HIV	1
US00021230	US00021230	No	2/1/2018	ADO		DP - Deliberative Process	AF tracked comments on report to SASC discussing HIV in armed forces	1
US00021231	US00021231	No	12/27/2017	McWhirter, Matthew, A. (AF/A1PPS)		DP - Deliberative Process	ESSS for AF inputs on DOD report to SASC on personnel policies regarding members with HIV	1
US00021232	US00021232	No	1/31/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	A1 comments on AF inputs to DOD response to SASC inquiry on personnel policies regarding members with HIV	1
US00021233	US00021233	No	12/21/2017	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	Routing slip for A1 inputs to response to SASC request	1

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US00021234	US00021234	No	7/31/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	Routing slip for AFRB clarification memo regarding IDES evaluation of HIV positive airmen.	1
US00021235	US00021235	No	12/21/2017			DP - Deliberative Process	Email chain between AF/A1 and AFPC discussing administrative discharge procedures relevant to HIV positive airmen.	1
US00021252	US00021252	No	7/31/2018	MCWHIRTER, MATTHEW A Capt USAF HAF U S AIR FORCE HQ/A1PPS		DP - Deliberative Process	A1 response to TMT tasker regarding IDES processing of HIV positive airmen.	1
US00021255	US00021255	No	1/30/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of SAF/MR memo clarifying process for referral of HIV positive airmen into IDES.	1
US00021263	US00021263	No	1/8/2018	DANAHER, PATRICK J Col USAF AFMOA AFMOA/SGHM		DP - Deliberative Process	Draft answers to HASC on personnel policies regarding members with HIV.	1
US00021282	US00021282	No	12/5/2017	McWhirter, Matthew, A (AF/A1PPS)		DP - Deliberative Process	ESSS for obtaining SAF/MR opinion on retention of members with Asymptomatic HIV	1
US00021283	US00021283	No	12/5/2017	McWhirter, Matthew, A (AF/A1PPS)		DP - Deliberative Process	ESSS seeking AFPC and AFMOA opinions on retention of members with asymptomatic HIV.	1
US00021285	US00021285	No	10/11/2017	svetlana.bilenkina		DP - Deliberative Process	Draft of A1 memo regarding retention of airmen with HIV.	1
US00021286	US00021286	No	9/22/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	BBP discussing policy for DES processing for members with asymptomatic HIV.	1
US00021287	US00021287	No	1/12/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of SAF/MR memo regarding retention of airmen with asymptomatic HIV.	1
US00021288	US00021288	No	12/6/2017	svetlana.bilenkina		DP - Deliberative Process	Draft of SAF/MR memo regarding retention of members with asymptomatic HIV.	1
US00021289	US00021289	No	11/13/2017	HODGE, LORIANNE R GS-13 (NON-MAIL ENABLED)		DP - Deliberative Process	BBP with AFPC's position on DES evaluation of members with HIV.	1
US00021290	US00021290	No	11/14/2017	DANAHER, PATRICK J Col USAF AFMOA AFMOA/SGHM		DP - Deliberative Process	AFMOA talking paper on retention of airmen with HIV.	1
US00021291	US00021291	No	12/18/2018			DP - Deliberative Process	A1 notes regarding SAF/MR memo discussing retention of airmen with HIV.	1
US00024066	US00024066	No	11/18/2010	James.Cahill		DP - Deliberative Process	Draft of AFI 41-210 with comments and tracked changes.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00024067	US00024067	No	8/1/2012	Brenda Kearney		DP - Deliberative Process	Draft of AFI 48-123	1
US00024068	US00024068	No	3/19/2013	Brenda Kearney		DP - Deliberative Process	Draft of AFI 48-123	1
US00024080	US00024080	No	4/15/2013	James.Cahill		DP - Deliberative Process	Draft of AFI 10-203	1
US00024085	US00024085	No	11/19/2018	DONNELLY, MICHELLE L GS-12 USAF AFMOA AFMOA/CAG		DP - Deliberative Process	ESSS for draft revisions to AFI 44-178	1
US00024093	US00024093	No	10/27/2018	Nathalie Holberg		DP - Deliberative Process	Comments on draft of AFI 44-178	1
US00025311	US00025311	No	9/11/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions to AFI 44-178	1
US00025312	US00025312	No	9/11/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025313	US00025313	No	10/4/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025314	US00025314	No	9/7/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025315	US00025315	No	9/17/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025316	US00025316	No	9/23/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025317	US00025317	No	2/4/2014	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025318	US00025318	No	8/27/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025319	US00025319	No	8/31/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025320	US00025320	No	9/15/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions of AFI 44-178	1
US00025331	US00025331	No	10/31/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178 revisions	1
US00025338	US00025338	No	11/13/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for revisions to AFI 44-178	1

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US00025339	US00025339	No	11/1/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for revisions to AFI 44-178	1
US00025340	US00025340	No	10/25/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for revisions to AFI 44-178	1
US00025342	US00025342	No	10/31/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for revisions to AFI 44-178	1
US00025367	US00025367	No	10/31/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025368	US00025368	No	10/25/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025369	US00025369	No	10/17/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025370	US00025370	No	10/28/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025372	US00025372	No	11/19/2018	roscoe.vancamp		DP - Deliberative Process	Draft revisions to AFI 44-178	1
US00025373	US00025373	No	11/13/2018	roscoe.vancamp		DP - Deliberative Process	Draft of AFI 44-178	1
US00025374	US00025374	No	11/19/2018	roscoe.vancamp		DP - Deliberative Process	Draft of AFI 44-178	1
US00025375	US00025375	No	12/19/2018	roscoe.vancamp		DP - Deliberative Process	Draft of AFI 44-178	1
US00025376	US00025376	No	12/19/2018	Debra.Niemeyer		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025435	US00025435	No	10/24/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on AFI 44-178	1
US00025436	US00025436	No	10/25/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on AFI 44-178	1
US00025437	US00025437	No	10/31/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on AFI 44-178	1
US00025438	US00025438	No	10/25/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 44-178	1
US00025439	US00025439	No	10/25/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on AFI 44-178	1

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US00025440	US00025440	No	10/28/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on AFI 44-178	1
US00025441	US00025441	No	11/7/2018	Nathalie Holberg		DP - Deliberative Process	Commentr matrix for AFI 44-178	1
US00025495	US00025495	No	10/24/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix for AFI 48-135	1
US00025496	US00025496	No	10/28/2018	Nathalie Holberg		DP - Deliberative Process	Comment matrix on HIV AFI	1
US00025497	US00025497	No	8/31/2018	roscoe.vancamp		DP - Deliberative Process	Draft of AFI 44-178	1
US00025498	US00025498	No	11/20/2018	DONNELLY, MICHELLE L GS-12 USAF AFMOA AFMOA/CAG		DP - Deliberative Process	ESSS for revisions to AFI 44-178	1
US00025569	US00025569	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00025570	US00025575	Yes	10/10/2018			DP - Deliberative Process	Redacted recommendations from a working group assessing potential policy revisions to AR 600-110 as part of the policy review process.	1
US00025576	US00025576	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00025577	US00025580	Yes	10/10/2018			DP - Deliberative Process	Redacted references to policy concerns and recommendations proposed by participants in a working group during the policy revision process for AR 600-110.	1

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US00025588	US00025588	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00025595	US00025596	Yes	3/4/2015			DP - Deliberative Process	Redacted summaries of policy concerns with AR 600-110 for review during the revision process, as well as policy recommendations from a medical WG that reviewed proposed revisions to AR 600-110.	1
US00025600	US00025600	No	8/6/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110, with edits and comments included in "track changes" throughout.	1
US00025601	US00025601	No	6/2/2017			DP - Deliberative Process	Working draft of an unpublished version of AR 600-110, with edits and comments included in "track changes" throughout.	1
US00025602	US00025602	No	11/14/2017			DP - Deliberative Process	Working draft of an unpublished version of AR 600-110, with edits and comments included in "track changes" throughout.	1
US00025603	US00025603	No	8/6/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110, with edits and comments included in "track changes" throughout.	1
US00025646	US00025648	Yes	11/17/2015	mimi.eng		DP - Deliberative Process	Redacted recommended changes to DA Form 5669 as part of the ongoing policy review process for AR 600-110.	1
US00025649	US00025668	Yes	11/17/2015	mimi.eng		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

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US00025669	US00025669	No	9/11/2018	Rosie		DP - Deliberative Process	Slideshow summarizing specific recommended revisions to AR 600-110 as a result of the policy review process for revising the regulation, including proposed courses of action for how to implement certain policy revisions.	1
US00025670	US00025670	No	9/13/2018	Rosie		DP - Deliberative Process	Slideshow summarizing specific recommended revisions to AR 600-110 as a result of the policy review process for revising the regulation.	1
US00025675	US00025675	No	11/21/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110, with edits included.	1
US00025676	US00025676	No	10/3/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of Appendix B to an unpublished version of AR 600-110.	1
US00025689	US00025690	Yes	11/29/2018			DP - Deliberative Process	Redacted discussion about a recommended change to AR 600-110, which summarizes positions regarding whether SMs with HIV should be allowed to participate in certain athletic events, as part of the policy review process for AR 600-110.	1
US00025692	US00025693	Yes	10/26/2018	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025694	US00025694	No	10/26/2018	Coy, Mary Janet LTC USARMY USARAF (US)		DP - Deliberative Process	Continuation form for DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

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US00025695	US00025697	Yes	12/18/2018			DP - Deliberative Process	Redacted summaries of deliberations/discussions of policy considerations concerning the draft of AR 600-110 during the policy review process.	1
US00025698	US00025698	No	10/24/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025699	US00025699	No	10/24/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025700	US00025700	No	10/2/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025701	US00025701	No	10/23/2018	Bolish, Beth A MAJ MIL NG NGB ARNG		DP - Deliberative Process	Continuation form for DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025711	US00025711	Yes	11/14/2017			DP - Deliberative Process	Redacted a summary of a proposed policy change recommendation as part of the AR 600-110 review process.	1
US00025712	US00025712	No	10/26/2018	Coy, Mary Janet LTC USARMY USARAF (US)		DP - Deliberative Process	Continuation form for DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025713	US00025720	Yes	10/27/2015	Kris Nicholas		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025722	US00025722	No	9/26/2016			DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1

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BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025723	US00025726	Yes	11/14/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025727	US00025727	No	11/16/2017			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025728	US00025729	Yes	9/22/2015	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025759	US00025760	Yes	7/27/2017	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025762	US00025763	Yes	7/27/2017	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

Harrison, Mattis,
1950

No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025773	US00025783	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025795	US00025797	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025803	US00025804	Yes	9/17/2018	Lute, Lisa M LTC USARMY HQDA DCS G-1 (US)		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025805	US00025805	Yes	9/17/2018			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025806	US00025807	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

Harrison & Mattis,
1951

No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025809	US00025818	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025819	US00025830	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025838	US00025840	Yes	11/30/2017			DP - Deliberative Process	Email providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110. Includes handwritten notes on the hardcopy email.	1
US00025841	US00025842	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110. Also redacted a summary of the policy recommendations from the DA 2028 on the email.	1
US00025844	US00025845	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

Harrison & Mattis,
1952

No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025852	US00025857	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025858	US00025861	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110. Also includes a DA 2028 for an unrelated regulation.	1
US00025863	US00025874	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025875	US00025886	Yes	11/30/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025887	US00025888	Yes	10/1/2015	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

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Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025889	US00025890	Yes	10/29/2015	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025891	US00025891	Yes	10/27/2015			DP - Deliberative Process	Word document substituting for a DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025892	US00025894	Yes	10/27/2015			DP - Deliberative Process	Word document substituting for a DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025895	US00025896	Yes	10/30/2018	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025897	US00025897	No	11/30/2017			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

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No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025906	US00025909	Yes	9/17/2018			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025910	US00025911	Yes	11/9/2017			DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025912	US00025912	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to LTC Conreau Williams regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00025917	US00025917	No	10/30/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025920	US00025921	Yes	9/12/2018	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025922	US00025922	No	11/8/2018			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1

Harrison, Mattis,
1953

No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025923	US00025923	No	10/25/2018			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025924	US00025925	Yes	9/20/2018			DP - Deliberative Process	Summary of a proposed revision to AR 600-110 as part of the policy review process, providing a recommended course of action to change Army policy.	1
US00025926	US00025927	Yes	10/26/2018	APD		DP - Deliberative Process	DA Form 2028, Recommended Changes to Publications and Blank Forms, providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025928	US00025928	No	9/19/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025929	US00025929	No	9/19/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025930	US00025930	No	9/19/2018			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00025937	US00025937	Yes	8/10/2018	Frazier, Scott T COL USARMY HQDA ASA MRA (US)		DP - Deliberative Process	Document providing an update from TSG to the SA outlining proposed courses of action for revising Army policy in response to changes in DoD policy.	1
US00025954	US00025954	No	9/20/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1

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No. 1:18-cv-641 (E.D. Va.)

Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00025955	US00025955	No	9/20/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025956	US00025956	No	9/21/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025957	US00025957	No	9/27/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00025961	US00025961	Yes	7/23/2015			DP - Deliberative Process	Redacted proposed courses of action from a working group assessing and recommending changes to AR 600-110 for consideration by senior leaders as part of the ongoing policy revision process for the 2014 version of AR 600-110.	1
US00025969	US00025969	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00025970	US00025973	Yes	10/10/2018			DP - Deliberative Process	Redacted references to policy concerns and recommendations proposed by participants in a working group during the policy revision process for AR 600-110.	1
US00025981	US00025981	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00026004	US00026004	No	10/1/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00026005	US00026005	No	10/1/2018	Blaylock, Jason M LTC MIL USA WRNMMC		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1

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1957

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Defendants' Privilege Log for Production 1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00026008	US00026008	No	10/11/2018			DP - Deliberative Process	Excel spreadsheet consolidating comments from DA Form 2028s, Recommended Changes to Publications and Blank Forms, collected from the field providing recommended changes to AR 600-110 (2014) with explanations for the proposed change, produced as part of the revision process for AR 600-110.	1
US00026019	US00026020	Yes	7/27/2018			DP - Deliberative Process	Redacted proposed courses of action from a working group assessing and recommending changes to AR 600-110 for consideration by senior leaders as part of the ongoing policy revision process for the 2014 version of AR 600-110.	1
US00026021	US00026021	Yes	11/9/2017			DP - Deliberative Process	Redacted proposed courses of action from a working group assessing and recommending changes to AR 600-110 for consideration by senior leaders as part of the ongoing policy revision process for the 2014 version of AR 600-110.	1
US00026029	US00026029	No	3/25/2015	COL Stephen Thomas, Infectious Diseases Consultant to the U.S. Army Surgeon General	LTC Conreau L. Williams, Chief, Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM	DP - Deliberative Process	Memorandum dated 25 Mar 15 from the ID Consultant to TSG regarding recommendations to potential policy revisions in AR 600-110 from various ID specialists throughout the Army and the ID Consultant, as part of a policy review process for revising the regulation.	1
US00026033	US00026033	No	2/20/2018			DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00026150	US00026150	No	3/22/2012	arrietam		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1
US00026151	US00026151	No	3/28/2012	arrietam		DP - Deliberative Process	Working draft of an unpublished version of AR 600-110.	1

BEGIN BATES	END BATES	REDACTED DOCUMENT	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS	Category
US00027746	US00027746	Yes	7/7/2016			DP - Deliberative Process	Redacted proposed courses of action from a working group assessing and recommending changes to AR 600-110 for consideration by senior leaders as part of the ongoing policy revision process for the 2014 version of AR 600-110.	1

Page 2 1 APPEARANCES: 2 3 LAMBDA LEGAL 4 BY: SCOTT SCHOETTES, ESQUIRE 5 105 West Adams 6 Suite 2600 7 Chicago, Illinois 60603 8 312.663.4413 9 sschoettes@lambdalegal.org 10 Representing - Plaintiffs 11 12 WINSTON & STRAWN LLP 13 BY: CYRUS T. FRELINGHUYSEN, ESQUIRE 14 1700 K Street NW 15 Washington, DC 20006 16 202.282.5890 17 cfrelinghuysen@winston.com 18 Representing - Plaintiffs 19 20 21 22 23 24 25	Page 4 1 ALSO PRESENT: 2 Alexandra Hemmings, Winston & Strawn Law Clerk 3 Solomon Francis, Legal Videographer 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
Page 3 1 APPEARANCES (Cont'd): 2 3 U.S. DEPARTMENT OF JUSTICE 4 CIVIL DIVISION - FEDERAL PROGRAMS BRANCH 5 BY: ROBERT M. NORWAY, ESQUIRE 6 REBECCA CUTRI-KOHART, ESQUIRE 7 KERI L. BERMAN, ESQUIRE 8 Ben Franklin Station 9 P.O. Box 480 10 Washington, D.C. 20044 11 202.353.0889 12 robert.m.norway@usdoj.gov 13 rebecca.cutri.kohart@usdoj.gov 14 keri.l.berman@usdoj.gov 15 Representing - Defendants 16 17 U.S. ARMY LEGAL SERVICES AGENCY 18 LITIGATION DIVISION 19 BY: MAJOR W. CASEY BIGGERSTAFF, ESQUIRE 20 9275 Gunston Road 21 Suite 3018 22 Fort Belvoir, Virginia 22060 23 703.693.1040 24 william.c.biggerstaff.mil@mail.mil 25 Representing - Department of the Army	Page 5 1 INDEX 2 TESTIMONY OF: LT. COL. LISA M. LUTE PAGE 3 By Mr. Schoettes 10 4 5 EXHIBITS 6 EXHIBIT DESCRIPTION PAGE 7 Exhibit No. 1 the 30(b)(6) Notice of 8 Deposition 21 9 Exhibit No. 2 a document titled Department of 10 Defense Personnel Policies Regarding 11 Members of the Armed Forces Infected 12 with HIV 33 13 Exhibit No. 3 a photocopy of AR 600-110 99 14 Exhibit No. 4 a document Bates Numbered US00025589 15 through 25590 122 16 Exhibit No. 5 a document Bates Numbered US00025945 17 through 25947 134 18 Exhibit No. 6 an e-mail Bates Numbered US00025970 19 through 25973 147 20 Exhibit No. 7 an e-mail Bates Numbered 21 US00025689 161 22 Exhibit No. 8 an e-mail Bates Numbered US00025924 23 through 25925 168 24 Exhibit No. 9 a document titled Declaration of 25 Lt. Col. Lisa Lute 178

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I N D E X (Cont'd)

EXHIBIT	DESCRIPTION	PAGE
Exhibit No. 10	a document titled Department of Defense Instruction 1332.45	201
Exhibit No. 11	a document Bates Numbered US00006912 through 6919	203
Exhibit No. 12	a one-page Memorandum dated 9 November 2018, signed by Marshall M. Williams	213
Exhibit No. 13	a document titled Department of Defense Instruction Number 6490.07	216
Exhibit No. 14	a document Bates Numbered US00025937	228
Exhibit No. 15	an e-mail Bates Numbered US0002498 through 2500	232
Exhibit No. 16	a document Bates Numbered US00025518 through 25540	235
Exhibit No. 17	a document Bates Numbered US00001136	246
Exhibit No. 18	a document Bates Numbered US00001136	278
Exhibit No. 19	a document Bates Numbered US00000991 through 996	282

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I N D E X (Cont'd)

EXHIBIT	DESCRIPTION	PAGE
Exhibit No. 19A	a document titled Exception to AR 600-110	283

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THE VIDEOGRAPHER: Good morning.

We're going on the record at 9:26 a.m. on January 9th, 2019. Please note that the microphones are sensitive and may pick up whispering, private conversations and cellular interference. Please turn off all cell phones, or place them away from the microphones, as they can interfere with the deposition audio. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the video-recorded deposition of Lt. Col. Lisa Lute, taken by counsel for the plaintiffs, in the matter of Nicholas Harrison and OutServe-SLDN, Plaintiffs, versus James N. Mattis, in his official capacity as Secretary of Defense; Mark Esper, in his official capacity as the Secretary of the Army, and the United States Department of Defense, Defendants, Case Number 1:18-cv-00641 (LMB)(IDD).

This deposition is being held at the Law Offices of Winston & Strawn LLP, located at 1700 K Street Northwest, Washington, D.C.

My name is Solomon Francis, from the firm of Veritext Legal Solutions, and I'm the

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videographer. The court reporter is Ryan Black, of Veritext Legal Solutions.

At this time will counsel present please state their appearances and affiliations for the record?

MR. SCHOETTES: My name is Scott Schoettes. I'm with Lambda Legal, on behalf of the plaintiffs.

MS. HEMMING: I'm Alexandra Hemmings. I'm a law clerk at Winston & Strawn.

MR. FRELINGHUYSEN: Cyrus Frelinghuysen, also of Winston & Strawn, on behalf of plaintiffs.

MR. NORWAY: On behalf of the defendants, I'm Robert Norway, from the Department of Justice.

MAJOR BIGGERSTAFF: I'm Major Casey Biggerstaff, Department of the Army.

MS. BERMAN: Keri Berman, from the Department of Justice.

MS. CUTRI-KOHART: Rebecca Cutri-Kohart, from the Department of Justice.

THE VIDEOGRAPHER: At this time will the court reporter please swear in the witness and we can proceed.

Page 10 1 * * * 2 Whereupon -- 3 LT. COL. LISA LUTE, 4 called to testify, having been first duly sworn 5 or affirmed, was examined and testified as 6 follows: 7 EXAMINATION 8 BY MR. SCHOETTES: 9 Q. Good morning. 10 A. Good morning. 11 Q. My name is Scott Schoettes, and I will 12 be taking the deposition today. 13 A. That's fine. 14 Q. We're going to start. Would you 15 please give your full name for the record? 16 A. Lisa Mae Lute. 17 Q. And where do you currently work? 18 A. Well, I'm -- I'm, actually, on 19 terminal leave, so I was assigned, though, to 20 the Pentagon, and worked for the G-1 Army 21 Resiliency Directorate. 22 Q. Okay. And you didn't mention 23 your -- your rank. Would you provide your 24 rank within the Army? 25 A. Lieutenant Colonel.	Page 12 1 your testimony is just as binding as if you were 2 in a courtroom before a judge? 3 A. I do. 4 Q. Great. 5 So I want to make sure you understand, 6 as you have been doing, that you answer all of 7 my questions audibly, with a yes or a no or, or, 8 as you have been, I do. Uh-huh and huh-uh don't 9 work so well on court transcripts, -- 10 A. Okay. 11 Q. -- so you'll answer the questions 12 audibly. 13 Yes? 14 A. Yes. 15 Q. Great. 16 If you do not understand a -- or hear 17 my question, please ask that I repeat it. There 18 are -- this isn't about -- you know, there are 19 no tricks here. I'm not trying to -- to confuse 20 you. I really want to ask you questions, make 21 sure that you understand that question and then 22 can answer it to the best of your ability. 23 A. Okay. 24 Q. And so you -- if I -- if I ask a 25 question and you answer it, I will assume that
Page 11 1 Q. Great. 2 What is the address of the location 3 where you worked last? 4 A. Crystal City. I'm sorry. I don't 5 know the street address. 6 Q. Okay. 7 A. I know how to get there. 8 Q. Okay. All right. But it's the 9 offices in Crystal City? 10 A. Yes. 11 Q. Have you ever been deposed before? 12 A. No. 13 Q. All right. So we're going to go 14 over -- I'm going to go over a couple of ground 15 rules that will make this all easier, hopefully, 16 today. 17 A. Okay. 18 Q. First, do you understand that you are 19 under oath here today? 20 A. I do. 21 Q. And that that means that, just as if 22 you were in court, you've been sworn to tell the 23 truth and nothing but the truth. 24 A. Understood. 25 Q. All right. Do you understand that	Page 13 1 you understood it. Are we on the same ground 2 there? 3 A. I understand. Yes. 4 Q. Okay. If you need a break, please let 5 me know. This is not a contest of -- of wills 6 or ability to withstand the -- the call of 7 nature, so please ask for a break. I know that 8 we are on somewhat of a time constraint today, 9 and we will do our best to -- to move this 10 along. At the same time, you know, we should -- 11 we need to take the breaks that we need to take 12 in order to take care of our human needs. 13 Is there any reason that you cannot 14 give honest testimony here today? 15 A. No. 16 Q. Are you on any medication that 17 would affect your ability to recall or to give 18 truthful testimony? 19 A. No. 20 Q. I'm going to start with a little bit 21 about your educational background, so can you 22 tell me where you went to undergraduate school? 23 A. University of Phoenix. 24 Q. And what was the undergraduate degree 25 that you obtained there?

Page 14 1 A. Nursing. 2 Q. So that was a Bachelor of Science in 3 Nursing? 4 A. Mm-hmm. 5 Q. Okay. 6 A. Yes, it was. 7 Q. And then what was the next major 8 educational degree? 9 A. It was a Master's in Healthcare 10 Administration. 11 Q. And where did you obtain that? 12 A. Right this second, I can't tell you. 13 Q. Okay. Does the American 14 Intercontinental University sound -- 15 A. That's it. 16 Q. -- correct? 17 A. Thank you. 18 Q. All right. And you said that was in 19 2006? 20 A. Yes. 21 Q. When -- when was your bachelor's 22 degree? 23 A. Let me see. I finished that in 24 -- okay. I got to Arizona in '95, so it would 25 have been '90 -- '96, I think. I got to Arizona	Page 16 1 health promotions asset for them through Army 2 Resiliency Directorate. I've been there since 3 March of 2016. 4 Q. And what -- you said health promotion 5 asset? 6 A. Yes. 7 Q. Would that also be described -- 8 A. Health promotion officer. 9 Q. Health promotion officer. 10 A. Yeah. 11 Q. Okay. Great. 12 A. And then prior to that I was at 13 Ft. Sam Houston, and I was the chief of public 14 health and clinical preventive medicine. And I 15 had arrived there in, let me see, '13 -- 2013. 16 I've gotta count backwards to think of where I 17 was. I'm sorry. 18 Q. I understand. 19 A. And prior to that I was at Walter 20 Reed, again, as the chief of clinical preventive 21 medicine, and I arrived there in 2011. 22 Prior to that, I was doing my 23 long-term health education training for my 24 Master's in Public Health, and I started that 25 in 2009. So I did that '09 to '11.
Page 15 1 in '95, so it would have been '96 or '97. 2 I -- I don't know exactly. Those things are 3 -- they just kind of -- I don't keep track of 4 them. I'm sorry. 5 Q. No, I -- I completely understand. 6 That's fine. The general range is -- is -- is 7 just fine. And as you did there, if you don't 8 have a -- a precise answer, just make sure that 9 it's clear that you're giving an estimation, -- 10 A. Okay. 11 Q. -- and that will be fine. 12 And then you got another degree in 13 2011? 14 A. I did. 15 Q. And where was that one from? 16 A. University of Hawaii Manoa, and it was 17 in Public Health -- a Master's in Public Health. 18 Q. That was a Master's in Public Health, 19 and that was actually achieved in 2011? 20 A. Yes, it was. 21 Q. Great. 22 Could you briefly describe your work 23 history in reverse chronological order? 24 A. Okay. My last assignment was here 25 at the Pentagon, and I'm the -- assigned as the	Page 17 1 Prior to that I was at Ft. Eustis, 2 Virginia, as a public health nurse -- chief of 3 public health nursing, and I had arrived there 4 in 2007. 5 And prior to that I was at Tripler 6 Army Medical Center from 2003 to 2007. Part of 7 my time at Tripler, though, I was not acting as 8 a public health nurse. I was the -- I was a 9 Public Health OIC for seven months, I think. 10 And prior to that I was what they call a 66 11 Hotel, which is a -- a registered nurse, kind 12 of, a generic branding, so I worked in 13 med-surgical oncology. 14 And 2003 is as far back as I go in the 15 military as far as active duty, because that's 16 when I returned to active duty. Prior to that I 17 worked as a registered nurse for the State of 18 Arizona and the State of Kansas and the 19 University of Arizona. Most of those were 20 in a position that was public health in nature. 21 And, I don't know, how far back do you 22 want me to go? 23 Q. I think I've got it. 24 A. Are we good? 25 Q. I think that will actually do. That's

Page 18 1 fine. And that gets us pretty close to when you 2 got your -- your nursing degree. Yes? 3 A. Yes. 4 Q. Yes? 5 A. Yes. 6 Q. Okay. So it's our understanding you 7 will be retiring soon; is that right? 8 A. Yes. The 20 -- how many days does 9 February have this year, 28? The 28th of 10 February. 11 Q. So the end -- whatever the last day of 12 February is? 13 A. Yes. Whatever the last day of 14 February is, that is my last official day. 15 Q. All right. And you said you're on 16 terminal leave. Can you explain what that 17 status is? 18 A. That means I have 60 days of leave, so 19 I'm in leave status. 20 Q. Until you actually retire on -- 21 A. Until I actually retire. 22 Q. -- at the end of February? 23 A. Yes, sir. 24 Q. Got it. 25 I didn't say this when we were doing	Page 20 1 Q. Civilian. Okay. 2 So Ms. Shult is in there on an interim 3 basis? 4 A. Yes. She's -- that's not actually her 5 job. She's -- she's -- it's, like, secondary 6 duty. 7 Q. Got it. 8 A. Okay. 9 Q. Until they find -- 10 A. Until they send a fill-in. 11 Q. -- a permanent replacement? 12 A. And I anticipate that will be in 13 the spring, but I don't know, because I'm not 14 connected anymore. 15 Q. All right. 16 Before we go further, I just wanted 17 to clarify, so a lot of the documents that 18 I've been looking at refer to HIV-infected 19 individuals. 20 A. Mm-hmm. 21 Q. As a person living with HIV myself, 22 I prefer the term person living with HIV or 23 an HIV-positive individual. If I use those 24 terms, will you understand those to mean an 25 HIV-infected individual?
Page 19 1 the opening, sort of, rules, but -- and I am 2 guilty of this sometimes, too, so if you can 3 wait until I finish asking my question before 4 you answer, that makes the court reporter happy, 5 and it makes for a more clear transcript. So I 6 will try not to pause as if I'm finished so that 7 you know when I really am finished and can jump 8 in with the answer. 9 A. Yes, sir. 10 Q. Good? 11 All right. Do you know who will take 12 your position or who is in your position now 13 that you are on terminal leave? 14 A. Well, I coordinated for an interim 15 fill, which is Carrie Shult, and she is not 16 a public health nurse, so she's serving more 17 for the administrative things, like the 18 paperwork and the processing. But she's -- she 19 actually works for Public Health Command, so she 20 has the resources that she needs to accomplish 21 the other tasks readily available to her. 22 And I don't know who will be coming in 23 officially after me. They have not been named. 24 Q. Got it. So what's Shult's rank? 25 A. Carrie? She's a civilian.	Page 21 1 A. Yes, sir. I will. 2 MR. SCHOETTES: Okay. Great. 3 We'll start with this one. I'm going 4 to hand you a document. I'm going to have it 5 marked as an exhibit first. 6 (Lute Deposition Exhibit No. 1, the 7 30(b)(6) Notice of Deposition, was marked.) 8 BY MR. SCHOETTES: 9 Q. If you could just look at it, if you 10 can peruse that, you can just look up and we'll 11 know that you're ready to go. 12 MR. NORWAY: Is this marked Exhibit A 13 or Exhibit 1? 14 THE REPORTER: One. 15 MR. NORWAY: Exhibit 1. 16 BY MR. SCHOETTES: 17 Q. So have you had a chance to review the 18 document? 19 A. I have. 20 Q. Do you recognize this document? 21 A. I do. 22 Q. And what is it? 23 A. Well, it's a -- a notice of 24 deposition. 25 Q. Okay. And do you understand

Page 22

1 that you've been designated as defendants'

2 representative for certain of the topics set

3 forth in Exhibit 1?

4 A. I do.

5 MR. NORWAY: And I just wanted

6 to clarify that she's been designated as the

7 representative from the Department of the Army.

8 MR. SCHOETTES: Okay.

9 BY MR. SCHOETTES:

10 Q. So you -- indeed, you've been rep

11 -- you understand that you've been designated

12 as the Army's representative --

13 A. And I should have clarified that,

14 because, yes, that's my --

15 Q. -- for certain topics?

16 A. -- that's my level.

17 Q. Okay. Great.

18 And so I'm going to go through now,

19 just to make sure that we're all on the same

20 page about which topics you've been designated

21 for.

22 MR. NORWAY: And -- and, Scott, would

23 you like me to just put that onto the record?

24 MR. SCHOETTES: Sure. That might be a

25 proficient way of doing that.

Page 23

1 MR. NORWAY: Okay. So the defendants

2 are offering Lt. Col. Lute's testimony -- for

3 the topics in Attachment A in Exhibit 1, we are

4 offering her testimony for Topic 5, the factual

5 basis for Army Regulation 600-1-10, I'm sorry,

6 110, minus the accessions piece, so she's --

7 accessions will be covered by another witness.

8 For Topic Number 6, she'll be able

9 to testify as to the factual basis of Army

10 Regulation 40-501, Section 3 and Section 5. So

11 Section 3 is the retention piece, and Section 5

12 are the geographic locations piece.

13 Topic 7 is not an accurate statement

14 of the -- of the defendants' position, but

15 she'll be able to testify as to the Army's

16 basis for -- for its regulations, so she'll be

17 offering testimony on Topic 7.

18 She'll be offering testimony on Topic

19 8, and that -- and that, actually, has a -- two

20 separate pieces. The accessions medical waiver

21 will be provided by another witness from the

22 National Guard, because they're the -- they're

23 the organization that handled that piece. The

24 Department of the Army handled the exceptions to

25 policies, so she'll be able to answer questions

Page 24

1 about the exceptions to policies that were

2 offered --

3 (Whereupon Mr. Norway and Major

4 Biggerstaff conferred.)

5 MR. NORWAY: Yeah. So -- so it's the

6 exceptions to policies that were directed to the

7 Department of the Army. So that's the -- the

8 packet that was actually -- the staffing packet

9 that was actually handled by the Department of

10 Army. And she'll be able to offer testimony

11 about the Army's response to the other

12 exceptions of -- exceptions to policy, the

13 one that was directed to DOD, the -- the -- what

14 information the Army provided to DOD.

15 MR. SCHOETTES: Okay.

16 MR. NORWAY: And I believe she'll also

17 be able to offer testimony concerning the letter

18 that Mr. Harrison directed to the Secretary of

19 the Army.

20 MR. SCHOETTES: Can I also -- just

21 to get clarification there, you mentioned that

22 there's a piece that the Army -- the National

23 Guard would be handling, and you -- did you say

24 that that was the -- the waiver?

25 MR. NORWAY: The medical waiver.

Page 25

1 MR. SCHOETTES: The medical waiver?

2 MR. NORWAY: Yes.

3 MR. SCHOETTES: As opposed to the

4 exception to policy?

5 MR. NORWAY: Correct.

6 MR. SCHOETTES: Got it.

7 MR. NORWAY: So Colonel Lute will

8 also be offering -- or is also prepared to offer

9 testimony in response to Topic 10, the facts

10 concerning exceptions to policies granted with

11 respect to the DODIs -- well, I'm sorry,

12 exceptions to policy granted by G-1 that

13 are exceptions to Army Regulation 600-110.

14 MR. SCHOETTES: Okay.

15 MR. NORWAY: She'll be offering

16 testimony -- ready to offer testimony within

17 Topic Number 11, which we understand to mean

18 the -- the way that the Army Regulations

19 implement the DODIs that are -- that are

20 listed, minus the accessions piece.

21 MR. SCHOETTES: Okay.

22 MR. NORWAY: She'll be offering

23 testimony within Topic 15, the reasons behind --

24 the manner in which the retention determination

25 policy, so that's DODI 1332.45, is being

Page 26 1 implemented in the Army with respect to HIV. 2 MR. SCHOETTES: Okay. Will there be a 3 separate witness on how it's being implemented 4 with respect to other conditions? 5 MR. NORWAY: Yes. We can -- we can 6 discuss that, yeah. 7 MR. SCHOETTES: Okay. 8 MR. NORWAY: So she'll also be 9 offering testimony in response to 19, so the 10 process by which deployed service members are 11 provided healthcare, in -- in a general way. 12 She has a general, high-level ability to talk 13 on that topic. And, in the same respect, 20 and 14 21, so 20 is how diagnostics are done, and 21 is 15 how medications are provided. 16 MR. SCHOETTES: Okay. 17 MR. NORWAY: She can speak generally 18 as to that matter, but if you would like to ask 19 questions regarding specific conditions, we 20 will also be offering Colonel Blaylock, who's 21 a medical doctor, who would be in a better 22 position to answer those types of questions. 23 And then I don't think we -- that's 24 the -- yeah. 25 MR. SCHOETTES: Okay. Before we -- we	Page 28 1 MR. SCHOETTES: Okay. 2 MR. NORWAY: And I'm sure if -- if she 3 can't speak to a particular topic, that she'll 4 let us know. 5 MR. SCHOETTES: Great. 6 And, similarly, if we get to a 7 question that is outside of the -- of the scope 8 of what your understanding of what this witness 9 is here to speak about, you'll let me know? 10 MR. NORWAY: Yeah, I'll -- I'll -- 11 I'll interpose an objection. 12 MR. SCHOETTES: Okay. 13 BY MR. SCHOETTES: 14 Q. Are you generally prepared to discuss 15 the topics that your counsel has indicated you 16 would be prepared to discuss today? 17 A. I am, sir. 18 Q. Thank you. 19 All right. What did you do to prepare 20 for your deposition today? 21 A. Well, I -- probably a lot of the 22 information that you'll get today is -- my 23 preparation would have been what I've done 24 for the last almost three years in my job, 25 and -- and my overall experience as a public
Page 27 1 had spoken previously about 22, 23, and 25 -- 2 MR. NORWAY: So 22, 23 and twenty 3 -- 22 and 23 will be provided by -- those -- 4 those topics will be Dr. Blaylock. 5 MR. SCHOETTES: Okay. 6 MR. NORWAY: And -- and 25, to the 7 extent that Topic 25 is covered already by the 8 topics that we've talked about, she can offer 9 testimony to that. But we're not offering her 10 for any other -- any other topics within 25. 11 MR. SCHOETTES: Okay. 12 And then also at some point we 13 discussed 27 through 29, that there might be 14 portions of that that this witness might be 15 handling? 16 MR. NORWAY: And -- and that's the -- 17 the same response. We sort of see these as, 18 sort of, like, you know -- 19 MR. SCHOETTES: To the extent it's not 20 covered -- or if it's covered within the topics 21 that we've already -- 22 MR. NORWAY: Correct. 23 MR. SCHOETTES: -- identified, she 24 will be able to speak to those? 25 MR. NORWAY: Correct.	Page 29 1 health nurse. And then I met with this team so 2 that they could, kind of, explain to me what a 3 deposition was. 4 MR. NORWAY: So I'm going to caution 5 the witness not to disclose the information or 6 the communications with your attorneys. 7 THE WITNESS: Okay. 8 BY MR. SCHOETTES: 9 Q. So with whom -- you said this team. 10 Could you be specific as to with whom you met, 11 by name? 12 MR. NORWAY: And I'm going to, once 13 again, caution the witness not to testify as to 14 the substance of the communications with the 15 attorneys, but you can provide the factual 16 information about -- about the meeting. 17 So you may answer his question. 18 THE WITNESS: Rob, who was -- Norway, 19 I had to remember the country, and Major 20 Biggerstaff, and -- and now I'm completely 21 blank -- 22 BY MS. SCHOETTES: 23 Q. Rebecca? 24 MR. SCHOETTES: Rebecca and -- 25 MR. NORWAY: Keri.

Page 30 1 THE WITNESS: -- Keri. I wanted to 2 call her Casey, so, see, it's a good thing she 3 repeated her name. 4 BY MR. SCHOETTES: 5 Q. So the -- everyone -- all the folks on 6 the defendant's side of the table today were the 7 people that you met with? 8 A. Yes, sir. 9 Q. Approximately, how long did you meet 10 with this group? 11 A. Let me see. Maybe two hours, maybe. 12 Three hours. I -- yeah, it wasn't a very long 13 time. 14 Q. And was it all in one meeting? 15 A. Yes. Yes. 16 Q. All in one day? 17 A. Yes. 18 Q. Did you meet with or talk with 19 anyone from the DOD or Army or other military -- 20 other military departments to prepare for this 21 deposition? 22 A. Other than what I've done for the last 23 three years of my job, the -- the interaction 24 I've had with them, no. 25 Q. So I -- yeah, when I ask that	Page 32 1 Q. Were you asked to collect any 2 documents and materials in conjunction with this 3 case? 4 A. Yes. 5 Q. And what type of documents did you 6 collect? 7 MR. NORWAY: And I'm going to object 8 that this is outside of the scope of the Rule 9 30(b)(6) Notice. 10 You may answer. 11 THE WITNESS: Any -- anything that 12 I've done related to Mr. Harrison's request, my 13 e-mails related to that, copies of the policies 14 that I currently reference when I do an 15 exception to policy packet. 16 BY MR. SCHOETTES: 17 Q. And did you do anything else to 18 prepare for your deposition today? 19 A. No. I mean, made arrangements for 20 my child to have child care. 21 Does that count? 22 Q. All right. We'll count that, but -- 23 A. Okay. That's it. I'm sorry. 24 Q. But that was it then? 25 A. That's it.
Page 31 1 question, I'm asking, specifically, to 2 prepare -- 3 A. Oh, -- 4 Q. -- for today, -- 5 A. Oh, no. 6 Q. -- did you speak with anyone, other 7 than the folks at this table? 8 A. No. 9 Q. Did you review any documents in 10 preparation for your deposition? 11 A. Yes. 12 Q. What type of documents did you review? 13 A. Policy. This document that you just 14 handed me. 15 Q. Exhibit 1? 16 A. Yes. Exhibit 1. And the -- these are 17 all policy. All policy or memorandums. 18 Q. Policy with -- 19 A. That were specific to HIV. 20 Q. And the memorandums are also all that 21 were specific to HIV? 22 A. There -- well, they're not specific 23 to HIV. They -- some of them are -- were more 24 general in regards to Army requirements for 25 retention and then how that applies to HIV.	Page 33 1 Q. No, that's fine. 2 MR. SCHOETTES: All right. I'm going 3 to hand you another document after it's marked. 4 (Lute Deposition Exhibit No. 2, a 5 document titled Department of Defense Personnel 6 Policies Regarding Members of the Armed Forces 7 Infected with HIV, was marked.) 8 BY MR. SCHOETTES: 9 Q. Have you had a chance to look at that 10 document, just peruse it briefly? 11 A. I'm -- I'm familiar with this 12 document. 13 Q. Okay. So what is that document? 14 A. This is the Department of Defense 15 Personnel Policies regarding members of the 16 armed forces infected with the -- with HIV. 17 It's a report to the committee of the Armed 18 Services of the Senate and House of 19 Representatives from August 2018. 20 Q. Did the Army contribute information to 21 the preparation of this report? 22 MR. NORWAY: So I'm going to object. 23 It's outside the scope. We haven't offered her 24 as a -- as the Army representative to talk about 25 the -- the 2018 report. But you may answer, if

Page 34 1 you know in your individual capacity. 2 THE WITNESS: Yes. 3 BY MR. SCHOETTES: 4 Q. So were you involved in providing 5 information for the preparation of this report? 6 MR. NORWAY: Same objection. 7 You may answer, if you know. 8 THE WITNESS: Yes. 9 BY MR. SCHOETTES: 10 Q. And who else from the Army was 11 involved in providing information for the 12 preparation of this report? 13 MR. NORWAY: And, once again, we 14 object, because it's outside of the topics that 15 we're offering. But you may answer, if you 16 know. 17 THE WITNESS: The only person that I'm 18 aware of is the person that I worked with, which 19 is Dr. Blaylock. 20 BY MR. SCHOETTES: 21 Q. Are you aware that the defendants 22 in this action, which includes the Army, have 23 stated that the 2014 and 2018 report -- reports 24 to Congress set forth the complete reasoning 25 underlying the policies on the prohibition of	Page 36 1 implemented. 2 Q. So in individual cases, the individual 3 assignment might affect how that policy was 4 implemented. Is that what I -- is that what you 5 just said? 6 A. It would have more to do with 7 geographical location. 8 Q. Right. And -- but -- but this 9 explains the overall -- 10 A. Overall this is quite accurate. 11 Q. -- reasons for the policies, -- 12 A. Yes, sir. 13 Q. -- correct? 14 A. Yes, sir. 15 Q. Okay. Could you turn to Page 1? 16 And under the introduction it indicates that 17 Congress specifically requested an update on 18 the status of the Department of the Army's 19 HIV policy, which was under review during the 20 issuance of a 2014 report; is that correct? 21 A. Yes, sir. 22 Q. Now, is that -- is this referring to 23 the Army's HIV policy as set forth in AR 600 -- 24 MR. NORWAY: Once again, I -- oh, go 25 ahead. Sorry.
Page 35 1 persons with laboratory evidence of HIV from 2 enlisting in the military, being inducted into 3 military services or being appointed as an 4 officer in the military services? 5 MR. NORWAY: And, once again, 6 I'm going to object, because it's outside the 7 scope of the testimony that we're offering this 8 witness for, but you may answer. 9 THE WITNESS: Yes. 10 BY MR. SCHOETTES: 11 Q. So it's your understanding that this 12 document contains the complete reasoning -- that 13 those two documents, I'm sorry, the 2018 report 14 and the 2014 report, contain the complete 15 reasoning underlying the HIV-related policies? 16 MR. NORWAY: Same objection. 17 You may answer. 18 THE WITNESS: I'm going to say that 19 both of those documents contain a -- I think a 20 pretty accurate summary of that. I think an 21 all-inclusive explanation would be complicated. 22 BY MR. SCHOETTES: 23 Q. Okay. What would complicate that? 24 A. Because anywhere anybody's assigned 25 would -- would impact how policy would be	Page 37 1 MR. SCHOETTES: -- -110? 2 MR. NORWAY: I object, because we 3 haven't offered this witness as a -- the Rule 4 30(b)(6) testimony for this deponent -- I'm 5 sorry, for this report. 6 You may answer, if you know, ma'am. 7 THE WITNESS: The HIV policy -- the 8 Army HIV policy is AR 600-110. 9 BY MR. SCHOETTES: 10 Q. And is it correct that that policy has 11 been under review since 2014? 12 A. Based on this, yes, sir. And -- and 13 -- but I've only been here since 2016, okay, 14 so any review that occurred prior to 2016 I 15 wouldn't have been party to. 16 Q. But you understand you're here as a 17 representative of the Army -- 18 A. Right. And my understanding is that 19 this has been under review since 2014. 20 Q. Great. 21 Can you turn to Pages 7 to 8 of 22 the report and look at the section personnel 23 pertaining -- I'm sorry, personnel policies 24 pertaining to HIV, and you'll see directly 25 below that heading there is a discussion of,

Page 38 1 one, Accession (Enlistment or Commissioning). 2 Do you see that? 3 A. I do, sir. 4 Q. Under this discussion of the Accession 5 Policy, the DOD report indicates on Page 8 that 6 DODI 6130.03 establishes DOD policy to ensure 7 that individuals considered for appointment, 8 enlistment or induction to military services 9 are, and then there's a list of five things. 10 Are you with me? Do you see where I'm talking 11 about? 12 A. Yes, sir. 13 Q. The first statement is that they must 14 be free of contagious diseases that probably 15 will endanger of health of other personnel; -- 16 A. Yes, sir. 17 Q. -- is that correct? 18 A. It does state that. 19 Q. And then the next one is that they be 20 free of medical conditions or physical defects 21 that may require excessive time lost from duties 22 for necessary treatment or hospitalization, or 23 probably will result in separation from the 24 service for medical unfitness; is that correct? 25 A. Yes, sir.	Page 40 1 But all of these would, in theory, be included 2 in there because we build our ARs based on the 3 DODIs. 4 BY MR. SCHOETTES: 5 Q. And then these are the criteria that 6 an individual must satisfy to be considered for 7 appointment, enlistment or induction into the 8 military; -- 9 A. Yes, sir. 10 Q. -- is that correct? 11 A. Yes, sir. 12 MR. NORWAY: Same objection. 13 BY MR. SCHOETTES: 14 Q. Which of these consideration is 15 implicated by a person living with HIV? 16 MR. NORWAY: Object. Outside the 17 scope. 18 THE WITNESS: Definitely the medically 19 adaptable to military environment with necessary 20 geographical limitations, so definitely that 21 would be one category. The first and second, 22 which is free of contagious disease which may 23 endanger the health of other personnel, that's 24 -- there's going to be parameters with that. 25 Free of medical conditions or physical defects
Page 39 1 Q. The third is that they are medically 2 capable of satisfactorily completing required 3 training? 4 A. Yes, sir. 5 Q. The fourth is that they are medically 6 adaptable to the military environment without 7 the necessity of geographical limitations? 8 A. Yes, sir. 9 Q. And the fifth is that they're 10 medically capable of performing duties without 11 aggravation of existing physical defects or 12 medical conditions? 13 A. Yes, sir. 14 Q. These are the same five criteria that 15 are set forth in AR 40-501; is that correct? 16 MR. NORWAY: So I'm going to object 17 that we've not offered this deponent as the 18 Army representative for the accessions piece 19 of 40-501, but you may -- so it's outside the 20 scope. You may answer, if you know. 21 THE WITNESS: I know that at least two 22 of these are included in that AR. That's -- 23 that's not an AR that -- that I -- falls into 24 my portfolio, so I don't have a great deal of 25 knowledge about it. I have a general knowledge.	Page 41 1 that 2 may require excessive time lost from duty 3 for necessary treatment or hospitalization or 4 probably will result in separation from service 5 for medical unfitness, again, that would -- 6 there would be qualifiers with that. 7 Actually, any of these, if the -- if 8 the -- it's depend on -- it depends on the 9 person, the individual, their status. 10 MR. SCHOETTES: So let's -- let's 11 talk, then, about -- about this in a little 12 more detail. And would it be -- would it be 13 easiest, Rob, to have a standing objection to 14 these questions that are related to accessions? 15 MR. NORWAY: If you would like, 16 we would -- we -- we'll raise a standing 17 objection to any question that you are posing 18 or putting to the deponent regarding accessions. 19 Thank you. 20 (Whereupon Mr. Norway and Major 21 Biggerstaff conferred.) 22 MR. NORWAY: Oh, and, actually, 23 that's a good point, we'll also have a standing 24 objection to any of the questions you ask 25 regarding or related to the 2018 report, if

Page 42 1 that would speed things up. 2 MR. SCHOETTES: To the creation of 3 the 2018 report or to the substance of the 2018 4 report? Because I think that this witness has 5 been offered for several of the topics that are 6 described in the 2018 report. 7 MR. NORWAY: Okay. So maybe it 8 doesn't make sense to have a standing objection 9 to the report. 10 MR. SCHOETTES: Okay. So we'll -- 11 we'll cover those on an individual basis, as 12 appropriate. 13 Can I go off the record for one 14 second? 15 THE VIDEOGRAPHER: One moment. 16 The time is 10:03 a.m. We're now 17 going off the record. 18 (Recess taken.) 19 THE VIDEOGRAPHER: The time is 10:05 20 a.m. We're back on the record. 21 Please proceed, Counsel. 22 BY MR. SCHOETTES: 23 Q. We're back after a brief break. 24 First, I just want to -- I noticed 25 that you have a pile of documents that you	Page 44 1 out of the DODI, and then when you do an -- an 2 AR it comes from the DODI, okay? 3 Q. But it is in the AR? 4 A. It is, but it comes from the DODI. 5 So there -- if -- if it's in the DODI, you 6 can -- you have to put it in the AR. You can 7 do -- you can do more than what's in the DODI, 8 but you can't do less. 9 Q. I understand. 10 A. Okay. 11 Q. So but what you're talking about 12 is the reasons that they would have these 13 cat -- categories or considerations? 14 A. And -- and I'm saying this -- this is 15 going to have to be my -- my thoughts on that, 16 because can I factually tell you what they were 17 thinking when they did this, I can't, because I 18 wasn't in that. 19 Q. So, actually, I'm asking a slightly 20 different question. 21 A. Okay. 22 Q. And -- and I understand that there's a 23 standing objection to you being the individual 24 speaking on this -- the accessions policies, but 25 what I really want to know is how the policy is
Page 43 1 brought with you -- 2 A. Mm-hmm. 3 Q. -- to the deposition. We would like 4 to have those so that we can make copies of 5 those. And -- and it's best if -- if the 6 document -- that the only documents that are 7 before you are the ones that we're actually 8 handing you as exhibits in this case, so ... 9 A. Who gets them? 10 Q. Thanks. 11 All right. So turning now to this, 12 I'm just going to go through them in order, 13 these five considerations. 14 So you said that the first one, 15 the -- that HIV is a contagious disease -- is 16 HIV a contagious disease that probably will 17 endanger of health of other personnel? Does 18 the Army believe that that is true? 19 A. Okay. First I need to clarify that I 20 don't write this standard, nor was I involved in 21 writing the standard, okay? So anything that I 22 have an opinion regard to this is my opinion, 23 because I don't know factually what the Army 24 based this on, because this is not my -- I don't 25 do DODIs. And so -- and -- and this is based	Page 45 1 being applied to people living with HIV. 2 A. Okay. 3 Q. So not how -- why the policy was 4 written, but why -- if the Army believes that 5 HIV is a contagious disease that probably will 6 endanger the health of other personnel, and then 7 if so, why? 8 A. Okay. The reason this would apply on 9 accessions is because, when we access, we don't 10 know the status of an individual. And then if 11 they are diagnosed as positive, whether they're 12 treated or not, the Army doesn't know, nor is it 13 their responsibility or obligation at that point 14 to provide that. 15 So the individual could, in 16 theory, then, pro -- pro -- pose a risk, or 17 an individual that was in the military that was 18 not treated and on medication could be a risk to 19 other individuals, particularly in a combat-type 20 environment where there was -- and there is a 21 lot of blood in many combat-type environments. 22 So in that particular situation, yes, if the 23 individual was on medication and they're -- they 24 were less than 200 count, then there would be 25 no -- there would be a negligible risk to any of

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Page 46 1 the population. 2 Q. Okay. So I just want to unpack that a 3 little bit. 4 You're saying that when someone is 5 accessing, if they are enlisting, right, as 6 opposed to if they were commissioning, -- 7 A. Whether they're enlisting or 8 commissioning, it -- it's an accession, -- 9 Q. Right. 10 A. -- you're bringing them in. 11 Q. But you wouldn't know their status 12 -- the status of their HIV if they were coming 13 to the Army -- coming to the Army for the first 14 time? 15 A. Correct. Which is why they do 16 testing. 17 Q. Right. But someone who was moving 18 from being an enlisted person to being an 19 officer, you would know their HIV status -- the 20 status of their HIV? 21 A. Yes. 22 Q. Okay. But you're saying for someone 23 who's coming to the Army for the first time, 24 that if they test positive for HIV, you don't 25 know enough about their -- their specific	Page 48 1 A. There are other ways. I mean, they 2 could present a risk. They could -- if an 3 individual that is not properly managed or 4 forthcoming regarding their diagnosis and they 5 donated blood, it could impact the blood bank. 6 And -- and, yes, we have screening on the blood 7 bank that we use here, but we don't when you do 8 a combat situation. It's -- it's a buddy 9 donor-type system. 10 Q. Have you ever heard of anyone with HIV 11 in the military who knew their status attempting 12 to donate blood? 13 A. Yes, sir. 14 Q. And when did that occur, or tell 15 me -- how -- was it more than once or one time? 16 A. I'm only aware of one time. 17 Q. And when was that? 18 A. I was in San Antonio, and that's as 19 close as I can get you, okay? So I was there 20 from, let me see, '14 -- 2014 to 2016. 21 MR. NORWAY: And I'm going to 22 interpose an objection that she's not being 23 offered for -- for this topic. 24 MR. SCHOETTES: Well, we'll come -- 25 we'll come back to that.
Page 47 1 condition to know whether or not they would -- 2 A. Their condition, their management, 3 their -- 4 Q. Whether or not they would pose -- 5 A. Whether or not they -- they are 6 compliant with medication or anything like that, 7 okay? 8 Q. Let me finish my -- my question, -- 9 A. I'm sorry. 10 Q. -- but I -- but I think you answered 11 it. So you don't know the extent to which their 12 HIV is under control, how it is being managed, 13 et cetera? 14 A. Correct. 15 Q. And what I heard you say was that if 16 the person's HIV was not well-managed, -- 17 A. Mm-hmm. 18 Q. -- and you said something about a 19 count, and I believe what you're referring to 20 is the viral load -- 21 A. That would be correct. 22 Q. -- for HIV, that if it was -- if 23 it was not well-managed, that then they could 24 potentially present a risk in the context of 25 a -- a battlefield transmission?	Page 49 1 THE WITNESS: Okay. 2 BY MR. SCHOETTES: 3 Q. So you've now identified battlefield 4 transmission as -- as a concern for someone 5 whose HIV is not well-controlled, and the 6 possibility of blood donation. 7 A. Well, I -- I would like, if I may, 8 to -- to clarify something. Because in the 9 battlefield, it doesn't matter if they're 10 well-controlled or not with blood, because 11 there's no research to support whether or not 12 a significant exposure to a person with HIV's 13 blood would be reduced or limited if they were 14 on medication and managed properly. So I -- I 15 -- you can't -- it would only -- the only 16 research that -- that has been put out that 17 -- that demonstrates that -- if they 18 are effectively managed is that it reduces the 19 risk of transmission with sexual interactions. 20 Q. So I think what you just said 21 contradicts what you said earlier, which is that 22 if someone was virally suppressed and had less 23 than the 200 copies per milliliter of HIV, that 24 then would be a negligible risk, -- 25 A. And --

Page 50 1 Q. -- in your words? 2 A. -- and I did state that, but I'm 3 clarifying with you that there would be a 4 negligible risk in a sexual intercourse of some 5 manner. There is no research to support that 6 there would be a negligible risk with a blood 7 exposure. They -- they say with needle sticks 8 the risk is reduced, with needle sharing the 9 risk is reduced, with sexual intercourse, and 10 they list whether it's vaginal or anal or oral, 11 all of those, there would be a negligible risk. 12 But there is nothing written that blood -- you 13 know, like, blood banks or volumes of blood, 14 there's no research to support that there, -- 15 Q. A needle -- 16 A. -- at least not to my knowledge. 17 Q. A needle stick does involve 18 blood-to-blood exposure; -- 19 A. It -- it is -- 20 Q. -- is that correct? 21 A. It -- it is a minute amount of blood. 22 If you get into a large-bore needle, 23 again, the risk is increased, because you're 24 increasing the volume of blood. So when you 25 increase the volume of blood that's involved,	Page 52 1 A. If the individual -- 2 MR. NORWAY: So I'm going to object. 3 THE WITNESS: I'm sorry. 4 MR. NORWAY: Outside of the scope. 5 It's -- that's a medical question. 6 THE WITNESS: If the individual is 7 well-controlled and they're downrange, the -- it 8 would be a negligible risk sexually. If the 9 individual is well-controlled and downrange, it 10 doesn't change, at least research doesn't show 11 that it changes any risk to an individual if 12 they are exposed to blood in a combat arena. 13 BY MR. SCHOETTES: 14 Q. So your statement is that there's 15 no research to support the idea that a reduced 16 viral load would reduce the risk of transmission 17 in a blood-to-blood exposure? 18 A. Yes. 19 MR. NORWAY: Ob -- 20 THE WITNESS: Sorry. 21 MR. NORWAY: Objection. Outside the 22 scope. 23 THE WITNESS: I thought that was the 24 standing thing. 25 BY MR. SCHOETTES:
Page 51 1 you increase the risk and you diminish that 2 negligible status that would be associated. 3 Q. Are you aware of any documented cases 4 of a battlefield transmission? 5 MR. NORWAY: So I'm going to object 6 that she's not being offered for that type of 7 medical testimony today. 8 THE WITNESS: I, personally, am not. 9 BY MR. SCHOETTES: 10 Q. Based on the -- the lack of 11 any awareness on your part of a documented 12 battlefield transmission, does it stand to 13 reason that sexual transmission is much more 14 likely than a battlefield transmission? 15 A. Downrange? 16 Q. I'm not sure what you -- what you're 17 asking. 18 A. Well, I guess I need clarification 19 of the question. You -- you're asking me is it 20 more likely that someone would get HIV from a 21 sexual exposure than a blood exposure? 22 Q. Than a battlefield trans -- yes, 23 from -- 24 A. If the -- 25 Q. -- a battlefield exposure.	Page 53 1 Q. I'm sorry. So just so we can get a 2 clear answer to that ... 3 A. Yes. 4 Q. All right. Are there any other types 5 of exposures that we haven't talked about that 6 you think would make HIV present a -- a -- a 7 risk of endangering the health of other 8 personnel? 9 MR. NORWAY: Scott, to clarify, are 10 we now, once again, talking about the accession 11 standards? 12 MR. SCHOETTES: Yes. 13 MR. NORWAY: Thank you. 14 BY MR. SCHOETTES: 15 Q. So, I'm sorry, back to the -- the very 16 first consideration of the accession standard, 17 you've described battlefield transmission as a 18 potential concern, you have described -- let me 19 go back and look. 20 Well, we -- now you've talked 21 about needle-sticks as a possible risk of 22 transmission, sharing of needles? 23 A. Yes. 24 Q. Needle-sharing? 25 A. Yes.

Page 54 1 Q. And are those the -- the bases 2 for your concern about HIV being a contagious 3 disease that will endanger the health of other 4 personnel? 5 MR. NORWAY: Objection; form. 6 BY MR. SCHOETTES: 7 Q. Let me try again. 8 Are there other bases for the Army's 9 belief that HIV is a contagious disease that 10 will endanger -- that probably will endanger 11 the health of other personnel, in addition to 12 the ones we've already talked about? 13 A. I think that HIV, as a contagious 14 disease, could be a risk to the population if 15 the individual was not well-informed or made bad 16 choices and it involved other individuals. Is 17 that -- do I think that that commonly occurs? 18 I don't. But it -- it would be a risk. 19 Q. And can you get specific about what 20 bad choices you're talking about? 21 A. Not using condoms, not informing their 22 partners, unsafe sexual practices, in general. 23 Q. So -- so we're talking about sexual 24 activity, essentially, -- 25 A. Yes.	Page 56 1 BY MR. SCHOETTES: 2 Q. And you've never seen anything that 3 said, essentially, no risk? 4 A. I -- if -- I don't remember reading 5 anything that said no risk. 6 Q. Well, but -- but you're changing the 7 question, because I'm saying, essentially, no 8 risk. Have you seen anything that says that it 9 is, essentially, no risk? 10 A. No. I don't remember seeing anything 11 that it says anything that it includes no risk. 12 I just remember seeing negligible risk. 13 Q. Okay. 14 A. Okay? I'm not saying it doesn't 15 exist. I'm saying I don't remember seeing it. 16 Q. I hear you. 17 So if there was negligible risk, as 18 you're describing, for someone who's virally 19 suppressed, would there be a need to use a 20 condom? 21 MR. NORWAY: Objection. Outside of 22 scope. 23 THE WITNESS: Well, I have to tell 24 you, as a public health nurse, I advise all of 25 my patients, regardless of their HIV status, to
Page 55 1 Q. -- here? 2 A. Yes. 3 Q. What about for someone who is virally 4 suppressed in that context? 5 A. Well, the risk, if they are virally 6 suppressed, according to the CDC, does become 7 negligible. Negligible, I -- I will caveat, 8 does not mean no risk. It means significantly 9 reduced risk, and so -- 10 MR. NORWAY: And I'm going to object. 11 The question was outside the scope. 12 BY MR. SCHOETTES: 13 Q. In fact, has the -- hasn't the CDC 14 said, essentially, no risk? 15 A. The CDC site actually says, negligible 16 risk. 17 Q. In other statements, has the CDC said, 18 essentially, no risk? 19 MR. NORWAY: And, once again, I'm 20 going to object. Outside of scope. 21 THE WITNESS: I can't tell you, 22 factually, that I've read anything that says no 23 risk, okay? I know it said negligible risk and 24 limited risk in the things that I've read. I'm 25 sorry.	Page 57 1 use a condom, because HIV is not the only thing 2 they can get. 3 BY MR. SCHOETTES: 4 Q. I understand. 5 A. Okay. 6 Q. And we're talking about with respect 7 to HIV risk now. 8 A. I -- but -- but I'm telling you, 9 I -- I -- it -- would there be a need to use 10 a condom? I -- if I were the public health 11 nurse speaking to that individual, I would say 12 wear a condom. 13 Q. I understand. 14 A. And not because they have HIV, but 15 because there are other things they can be 16 exposed to. 17 Q. Which, again, I would imagine you 18 would tell all service members to use a condom 19 during sexual activity? 20 MR. NORWAY: Objection. Outside the 21 scope. 22 THE WITNESS: But that would be 23 accurate. 24 BY MR. SCHOETTES: 25 Q. Which is more effective at

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Page 58 1 reducing HIV transmission risk, a condom or an 2 undetectable viral load? 3 MR. NORWAY: Objection. Outside the 4 scope. You may answer. 5 THE WITNESS: I, honestly, can't 6 answer that. I don't know which would -- which 7 is more effective. I think both are going to 8 reduce the risk, based on my knowledge. But if 9 there's research that says one is more effective 10 than the other, I don't know. I -- you know, if 11 you have a reduced viral load, I'm a very happy 12 public health nurse, because, in my eyes, then 13 there's two mechanisms to reduce your risk. 14 BY MR. SCHOETTES: 15 Q. All right. I'm going to move on 16 to the second consideration here under the 17 standard, which is that a person be free of 18 medical conditions or physical defects that 19 may require excessive time lost from duty 20 for necessary treatment or hospitalization or 21 probably will result in separation from -- from 22 the service for medical unfitness. 23 In the Army's view, does HIV -- is HIV 24 implicated by that consideration? 25 MR. NORWAY: So, once again,	Page 60 1 asking about the basis for Army 600-110. 2 MR. SCHOETTES: Well, we can -- let -- 3 let's just make this about accession for right 4 now. 5 MR. NORWAY: Okay. 6 BY MR. SCHOETTES: 7 Q. So let me rephrase that question. 8 Well, first of all, is a person given 9 an order to comply with their HIV treatment 10 after they're diagnosed with HIV in the 11 military? 12 In the Army. I'm sorry. 13 MR. NORWAY: Ob -- objection; scope. 14 If the directive is within the AR, 15 then please clarify that in your answer. 16 THE WITNESS: AR 600-110 does require 17 a commander's counseling with the individual. 18 And there are -- I don't know exactly, I don't 19 remember, I'd have to look at the document, how 20 many things are on the sheet that the soldier is 21 advised of. Because that commander is the 22 person that, actually, has any control over the 23 individual in the military. 24 MR. NORWAY: I withdraw my scope 25 objection.
Page 59 1 objection, outside the scope, because it has to 2 deal with accession. But you -- you may answer 3 to the extent that it is -- implicates Army 4 policy. 5 MR. SCHOETTES: And this one would go 6 under the standing objection, right? 7 MR. NORWAY: Right. 8 MR. SCHOETTES: Okay. 9 THE WITNESS: I'm going to say 10 that there is -- there -- it -- it would fall 11 into this category if the individual was not 12 controlled or noncompliant or -- or, if they're 13 coming into the military, you -- you don't have 14 enough information about the individual or their 15 management or their compliance or anything else 16 to assess whether or not that would be a risk 17 for a lot of treatment and time away from work 18 that would be involved. 19 BY MR. SCHOETTES: 20 Q. And what about someone who is in the 21 military and has demonstrated a compliance with 22 their medical treatment? 23 MR. NORWAY: So objection; form. 24 I'm -- I'm confused. I don't know if you're 25 asking about accessions policy or if you're	Page 61 1 BY MR. SCHOETTES: 2 Q. So if we're under AR 600-110, are you 3 saying that there is, as a part of -- you said 4 there are a number of things that the commander 5 counsels the HIV-positive soldier about. 6 A. Mm-hmm. 7 Q. Is one of them to comply with their 8 treatment? 9 A. Yes, sir. 10 Q. And it's expected that all service 11 members are going to comply with all lawful 12 orders that they are given, correct? 13 A. That is an assumption. 14 Q. Is it your understanding that when a 15 person complies with their medical treatment 16 that -- that they -- that every person living 17 with HIV who complies with their recommended 18 medical treatment will achieve an undetectable 19 viral load? 20 MR. NORWAY: Objection; form. 21 Objection; outside of scope. 22 THE WITNESS: I don't know the 23 percentages, other than in my conversations 24 with Dr. Blaylock. But I do know that, in my 25 conversations with him, he has advised me that

Page 62 1 most soldiers will develop decreased viral load 2 and an increase in their CD-4 count if they are 3 taking the medication as directed. I don't know 4 what the percentages are on that. I don't know 5 what percentage doesn't. 6 BY MR. SCHOETTES: 7 Q. Okay. Does the Army consider taking 8 a daily medication excessive time for necessary 9 treatment? 10 MR. NORWAY: And -- and, Scott, are 11 you asking in connection with accessions? 12 MR. SCHOETTES: Well, I guess to the 13 extent that this is in AR 6 -- 610 -- or, I'm 14 sorry, 600-110, it -- it -- it's sort of the 15 same thing, right? 16 MR. NORWAY: Mm-hmm. 17 BY MR. SCHOETTES: 18 Q. So I'm asking in the context of these 19 five factors, which are described as the -- the 20 reasons why someone might not be allowed to 21 access, but I think that they also -- it 22 goes into the very same things with respect to 23 deployment, so ... 24 MR. NORWAY: So there are -- there are 25 different policies and different calculations,	Page 64 1 and maybe I'm going to change the question a 2 little bit here. So for someone who has 3 well-controlled HIV, is -- are there any 4 concerns with that person being medically 5 capable of satisfactorily completing required 6 training? 7 A. If -- if they had no other disease 8 processes, no. 9 Q. For someone with well-controlled HIV, 10 is there any concern that they would not be -- 11 A. I'm sorry. Can -- can I just clarify 12 that, because there are some restrictions and 13 limitations for, like, flight or diving, but 14 those restrictions and limitations have more to 15 do with medications that individuals take, and I 16 don't -- those aren't my specifics. I just know 17 they exist. 18 Q. Okay. Thank you for clarifying 19 that. So let's move on to the next one. 20 Is there any reason that someone with 21 well-controlled HIV would not be medically 22 adaptable to the military environment without 23 the necessity of geographical limitations? 24 MR. NORWAY: And I'm going to 25 interpose the same objection I did before
Page 63 1 so -- and -- which is why we were keeping them 2 separate. So I'm going to, you know, object 3 to the extent that she's testifying as to the 4 accessions policy. 5 MR. SCHOETTES: Okay. 6 MR. NORWAY: But, you may answer, 7 ma'am, to the extent that that question is 8 relevant to AR 600-110. 9 THE WITNESS: Based on AR 600-110, it 10 would not be considered excessive time lost from 11 work. 12 BY MR. SCHOETTES: 13 Q. And, similarly, is a medical 14 appointment once every six months to monitor 15 something like HIV considered excessive time? 16 MR. NORWAY: And -- and, once again, 17 I'm going to interpose the same objection. 18 You may answer to the extent that -- 19 that you can answer for 600-110. 20 THE WITNESS: Not based on 600-110, 21 no, sir. 22 BY MR. SCHOETTES: 23 Q. Let's move on to the third 24 consideration, Medically Capable of 25 Satisfactorily Completing Required Training,	Page 65 1 regarding accessions, but, ma'am, you may 2 answer to the extent that it applies to 600-110. 3 THE WITNESS: Yes, because there are 4 certain countries that do preclude persons with 5 HIV from entering. There are SOFA agreements, 6 which I can't speak specifically to what's in 7 the SOFA agreements, but I do know that they 8 have to be considered because they're country 9 agreements. And SOFA agreements are not 10 something between the Army and the country, 11 they're something between the Department of 12 Defense or that the United States, as a whole, 13 has with a country. And so some of those may 14 have limitations or restrictions. And -- 15 BY MR. SCHOETTES: 16 Q. And let me ask you a question 17 about that. Is that considered part of the 18 whether they're medically adaptable, or does 19 that fall into a different category than being 20 medically adaptable to the military environment? 21 MR. NORWAY: Same objection. 22 THE WITNESS: When it speaks to 23 medically adaptable to the military environment, 24 they're -- they're referencing, you know, your 25 physical status. And if you -- if you have HIV,

Page 66 1 as I've already stated, there are some countries 2 you cannot enter. I -- I do not know the 3 specifics of SOFA agreements because there 4 are -- are many, and I haven't seen but maybe 5 one in my lifetime, or two. 6 BY MR. SCHOETTES: 7 Q. Well, I've seen reference in 8 other documents to legal reasons, and -- and 9 I guess I'm wondering, and -- and I guess I'm 10 wondering -- 11 A. I think the legal reasons would be 12 the -- the country prohibiting entry, okay? 13 Q. That -- that's what I'm suggesting, 14 is that it is a legal reason, not necessarily 15 whether or not the person is medically 16 adaptable? 17 A. Well, the medical adaptable part 18 would come in that if -- if -- if a person 19 with even well-controlled HIV is sent downrange, 20 downrange is not your normal operating 21 environment, okay? So you go downrange, you 22 may be getting two or three hours of sleep a 23 day, if you're lucky, okay? You're on the go 24 all the time, you're not getting to go eat like 25 you should. So, first of all, any -- any	Page 68 1 as simple as the water that they got was bad 2 water and -- and now something that would be 3 a -- a really irritating and maybe two or 4 three-day event for someone that has no medical 5 issue can become a serious concern for an 6 individual with HIV, even if they're 7 well-controlled. 8 Q. So let me ask a question or two. 9 First of all, you're referring to downrange. 10 Can you define for me what you mean when you say 11 downrange? 12 A. Someone that's deployed. Someone 13 that is deployed to -- to whether it's Africa, 14 Afghanistan, Iraq, Kuwait. I mean, there's -- 15 there's a list. There's a list of places that, 16 when you're not -- when you're not assigned to 17 somewhere where there is a -- like, here I'm 18 -- I'm assigned to a fixed facility. I go into 19 a building every day and I work. And if I need 20 medical care, I go over to the Pentagon to 21 the health clinic and I'm seen. And it's easy 22 access for me. I just get on the little shuttle 23 bus and it takes me over there and everything's 24 good to go. 25 But it doesn't work like that when
Page 67 1 individual that you send downrange is going to 2 become worn and tattered, but now I take someone 3 that has an immunocompromising condition and I 4 send them into that same environment, so as 5 their system starts to wear down, it increases 6 their risk of developing, potentially, another 7 disease that they're exposed to, because we get 8 to be exposed to a lot of things downrange, as 9 well. And it should be said that a person with 10 HIV can't receive any live vaccines, which 11 means, if they're going downrange, there is some 12 protection that they're -- they would be 13 lacking, because they couldn't receive those 14 vaccines. So if there was an exposure downrange 15 to those diseases, they're not going to be 16 protected. 17 So now I've -- I've decreased their -- 18 their resistance by not letting them sleep, and 19 -- and not just the HIV-positive person, but the 20 soldiers as a whole. They're not getting sleep 21 they need; they may not necessarily be getting a 22 diet that is healthy, okay? There's a lot of 23 stressors, and -- and they're exposed to 24 whatever they come in contact with, whether 25 it's a disease or, perhaps, even it's something	Page 69 1 we are deployed to other areas. It may be, 2 depending on the type of unit the individual's 3 in, that the unit may be way far forward, and 4 the medical care may be way back here and the -- 5 the unit that's way far forward may have very 6 limited access to just simple sanitation things, 7 clean water, toilet facilities, capacity to 8 bathe, what they're eating. 9 Q. So just to try and get clarity 10 on the downrange, it can be any -- a range of 11 deployments, but all that might be described as 12 into an austere environment, is that -- I mean, 13 I've heard that -- seen that phrase, is that 14 what we're talking about? 15 A. Generally speaking, yes. Some may be 16 in a less-austere environment, but they may also 17 be in a country that would pose a risk if they 18 were not able to take a medication that was 19 recommended to prevent them from having a 20 disease if -- they came in contact with while 21 they were there, or a vaccine, malaria, for 22 example, okay? 23 Q. Setting aside the -- the vaccine 24 issue, for a moment, -- 25 A. Mm-hmm.

Page 70 1 Q. -- and the inability to -- to -- 2 to get a live vaccine -- a live virus 3 vaccine, is it your belief that a person with 4 well-controlled HIV has -- does not have the 5 same ability to fight off infection as someone 6 with -- who does not have HIV? 7 MR. NORWAY: Objection. Outside of 8 scope. 9 You may answer. 10 THE WITNESS: In a -- in a 11 standard environment, I think it becomes pretty 12 equivocal. But as I had already stated, when 13 you go into a more-austere environment, it 14 doesn't matter who it is, because of the lack of 15 sleep and the -- the food changes and everything 16 else, your immune system starts to diminish. 17 You're less resistant. 18 So if you have someone that's already 19 at risk, whether it's HIV or any other immune 20 disorder, or, perhaps -- and more so immune 21 -- an immune disorder, as your immune system 22 decreases, if you're already at risk, you're 23 at a greater risk that that impact on your 24 immune system is going to have an adverse 25 effect.	Page 72 1 anybody with a disease with a provider, but a 2 healthy diet, enough sleep, eliminating exposure 3 risks to -- I mean, I -- I tell my patients as 4 a public health nurse, you know, if you know 5 somebody has a flu or a cold, don't go hang 6 there today, okay. You're just opening yourself 7 up to exposure. So, you know, it -- 8 BY MR. SCHOETTES: 9 Q. So just, I'm trying to understand, you 10 said that they start at the same -- pretty much 11 the same level, a person with HIV and a person 12 who is not living with HIV, -- 13 A. Mm-hmm. 14 Q. -- but you're saying that you think 15 the person who has HIV, as -- as they're exposed 16 to these -- this environment, will actually 17 deteriorate at a greater rate than the person 18 who does not have HIV? 19 MR. NORWAY: Objection. Outside of 20 the scope. 21 You may answer, ma'am. 22 THE WITNESS: I think anyone with a -- 23 a disease process would probably be at a greater 24 risk. But with HIV you're talking about an 25 immune compromising, so things like lack of
Page 71 1 BY MR. SCHOETTES: 2 Q. I hear what you're saying. First of 3 all, I hear you saying that being a soldier is a 4 hard job. 5 A. It is a hard job. 6 Q. All right. And that you're put in an 7 environment into which anyone is placed at risk. 8 It's part of being a soldier. 9 A. Correct. 10 Q. What I hear you saying is that 11 you think that people with HIV start with 12 a different baseline, even if the HIV is 13 well-controlled? 14 MR. NORWAY: Objection. I'm not sure 15 that's an accurate summary of her testimony. 16 You may answer. 17 THE WITNESS: That's not an accurate 18 summary. I said I think they start at a pretty 19 equivocal level. But I think with certain 20 exposures and certain things that occur when 21 you're downrange, your risk starts to increase. 22 Because an individual with HIV, not only are 23 they on medication, but part of the -- the 24 process they go through with their provider 25 is -- you would hope it would go through with	Page 73 1 sleep, boy, that's a huge impact on somebody, on 2 anybody, but it's definitely going to be there. 3 So I do think that there is a greater 4 risk for the individual to be exposed, and for 5 their health to potentially deteriorate. 6 There's also the risk that, you know, maybe your 7 day just isn't going quite right and your pack's 8 back there and that's where your medication is 9 and you're out here and you didn't get your 10 medication today, and maybe you didn't get your 11 medication for two days, I don't know. You 12 know, if I have hypertension and don't get 13 medication for two days, it's not in my best 14 interest, but it doesn't put me at the same 15 risk. 16 BY MR. SCHOETTES: 17 Q. Okay. Let's move on to -- have we 18 covered everything that you think makes a person 19 living with HIV potentially not medically 20 adaptable to the military environment without 21 the necessity of geographical limitations? 22 MR. NORWAY: Scott, I just wanted 23 to clarify, you've moved back to accessions? 24 MR. SCHOETTES: Yes. 25 MR. NORWAY: Thank you.

Page 74 1 THE WITNESS: So just to clarify, 2 whether they're medically adaptable to the 3 military environment, I -- I agree that they 4 are adaptable to the military environment until 5 you get to the necessity for deployments or 6 geographical assignments that would preclude 7 them from being assigned to that country. 8 BY MR. SCHOETTES: 9 Q. Meaning the -- the SOFA agreements? 10 A. Whether they're SOFA agreements or 11 country pre -- preclusions, some countries 12 simply don't allow individuals with HIV to enter 13 the country, or austere environments that you 14 could -- that could put you at a higher risk. 15 Q. So the things that we've talked about? 16 A. Yes, sir. 17 Q. You've just talked about two different 18 things that I just wanted to clarify. There's a 19 SOFA, which is a Status of Force Agreement, that 20 stands for, correct? 21 A. Yes. 22 Q. And -- and then country preclusions, 23 are you saying there are some countries to which 24 we do not deploy people living with HIV, not 25 because it's set forth in a Status of Force	Page 76 1 Q. That in particular austere 2 environments, there would be concern about an 3 aggravation of the existing physical defect or 4 medical condition when it comes to HIV? 5 MR. NORWAY: So I'm going to be clear, 6 objection, outside the scope to the extent it 7 deals with accessions. 8 You may answer, ma'am, as is relates 9 to 600-110. 10 THE WITNESS: Yes, sir. 11 BY MR. SCHOETTES: 12 Q. Are there any other concerns that we 13 haven't discussed with a person living with HIV 14 being medically capable of performing duties 15 without aggravation of the HIV? 16 MR. NORWAY: Same objection. 17 THE WITNESS: Not that I can think of 18 at the present time, sir. 19 BY MR. SCHOETTES: 20 Q. All right. So turning now to Page 9 21 of the DOD report, if you'd look to the -- the 22 fourth paragraph on that page, there's a 23 sentence -- the paragraph starts, supported 24 by the work of the medical and personnel experts 25 of the, and then it says AMSWG, is that the
Page 75 1 Agreement, but because the country has a 2 prohibition of their own on allowing people 3 living with HIV to enter? 4 MR. NORWAY: So ob -- objection. 5 Outside of scope. That would be a DOD level. 6 MR. SCHOETTES: Okay. 7 THE WITNESS: And I don't know if we 8 deploy people to the countries that are listed, 9 but the World Health Organization, I'm sure you 10 know, they have a site that states where persons 11 with HIV can't travel; they're not allowed into 12 the country. So that's what I'm referencing. 13 BY MR. SCHOETTES: 14 Q. We used to be one of them until a few 15 years ago, so, yes, I'm aware. 16 All right. I just got water all over 17 this. 18 Let's go on to the -- to the fifth one 19 here, which is medically capable of performing 20 duties without aggravation of existing physical 21 defects or medical conditions. I feel like, 22 perhaps, we've covered that, somewhat, in 23 response -- in your response to the last 24 question. Is that accurate? 25 A. I -- I would agree with that, yes.	Page 77 1 Accessions Medical Standard Working Group? 2 MR. NORWAY: Objection. Outside the 3 scope. 4 MR. SCHOETTES: I'm sorry. 5 Oh, go ahead. 6 MR. NORWAY: I was going to say, 7 objection, outside the scope. 8 Ma'am, you may answer, if you know. 9 BY MR. SCHOETTES: 10 Q. Do you know if AMSWG -- 11 A. I honestly don't know if that's what 12 that acronym stands for. I would have to go and 13 look through the rest of the document, because 14 I'm sure it's in here somewhere. 15 Q. Yeah. It -- oh, actually, it's right 16 in the paragraph right above, so we can look 17 there. 18 A. Okay. 19 Q. So the paragraph before it describes 20 that as the Accessions Medical Standards Working 21 Group, -- 22 A. Okay. 23 Q. -- so the AMSWG. And then it says, 24 the DD -- the DODI 6130.03, Disqualification for 25 Accession for HIV Infection, does not reflect

Page 78 1 disagreement with the medical consensus that 2 modern medication management of HIV infection 3 produces very positive results. 4 And then in the next sentence it says, 5 however, in the context of the extraordinary 6 challenges of many aspects of military service, 7 including potential mission needs under highly 8 stressful combat conditions or in extremely 9 austere and dangerous places worldwide, even 10 well-managed HIV infection carries risks of 11 complications and comorbidities, possibly with 12 latent effects, immune system dysregulation, 13 neurocognitive impairments (NCI) (discussed 14 further below) disrupted medication maintenance 15 and necessary monitoring for potential side 16 effects, possibly -- possible military 17 vaccination adverse effects, and potential 18 communicability, including in circumstances 19 of buddy aid to a seriously injured member in 20 combat and emergency whole-blood trans -- 21 battlefield transfusions. 22 MR. NORWAY: So objection. Outside of 23 the scope. 24 Is there a question pending? 25 BY MR. SCHOETTES:	Page 80 1 are we talking about? 2 MR. NORWAY: Objection. Outside of 3 scope. 4 THE WITNESS: And I cannot -- 5 BY MR. SCHOETTES: 6 Q. Okay. 7 A. -- tell you. I -- I -- I just don't 8 know. 9 Q. Yep. 10 Do you -- do you know what the -- the 11 -- the phrase immune system dysregulation means? 12 MR. NORWAY: Objection. Outside the 13 scope. 14 THE WITNESS: It means that you -- you 15 were regulated, your immune system was -- you 16 had your -- your immune system was working 17 because you were on the medication, and, then, 18 for whatever reason, and I -- I don't know what 19 those reasons might be, again, the medication 20 is no longer doing what it should do and your 21 immune system is not functioning. 22 BY MR. SCHOETTES: 23 Q. So then would you say that that is 24 going to be related to something that's just 25 a little bit further down here, disrupted
Page 79 1 Q. Does that summarize the bases for 2 the Army's belief that a person living with HIV 3 should not be permitted to access? 4 MR. NORWAY: Objection. Outside the 5 scope. 6 Ma'am, you -- you may -- 7 THE WITNESS: I'm never sure if I'm 8 supposed to speak or not. 9 MR. NORWAY: Yeah. You may -- 10 MR. SCHOETTES: You can answer, unless 11 you're instructed not to answer. 12 THE WITNESS: Okay. 13 MR. SCHOETTES: You can always answer, 14 unless he tells you not to answer. 15 THE WITNESS: So -- so, yes, it does 16 summarize that, and, as a matter of fact, many 17 of those things we've discussed. 18 BY MR. SCHOETTES: 19 Q. So, similarly, are these the reasons 20 that the Army believes a person living with HIV 21 is not worldwide deployable? 22 A. Yes. 23 Q. Can you describe for me what is meant 24 here by, possibly with latent effects, what 25 we're talking about late -- what latent effects	Page 81 1 medication maintenance? 2 MR. NORWAY: Objection. Outside the 3 scope. 4 You may answer, ma'am. 5 THE WITNESS: That would be one of the 6 things that could contribute to that. I can't 7 speak to the others. I don't have that 8 knowledge. 9 MR. SCHOETTES: So I assume that -- 10 that neurocognitive impairments would be 11 something I would discuss with another witness, 12 perhaps Dr. Blaylock? 13 MR. NORWAY: Correct. Yeah. And DOD 14 may have a witness, as well. 15 MR. SCHOETTES: Okay. All right. 16 I think the rest of the things there are 17 self-explanatory. 18 Okay. Now I'm going to have you go 19 back and look at page -- and, actually, I'm at a 20 -- kind of a breaking point. Do we want to take 21 a slight break, do a little bathroom break? 22 MR. NORWAY: I'm fine. Ma'am, would 23 you like a bathroom break? 24 THE WITNESS: I'm good. 25 MR. SCHOETTES: Should we keep going?

Page 82 1 All right. We'll keep going. 2 BY MR. SCHOETTES: 3 Q. I'm going to send you back to Page 2 4 of this report marked as Exhibit 2. And it's 5 not the second page, because there's some pages 6 sort of that preamble, but Page 2 of the report, 7 it indicates there that all service policies 8 preclude HIV-positive service members from 9 deploying to combat areas, or in support of 10 contingency operations, due to the potential 11 lack of access to needed medical care or 12 medications in austere environments, as well as 13 military risks inherent to the mission assigned 14 that could lead to illness exacerbation and 15 compromise unit readiness and mission 16 completion. 17 Is that correct? Did I read that 18 correctly? 19 A. Yes. 20 Q. And now we're talking about the -- in 21 the context of deployment, correct? 22 A. Yes. 23 Q. And in this context, because, 24 you know, we've talked about some of these 25 subjects already, are the answers that you	Page 84 1 A. I don't know if it's the first reason, 2 but it would be one of the reasons, yes. 3 Q. Ah, okay. I guess it was just 4 that that was the order that it was in that 5 statement, but it is one of the reasons? 6 A. Yes, sir. 7 Q. And we discussed previously what the 8 meaning of those austere environments was? 9 A. Yes. 10 Q. What kind of -- of -- of deployments 11 we're talking about when we talk about an 12 austere environment? 13 MR. NORWAY: Objection. I'm not sure 14 if that's a mischaracterization of the former 15 testimony. 16 BY MR. SCHOETTES: 17 Q. So let's just go back and ask, to 18 what austere environments is this regulation 19 referring? 20 A. I don't think that I can take austere 21 environment and pare it down and say, this is 22 the exact environment that that individual can't 23 go into, okay? I -- I can't do that, because 24 that's -- first of all, that's outside of 25 my scope. I think the -- the more austere
Page 83 1 gave previously, in the context of the accession 2 standard, are -- do they apply to this setting, 3 as well, or are there some differences? 4 MR. NORWAY: I'm going to object. 5 Outside of the scope, to the extent that 6 you're asking the question beyond how the 7 Army implements it in AR 600-110 and 40-501. 8 THE WITNESS: However, as the Army 9 implements these, I -- these would be accurate. 10 BY MR. SCHOETTES: 11 Q. I'm sorry. You said these would be 12 accurate? 13 A. What -- what was included in the -- in 14 the previous discussions that we've had and 15 that, due to the lack of access to medical care 16 and medication in an austere environment, as 17 well as risk inherent to mission, assignment 18 that could lead to illness exacerbation or 19 compromise unit readiness or mission completion. 20 Q. All right. And maybe just to get some 21 clean answers here, in other words, the first 22 reason that people living with HIV are not 23 allowed to deploy under AR 600-110 is the 24 potential lack of access to medical care or 25 medications in austere environments, correct?	Page 85 1 environment you were in, so the more -- the more 2 intense the environment was, the more lacking of 3 resources that it was, the more demanding that 4 it was physically, I think, would become a 5 factor in this. So austere, as a whole, is -- 6 you know, there's a -- there's an assumption of 7 what an austere environment is, and I'm sure the 8 Army has a -- a definitive definition, which I 9 don't know, okay? But, conceptually, that -- 10 that -- there's going to be a range in that 11 austere environment. 12 Q. Can you tell me who would know more 13 about what qualifies as an austere environment? 14 A. The Department of Defense, the persons 15 that, I'm sure, write the DODIs have a clear 16 and concise idea of what is meant by austere 17 environment. 18 Q. And what about for within the Army? 19 A. Again, whoever does the deployment 20 policies and -- and the accessions policies are 21 going to have, probably, a clearer understanding 22 than I do. I -- I mean, I know what they -- I 23 know the environments they reference when they 24 say austere, but I don't know how they define 25 that.

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Page 86 1 Q. Okay. 2 MR. NORWAY: So, yeah, objection. 3 Outside the scope for that one. 4 MR. SCHOETTES: Well, but this is in 5 AR 600-110. 6 MR. NORWAY: Yeah. I'm -- I -- 7 it's unclear to me if you're asking about what's 8 within the 600-110 or if you're asking about 9 the -- the deployment policy. 10 So if we need to, we could 11 provide a -- a witness that would answer those 12 particular questions. But the questions that 13 you're asking aren't, necessarily, within these 14 topics or aren't clearly within these topics. 15 BY MR. SCHOETTES: 16 Q. Okay. So as far as you know, 17 there's not some type of rating that a 18 particular deployment gets as to, you know, 19 what that environment is like, how austere that 20 environment might be? 21 A. Not that I'm aware of. 22 Q. Okay. 23 A. It doesn't mean it doesn't exist. 24 I just -- that's not something that's in my 25 purview.	Page 88 1 Q. And when you say PA, what does that 2 mean? 3 A. A physician's assistant. 4 Q. I just wanted to get it on the record. 5 And do you have a sense of how long a 6 forward deployment like that would last? 7 MR. NORWAY: Objection. Vague. 8 BY MR. SCHOETTES: 9 Q. Yeah. Are you aware of the length of 10 such forward deployments? 11 MR. NORWAY: Objection. Outside the 12 scope. 13 THE WITNESS: I'm not. 14 BY MR. SCHOETTES: 15 Q. Another reason that's listed in 16 this section regarding deployment is that there 17 are military risks that could lead to illness 18 exacerbation and compromise unit readiness and 19 mission completion. 20 What are the military risks that are 21 mentioned here? 22 MR. NORWAY: Objection. Outside of 23 the scope. 24 Ma'am, you may answer to the extent it 25 applies to AR 600-110.
Page 87 1 MR. NORWAY: Yeah. Objection. 2 Outside the scope. 3 BY MR. SCHOETTES: 4 Q. You've talked about different kinds 5 of medical care being available or -- or not 6 available -- 7 A. Mm-hmm. 8 Q. -- in certain deployments. 9 A. Mm-hmm. 10 Q. Is there a minimum standard of medical 11 care that must be available in every deployed 12 situation? 13 A. That's -- again, that's really outside 14 of my scope. I do know that all units, even to 15 the most-forward units, have some level that 16 goes with them. I'm -- there is a standard that 17 exists, I can't tell you what that standard is, 18 but units that go far forward have a medic, 19 often. There's -- you know, certain types of 20 unit may go forward with a PA. It's just -- 21 it's going to depend on the unit, it's going to 22 depend on the mission, it's going to depend on 23 where they're located, probably how long they're 24 going to be there. But it's a policy, that's 25 not -- I -- I don't know.	Page 89 1 THE WITNESS: I can't speak, 2 specifically, to what they mean by military 3 risks, but risks that you would be exposed to 4 while working in the military. And, again, I 5 would go back to whether it be the water that 6 you had was tainted or the food or you didn't 7 have the vaccines that were indicated for the 8 area into which you were going. 9 BY MR. SCHOETTES: 10 Q. All right. On Page 3 of this report 11 it says that all services currently permit 12 HIV-positive service members to deploy for 13 purposes other than combat or a contingency 14 operation, or to be assigned for duty in certain 15 overseas locations, subject to receipt of a 16 waiver. 17 Do you see that? 18 A. I do see that. 19 MR. NORWAY: Objection. Outside the 20 scope. 21 BY MR. SCHOETTES: 22 Q. Is that true for the Army? 23 MR. NORWAY: Objection. Outside the 24 scope. 25 THE WITNESS: The waiver is not

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Page 90 1 provided under AR 600-110. That waiver is not 2 provided under 600-110. 3 BY MR. SCHOETTES: 4 Q. Meaning that the Army doesn't provide 5 such a waiver? 6 A. I didn't say they didn't provide it. 7 It's just not something that goes under 600-110. 8 It goes up -- would have to go -- 9 MR. NORWAY: So -- so, Scott, the 10 waiver that you're asking about is a DOD waiver 11 from the Combat -- Combatant Command. 12 MR. SCHOETTES: So it's a DOD -- so 13 am I understanding correctly that -- that 14 deployment decisions are at the DOD level? 15 MR. NORWAY: Yes. It's -- it's the 16 Combatant Command that makes the waiver decision 17 for deployability -- for deployment. 18 MR. SCHOETTES: And I will get a 19 witness on that? 20 MR. NORWAY: Yes. That -- that would 21 be a DOD witness. 22 BY MR. SCHOETTES: 23 Q. Okay. So you are not aware -- do you 24 know whether the Army provides for waivers in 25 order to deploy -- I'm sorry, for waivers	Page 92 1 the ability to deploy waiver, which does not 2 fall under AR 600-110. 3 MR. NORWAY: Okay. And your testimony 4 was that the Army has an ability to deploy 5 waiver process? 6 THE WITNESS: No. I said DODI has -- 7 the -- the Department of Defense has a waiver 8 process for deployment. 9 MR. NORWAY: Okay. Thank you. 10 BY MR. SCHOETTES: 11 Q. I think, actually, that's not what you 12 said, because I believe we said the Army. So 13 let's go back and -- and look here. 14 Okay. I said, does the Army provide 15 waivers so that people living with HIV can 16 deploy. 17 Oops. Now I lost my spot. 18 And you said -- how do I -- you said, 19 well, actually, I do. Yes, they do. They do 20 have a process. 21 A. Well, and their process would be that 22 that's outlined in the DODI, which the Army 23 can't, actually, do a waiver for this, and it 24 states that in the -- in the DODI. So it would 25 have to go up to the next -- it would have to go
Page 91 1 of -- of HIV so that a person may deploy? 2 MR. NORWAY: Objection; form. I guess 3 I'm -- can you restate your question? 4 MR. SCHOETTES: Yeah. 5 BY MR. SCHOETTES: 6 Q. Does the Army provide waivers so that 7 people living with HIV can deploy? 8 A. I can't tell you if they have given -- 9 well -- if they have given -- well, actually, I 10 could, yeah. 11 Yes, they do. They do have a process. 12 Q. How long has that process been in 13 place? 14 A. I, honestly, can't tell you how long 15 that process has been in place. It's been in 16 place as long as I've been in this position, 17 and there has been availability of a waiver of 18 process as long as I've been back on active 19 duty, so back to 2003. That's -- that's as far 20 back as I can take you. 21 Q. Okay. Also on Page 3 -- 22 MR. NORWAY: Scott, I'm -- actually, I 23 have a form objection to that. I'm not sure 24 what waiver you're -- you're referring to. 25 THE WITNESS: He had asked me about	Page 93 1 up to the Department of Defense. The COCOM 2 commander is the person that can make that 3 decision. 4 Q. So the Army, basically, kicks any of 5 those decisions up to the Department of Defense? 6 A. The Army doesn't have the authority 7 to -- to do a waiver on that. 8 Q. A waiver on deployment? 9 A. On deployment, correct. It has to go 10 up to Department of Defense. 11 Q. Okay. Now, go back to Page 3. It 12 talks about, in the middle of this paragraph, 13 something that is when a waiver may be 14 recommended on a case-by-case basis. And 15 it says one of the things that the person 16 is supposed to consider is medical services 17 available in the location to which deployment 18 or assignment is proposed. 19 MR. NORWAY: Objection. Outside of 20 the scope. 21 BY MR. SCHOETTES: 22 Q. How would a person making this 23 evaluation in the Army figure out what -- the 24 medical services that are available in the 25 location -- in the location?

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Page 94 1 MR. NORWAY: Objection. Outside of 2 scope, and objection to form. 3 BY MR. SCHOETTES: 4 Q. You can still answer. 5 A. Okay. The Army wouldn't be making 6 that decision, as I -- as I've already said. 7 That would have to go up to the -- to the 8 Department of Defense. And in the DODI it 9 states that the COCOM commander will be that 10 deciding element. So the -- the COCOM commander 11 is going to be very familiar with their 12 operating environment, as will their 13 command surgeon. 14 Q. Got it. 15 So now look at the table on this same 16 page, Pages 3 and 4, and this table outlines the 17 service-specific policies for grant of a waiver 18 to permit an HIV-positive service member to 19 deploy for other than combat or a contingency, 20 or to be assigned for duty in an overseas 21 location, correct, that's what this table does? 22 A. That is what this table is outlined to 23 do, yes. 24 Q. And then for the Army it says that 25 deployments may be permitted only to Europe and	Page 96 1 Can you describe for me what the difference is 2 between a medical waiver and an exception to 3 policy? 4 A. An exception to policy, the 5 individual's requesting an except -- an 6 exception to something that is specifically 7 written in; for example, in AR 600-110 there 8 may be an exception to policy presented to be 9 allowed to go to a long-term schooling, which 10 would require an additional term to be placed 11 on the individual. Whereas, a -- a medical 12 waiver is -- is going to determine whether 13 or not the individual that's requesting an 14 exception to whatever policy it is is physically 15 -- if their -- if their medical conditions 16 supports them being able to do whatever the 17 task is. 18 I mean, if you're asking for an 19 exception to policy to go to flight school and 20 you may have a medical waiver for something, and 21 I don't know what that medical waiver would be, 22 because I don't know what all the restrictions 23 are for flight school, but it would -- you would 24 have to -- that medical provider would have to 25 believe that you could meet the criteria for
Page 95 1 Korea, right? 2 A. That is what it says. 3 Q. On what are those geographical 4 limitations based? 5 A. This permitted only to Europe and 6 Korea comes out of AR 40-501, and I cannot speak 7 to why those two countries were selected out of 8 and placed into AR 40-501. Those are not listed 9 in AR 600-110. 10 MR. SCHOETTES: So, then, will there 11 be a different witness on AR 40-501? 12 MR. NORWAY: Let's talk about that 13 at break. I'm not sure that that's covered 14 within the scope of the -- of -- 15 MR. SCHOETTES: The topics? 16 MR. NORWAY: Yeah. Of the topics. 17 Yeah. If we need to, we'll get a 18 different witness. 19 MR. SCHOETTES: Okay. 20 BY MR. SCHOETTES: 21 Q. I just want to understand this process 22 a little bit better. So there are two different 23 means of, potentially, getting around a policy, 24 for lack of a -- a better term. There's a -- a 25 medical waiver, and then an exception to policy.	Page 97 1 flight school and that it would not adversely 2 impact your ability as a pilot. 3 Q. So in the context of HIV, are you 4 saying that you would need both a medical waiver 5 and an exception to policy if the -- if the -- 6 if the thing that you wanted to do was expressly 7 prohibited? 8 MR. NORWAY: So I'm going to object. 9 Outside of scope to the extent that you're 10 asking for those topics in 40-501 that we 11 haven't offered, so that's Section 3 and 12 Section 5. 13 THE WITNESS: Can you restate the 14 question? I'm sorry. I -- 15 BY MR. SCHOETTES: 16 Q. Yeah. I'm just trying to wrap my head 17 around when a medical waiver is needed to, -- 18 A. Okay. 19 Q. -- for instance, deploy and when an 20 exception to policy is needed to deploy? 21 A. An exception to policy under 22 AR 600-110 would not be to deploy, because 23 that's -- there is -- we can't grant that. 24 The Army can't grant that, okay? So there would 25 be no exception to policy under AR 600-110 to

25 (Pages 94 - 97)

Page 98 1 deploy, because the Army has no capacity to give 2 that. That has to go up to Department of 3 Defense, as we've already said. 4 Q. Okay. 5 A. Okay. So whether or not they would 6 require a medical waiver to make that decision, 7 I can't answer, because I'm not the DODI; 8 however, it does state in the DODI that the 9 COCOM surgeon will be consulted in all cases. 10 So that's what I can tell you about the actual 11 DODI part as it pertains to deployments. 12 MR. NORWAY: I'm going to object to 13 scope, and those are the types of questions 14 that are probably better addressed by the DOD 15 witness. 16 MR. SCHOETTES: Okay. All right. 17 You mean -- all right. 18 BY MR. SCHOETTES: 19 Q. What is within the AR 600-110 that 20 would require -- that could be resolved through 21 a waiver? Is there anything in the 600-110 that 22 could be resolved by a waiver? 23 A. It could be resolved with an exception 24 to policy. 25 Q. So everything that you -- that an	Page 100 1 Immunodeficiency Virus. 2 Q. And when you say AR, that means Army 3 Regulation, -- 4 A. Yes, sir. 5 Q. -- and so this pertains, specifically, 6 to the Army, correct? 7 A. Yes, sir. 8 Q. All right. The bottom of this first 9 page here indicates, Headquarters, Department of 10 the Army, Washington, D.C., 22 April 2014; is 11 that correct? 12 A. Yes, sir. 13 Q. Does that mean that this was last 14 updated in 2014 -- in April of 2014? 15 A. Yes, sir. 16 Q. How often does the Army update this 17 regulation? 18 A. Every five years, sir. 19 Q. So we're coming up on a -- an update 20 for this regulation? 21 A. Yes, sir. 22 Q. And do you know when that is supposed 23 to take place? 24 A. Actually, I -- I don't know when it 25 will be out. It's -- it's been staffed
Page 99 1 HIV-positive person wanted to -- whatever they 2 wanted to do, it would have to be through an 3 exception to policy? 4 A. Yes, if it fell into the scope of 5 AR 600-110. 6 MR. SCHOETTES: Okay. So all my 7 questions about deployment really belong to 8 a witness for the Department of Defense? 9 MR. NORWAY: Correct. 10 MR. SCHOETTES: Okay. I want you 11 to now look to the same report, and, actually, 12 before we go there, we'll mark an exhibit here. 13 MR. NORWAY: And what exhibit number 14 is this? 15 THE REPORTER: Number 3. 16 (Lute Deposition Exhibit No. 3, a 17 photocopy of AR 600-110, was marked.) 18 BY MR. SCHOETTES: 19 Q. Have you had a chance to -- to look at 20 what this is? 21 A. Yeah. I'm familiar with this, sir. 22 Q. And what is this document? 23 A. This is AR 600-110, which is 24 Identification, Surveillance and Administration 25 of Personnel Infected with Human	Page 101 1 throughout the Army, so ... 2 MR. NORWAY: And -- and I'm going to 3 caution the witness that to the extent that the 4 AR is -- or the recommendations have already 5 been made, those recommendations are privileged. 6 THE WITNESS: Yes, sir. 7 MR. SCHOETTES: And do you -- can 8 you state for the record what the basis of that 9 -- what privilege that is under? 10 MR. NORWAY: Deliberative process. 11 BY MR. SCHOETTES: 12 Q. Are there any requirements as to how 13 often the Army must update a regulation like 14 this? 15 A. I believe it's every five years. 16 Q. Okay. Do you know how many times 17 AR 600-110 has been updated? 18 A. Since it was implemented, -- 19 Q. Yeah. 20 A. -- is that what you're asking me? 21 Q. Yes. 22 A. No. But I would assume it's been 23 -- because this was -- this revision was done, I 24 think, two years after the previous revision, so 25 it can be more frequently than five years, but

Page 102 1 it can't be -- you can't exceed five years. So 2 I don't know how many times it's been since its 3 inception. 4 Q. All right. And I think you just gave 5 this answer, but prior to April 2014, when was 6 AR 600-110 last revised? 7 A. 2012. And I don't know the month. 8 Q. You don't know what? 9 A. The month. 10 Q. Actually, if you'll look to Page Roman 11 -- small Roman I, there's a footnote there that 12 says, this regulation supersedes AR 600-110 13 dated -- 14 A. August 17th. 15 Q. -- 17 August. 16 A. There you go. 17 Q. All right. 18 Is AR 600-110 the Army's 19 implementation of Department of Defense 20 Instruction 6485.01? 21 A. Which is? 22 Q. The -- I don't know the title of it. 23 It pertains to the accession of people with -- 24 with HIV. 25 A. Yes.	Page 104 1 A. Yes, sir. 2 Q. Does this policy cover the deployment 3 of people living with HIV? 4 A. To the extent that it states that 5 persons with HIV can't be deployed, and, if 6 they are deployed at the time, they need to be 7 returned. 8 Q. So wouldn't that indicate, then, that 9 the G-1 has the ability to grant exceptions and 10 waivers to this regulation? 11 A. There are certain things that the DODI 12 is very clear on as to -- as far as who has the 13 authority to approve that level of a waiver, 14 and, to my knowledge, the Department of Defense 15 has not put forth any document that authorizes 16 a lower level, so it would be the Army, Navy or 17 Air Force, to make an exception or policy -- to 18 a policy or a waiver on deployment. 19 Q. Okay. Is this process that is 20 described here for exceptions or waivers to this 21 regulation, is the process for granting such 22 exceptions or waivers described in this 23 document? 24 MR. NORWAY: Objection; form. 25 THE WITNESS: So you're asking me
Page 103 1 Q. And then there's a sentence -- oh, 2 wait a second. 3 Okay. On the second column on 4 the third page of this document under the 5 subheading Proponent and Exception Authority, 6 it indicates the proponent of this regulation 7 is the deputy chief of staff, G-1; is that 8 right? 9 A. For this -- I don't see three. I'm 10 too far. Okay. 11 Oh, yes. 12 Q. I'm sorry. And this is on small Roman 13 I, right? 14 A. Okay. Yes. Yes. In Paragraph 3. 15 Sorry, I was looking for a Number 3. 16 Q. Yeah. I -- I -- I was confused, as 17 well. 18 And is that the office in which you 19 worked? 20 A. Yes, sir. 21 Q. And it says that the proponent has 22 the authority to approve exceptions or waivers 23 to this regulation that are consistent with 24 controlling law and regulations; is that 25 correct?	Page 105 1 is there an exception to policy -- are the 2 requirements for an exception to policy 3 specifically outlined in here; -- 4 MR. SCHOETTES: Correct. 5 THE WITNESS: -- for example, what 6 would be included in that packet? No, sir. 7 However, I can tell you that there is a -- a 8 standard practice that's used with that, and 9 there are standard documents that are requested 10 for anyone that's requesting that exception to 11 policy. 12 BY MR. SCHOETTES: 13 Q. So even though it's not laid out in 14 the regulation, there are a list of things that 15 you would expect to be included in a request for 16 an exception to policy? 17 A. Yes, sir. 18 Q. Let's go to Page 4, Chapter 1, Section 19 3, Policies. And under Paragraph 1-15, General, 20 it states, headquarters, Department of the Army 21 HQDA, medical and personnel policies on HIV 22 reflect current knowledge of the natural 23 progression of HIV infection, the risk to 24 the infected individual incident to military 25 service, the risk of transmission of the disease

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Page 106 1 to non-infected personnel, the overall impact 2 of infected personnel on Army units on -- and 3 on readiness posture and the safety of military 4 blood supplies; is that correct? 5 A. Yes, sir. 6 Q. Would it be accurate to say that this 7 paragraph identifies the underlying rationale 8 for the Army's HIV-related policies? 9 A. I think this is a -- a general summary 10 of the -- the topics that are considered in this 11 Army Regulation. 12 Q. And this Army Regulation -- 13 A. AR 600-110. 14 Q. -- reflects the HIV-related policies 15 of the Army? 16 A. Yes, sir. 17 Q. Other than the reasons identified 18 here, are there any other reasons underlying the 19 Army's HIV-related policies? 20 A. As it currently exists, no, sir. 21 Q. And I think we've already talked about 22 some of these things, and perhaps even in the 23 context of AR 600-110 without having it in front 24 of you at the time, but the risk to the infected 25 individual incident to military service, those	Page 108 1 You may answer. 2 THE WITNESS: If the -- if the 3 infected individual should not be capable of -- 4 of doing their duties because of an exacerbation 5 or an exposure, then what that means to the rest 6 of the soldiers is they have additional tasks 7 they have to do in addition to whatever that 8 individual was going to be doing, which would be 9 the case with anyone that goes down. Everybody 10 is left to do the parts. 11 BY MR. SCHOETTES: 12 Q. Right. So -- and so that's directly 13 connected to the risk to the infected individual 14 incident to military service? 15 A. I would say, yes, sir. 16 Q. Okay. And the safety of military 17 blood supplies, you mentioned earlier when I 18 asked whether or not there had ever been an -- 19 an -- an incident of someone attempting to give 20 blood while living with HIV that you were aware 21 of, and you said that there was? 22 A. Yes, sir. 23 MR. NORWAY: Objection; scope. 24 BY MR. SCHOETTES: 25 Q. This is an issue that is identified
Page 107 1 are the things we talked about earlier, in terms 2 of the potential exacerbation of the condition 3 in certain environments? 4 A. Yes, sir. 5 MR. NORWAY: Objection to form. 6 THE WITNESS: Or the -- or the 7 potential exposures. 8 BY MR. SCHOETTES: 9 Q. And the risk of transmission of the 10 disease to noninfected personnel, we talked 11 about that previously, as well? 12 A. Through the -- the blood bank or the 13 -- somebody being injured in -- in the -- 14 Q. What I will call, like, a battlefield 15 transmission? 16 A. Yes, sir. 17 Q. Which is separate from the issues of a 18 battlefield transfusion and concerns over blood 19 supply? 20 A. Yes, sir. 21 Q. And then the overall impact of 22 infected personnel on Army units and on 23 readiness posture, can you tell me, what 24 does that relate to? 25 MR. NORWAY: Objection; form.	Page 109 1 in AR 600-110 as a basis for the HIV-related 2 policies, correct, the safety of the military 3 blood supply? 4 A. Yes, sir. 5 Q. And you're here to testify about 6 the factual bases for 600 -- AR 600-110, 7 correct? 8 A. Yes, sir. 9 Q. Was it more than one incident of which 10 you are aware that someone attempted to donate 11 blood while living with HIV? 12 MR. NORWAY: Objection. Outside the 13 scope. 14 You may answer. 15 THE WITNESS: There's only one 16 incident that I'm aware of. 17 BY MR. SCHOETTES: 18 Q. And did it take place while you were, 19 I think you said, working in San Antonio? 20 A. I was, yes, as -- 21 MR. NORWAY: Objection. Outside the 22 scope. 23 You may answer. 24 THE WITNESS: -- as a public health 25 nurse.

Page 110 1 BY MR. SCHOETTES: 2 Q. Do you recall the circumstances, or 3 do -- do you know the circumstances of what 4 actually occurred? 5 MR. NORWAY: Objection. Outside the 6 scope. 7 You may answer. 8 THE WITNESS: And before I go ahead, 9 I want to clarify that there are two different 10 blood bank issues here, okay? 11 BY MR. SCHOETTES: 12 Q. Okay. 13 A. Okay. The blood bank that would 14 be downrange, which is already available, 15 there's no testing. The incident that I'm 16 aware of occurred, and it was a -- a group of 17 individuals, the individual was aware that he 18 was HIV-positive. He was out with his friends, 19 and they all decided they were going to donate 20 blood. There's a lot of camaraderie in the 21 military. It's not cool -- you know, you kind 22 of -- you don't want to be the -- the one man 23 that didn't do that thing. 24 And so they all went to donate blood, 25 and he did go to donate blood. It was through	Page 112 1 BY MR. SCHOETTES: 2 Q. And you don't know if that happened in 3 this case or not? 4 A. I do not. 5 MR. NORWAY: Objection to form. 6 BY MR. SCHOETTES: 7 Q. You just know that the person received 8 -- that you received notice that this person had 9 donated blood? 10 A. Again, I -- I -- 11 MR. NORWAY: Objection. Outside the 12 scope. 13 You may answer. 14 THE WITNESS: -- I -- I can't attest 15 to what occurred at a location where I was not 16 or -- or that I don't work. 17 BY MR. SCHOETTES: 18 Q. What did you do as follow-up to this 19 incident? 20 MR. NORWAY: Objection. Outside of 21 scope. 22 You may answer. 23 THE WITNESS: As -- there's a standard 24 protocol. Once we get the notification, then we 25 check the records, first of all, to see is this
Page 111 1 one of the local blood donation sites, which 2 then, in turn, when he came up positive on their 3 screening, then I'm notified because I -- I, 4 as the public health nurse, would receive the 5 HIV-positive results for that installation, 6 so ... 7 Q. So this was a blood donation through a 8 civilian blood collection center? 9 A. Correct. 10 Q. Do you know if this person was 11 given an opportunity during that process to 12 anonymously -- confidentially indicate that his 13 blood should not be used? 14 MR. NORWAY: Objection. Outside of 15 scope. 16 You may answer. 17 THE WITNESS: I cannot speak to that 18 specific organization's process, but what I can 19 say that the standard of practice is, that there 20 is a set of questions and -- and opportunities 21 that are given so that anyone that has any 22 disease process that would preclude them from 23 donating has the opportunity to indicate such 24 on their form or with the individual that 25 screens them.	Page 113 1 the first positive test, because there are 2 occasions where you may get someone that is 3 screened, perhaps that are deploying, and 4 instead of not being screened, they're screened 5 and you get a second -- or not deploying, but 6 they have a -- an annual PHA. So they're doing 7 their annual PHA and they decide, I'm not going 8 to say anything, every two years I'll just have 9 this done, and they just get it done. So you 10 might get those. 11 So the first thing you do is you 12 check and make sure there's not been any other 13 positive tests. In his case there had been, so 14 went back, reviewed the records, found out when 15 the initial incident or initial diagnosis was 16 made. 17 I did contact that individual, 18 because in public health every opportunity 19 to engage is another opportunity for education. 20 And so I did contact him, have him come in and 21 meet with me, and we discussed, again, you know, 22 what his responsibilities were. And then he 23 went on his way. 24 BY MR. SCHOETTES: 25 Q. Is that when you learned some of the

Page 114 1 details that you shared previously about how 2 this had actually -- 3 A. Yes. 4 Q. -- transpired? 5 A. Yes. 6 MR. NORWAY: Objection. Outside the 7 scope. 8 THE WITNESS: I'm sorry. 9 Yes, it -- it -- it was. 10 BY MR. SCHOETTES: 11 Q. Did you feel like the individual 12 understood why it was problematic for them to 13 donate blood? 14 MR. NORWAY: Objection. Outside the 15 scope. 16 You may answer. 17 THE WITNESS: I believe that -- that 18 he did. And I think that he knew before he 19 did it that it was problematic, based on our 20 conversation. 21 BY MR. SCHOETTES: 22 Q. Do you think he had any intent to harm 23 anyone through that donation? 24 MR. NORWAY: Objection. Outside the 25 scope.	Page 116 1 that doesn't have the last question as, do you 2 want to donate blood today, and it's a yes or no 3 question. And it may be worded differently, 4 but that's the intent of the question. So, you 5 know, just simply mark no. And -- and -- and 6 some forms I think it's worded, do -- do you 7 want your blood to be utilized for donation, is 8 -- may be the actual language on it. And just 9 simply mark no, and then you can still donate 10 and be part of the group, and -- and then it 11 doesn't go forward. 12 Unfortunately, that's not how it works 13 downrange. 14 BY MR. SCHOETTES: 15 Q. So let's talk about downrange for a 16 minute. How does it work downrange? 17 MR. NORWAY: You may answer. 18 THE WITNESS: There's -- if there's 19 blood needed, if they don't -- don't have the 20 necessary quantities on hand, they do, I will 21 call it, a -- a buddy donation, for lack of a 22 better term for you. But it's -- they -- they 23 go to the people in the unit, and they bring 24 them in to donate blood. And then that blood is 25 utilized for transfusions, if there's no other
Page 115 1 You may answer, to the extent you 2 know. 3 THE WITNESS: I -- I -- you know, 4 his conversation with me would indicate that 5 his belief was it's a process where the blood 6 is screened, so it would be, essentially, a no 7 harm no foul because the blood would be stopped 8 before it reached anyone, and it was also my 9 duty to remind him of his command counseling 10 which indicates that he will not donate blood, 11 and to ensure that he understood that. 12 BY MR. SCHOETTES: 13 Q. Did you offer him a way that he 14 would be able to refuse to donate blood in that 15 situation without disclosing his status to his 16 buddies? 17 A. We did -- 18 MR. NORWAY: Objection. Outside the 19 scope. 20 THE WITNESS: We did talk about the 21 process that's utilized and the fact that there 22 are -- there are, actually, places on -- on the 23 standard forms where they can indicate -- at 24 the very end there's -- I've never seen a form 25 that's written, there may be one that exists,	Page 117 1 available. 2 BY MR. SCHOETTES: 3 Q. Is that blood tested in any way 4 between donation and use? 5 MR. NORWAY: Objection; scope, to 6 the extent this is getting to the more specific 7 medical, but I'll allow you to answer to the 8 extent you know. 9 THE WITNESS: I don't know what 10 screening is done on it, but it would all have 11 to be at a screening level because of where it's 12 being done. 13 BY MR. SCHOETTES: 14 Q. If an HIV-positive person was in that 15 unit, would the individuals who are drawing the 16 blood for the transfusion be aware of that 17 person's HIV status? 18 A. Not unless that individual told them. 19 Q. The person's medic -- the person 20 drawing the blood would not have access to the 21 medical record of that individual? 22 A. They may have or they may not. And, 23 in practice, I should not be reviewing medical 24 records that are not relevant to the task at 25 hand. Generally, the people that work in the

Page 118 1 lab do not review medical records, and then the 2 blood bank people are separate and apart from 3 the medical assets, usually. 4 Q. And is a person's blood type marked on 5 their dog tag or anything like that? 6 A. Yes. 7 Q. Okay. Back to the report on 8 Page 4, in one sixteen -- 1-16A it provides, 9 HIV-infected personnel are not eligible for 10 employ -- appointment or enlistment into the 11 active Army -- 12 A. I'm sorry. I'm sorry. Can you tell 13 me which document you're on now? 14 Q. I'm sorry. I'm in the -- I -- I was 15 not in the report. 16 A. Okay. 17 Q. I miss -- I misstated. 18 A. Okay. I was not seeing that in the 19 report. 20 Q. I'm in AR 600-110. 21 A. Under which page? I apologize. 22 Q. No. My -- it's my fault. Page 4. 23 And it is -- 24 A. Okay. 25 Q. -- I'm looking at Paragraph 1-16A.	Page 120 1 A. Yes. And from the Army's accession 2 policy, which is also based on the Department of 3 Defense. So the parts that would be included in 4 here would be the parts that were specific to 5 HIV in those documents. 6 Q. Got it. 7 What is the accessions policy -- you 8 said there's the Army's accessions policy. In 9 what document is that reflected? 10 MR. NORWAY: Objection to form. 11 You may answer. 12 THE WITNESS: What -- what AR is 13 accessions, I honestly do not know, sir. 14 BY MR. SCHOETTES: 15 Q. Okay. But this here is, essentially, 16 an implementation of DODI 6485.01. 17 A. That is, yes. It has to be based in 18 that DODI, yes. 19 Q. Okay. 20 MR. NORWAY: I'm going to object to 21 form to that question, as well. 22 MR. SCHOETTES: How we doing, 23 everyone, in terms of time, bathroom, any -- do 24 we want to take a short break? 25 MR. NORWAY: Would you like to take a
Page 119 1 A. Okay. All right. 2 Q. It says, HIV-infected personnel are 3 not eligible for appointment or enlistment into 4 the active Army, the ARNG Active -- I'm sorry, 5 Army National Guard; is that correct? 6 A. That is correct. 7 Q. Or in the USAR, and what does 8 that -- what does USAR stand for? 9 A. U.S. Army Reserve. 10 Q. Thank you. 11 So AR 600-110 does have an accessions 12 policy in it? 13 A. No, sir. It doesn't have an accession 14 policy in it. It has -- it outlines what the 15 accession policy states. 16 We don't have -- you don't -- each 17 policy doesn't have an individual accession 18 policy. What's in our policy is the accession 19 policy that exists through the Army and through 20 the Department of Defense. 21 Q. So this is a HIV-specific policy -- 22 A. Mm-hmm. 23 Q. -- that is reflected in this document, 24 but you're saying it comes from the Department 25 of Defense?	Page 121 1 break, ma'am? 2 I'm fine. 3 THE WITNESS: I -- I'm good. 4 MR. SCHOETTES: We need to take a 5 break for the video. 6 MR. NORWAY: Okay. Let's take a 7 break, then. 8 MR. SCHOETTES: Let's take a short 9 break. 10 THE WITNESS: Let's take a -- 11 THE VIDEOGRAPHER: The time is 11:39 12 a.m. This completes Media Unit Number 1. We're 13 now off the record. 14 (Recess taken.) 15 THE VIDEOGRAPHER: The time is 11:53 16 a.m. This begins Media Unit Number 2. We're 17 now on the record. 18 Please proceed, Counsel. 19 MR. SCHOETTES: Thank you. 20 BY MR. SCHOETTES: 21 Q. We are back after a short break, and 22 I think we'll go for a little while longer and 23 then maybe take a -- a little lunch around -- 24 when it -- when it arrives, a short break to do 25 lunch.

Page 122 1 All right. I'm going to hand you 2 another exhibit. 3 THE REPORTER: Number 4. 4 (Lute Deposition Exhibit No. 4, a 5 document Bates Numbered US00025589 through 6 25590, was marked.) 7 BY MR. SCHOETTES: 8 Q. Have you had a chance to review the 9 document? 10 A. Yes. 11 Q. Do you recognize this document? 12 A. I do. 13 Q. And what is this? 14 A. Well, this was a -- an ALARACT 15 regarding the -- the documents for preventive 16 medicine counseling. 17 Q. So, first, what is an ALARACT? 18 A. If you want me to tell you what that 19 acronym stands for, I can't do that. 20 Q. Okay. Well, you can just tell me 21 what -- 22 A. It is an -- 23 Q. -- what it actually is, then. 24 A. It is a method that we push 25 information out to the field.	Page 124 1 A. Yes. 2 Q. And that a major revision, it says 3 here in Paragraph 3A, is due in June of 2019? 4 A. Yes. 5 Q. That sentence there it says, 6 adjudication is underway with the next major 7 revision due June 2019, can you explain what the 8 word adjudication in that sentence -- in that 9 context means? 10 A. I'm sorry. Where are you -- where are 11 you -- 12 Q. I'm sorry. I'm in Paragraph 3A -- the 13 end of Paragraph 3A. 14 A. Okay. Adjudication would be review 15 of the input that was provided by the commands 16 regarding the policy, or recommended changes 17 that were provided regarding the policy. 18 Q. And when you say the commands, 19 are those folks that are part of this working 20 group that's described here? It says, in 2015 21 a working group was established for a major 22 revision and functional proponents were tasked 23 to provide necessary updates. So who's in the 24 working group to revise this? 25 A. The working group is not -- I'm
Page 123 1 Q. And you were pushing what information 2 out to the field via this ALARACT? 3 MR. NORWAY: Objection; scope. 4 THE WITNESS: And what I'm going to 5 tell you is, to the best of my knowledge, this 6 -- this did not actually get processed as an 7 ALARACT. 8 BY MR. SCHOETTES: 9 Q. Meaning that this was a draft -- 10 A. This was -- 11 Q. -- of an ALARACT? 12 A. Yes. And it -- it was not pushed 13 out as an ALARACT because it was determined 14 that it would go out with the regulation update. 15 MR. NORWAY: Objection; scope. 16 BY MR. SCHOETTES: 17 Q. So -- so the date on here it looks 18 like of 2017, is that correct, -- 19 A. Yes. 20 Q. -- that this was drafted in 2017? 21 A. Yes. 22 Q. And a determination was made that, 23 instead of sending the information out via this 24 ALARACT, that the information would wait and go 25 out with the update to AR 600-110?	Page 125 1 sorry -- 2 MR. NORWAY: Objection to scope. I 3 don't think we're offering her for the revised 4 update. The current policy is the 2014 policy 5 and the 2012 policy, but you may answer to the 6 extent you know. 7 THE WITNESS: This -- this is not a -- 8 a standardized or fixed working group. It is -- 9 you get subject matter experts, infectious 10 disease, usually the Walter Reed Army Institute 11 of Research, because they do the -- the testing, 12 the individuals that have that special knowledge 13 that you need that everyday people are not going 14 to have on the topic. 15 BY MR. SCHOETTES: 16 Q. So did you draft this document? 17 A. I did. 18 Q. Okay. And can you just explain to me 19 what the process is for a revision like this? 20 MR. NORWAY: Objection. Outside of 21 scope. 22 You may answer, to the extent that you 23 know. 24 THE WITNESS: Are you referring to the 25 -- the major revision that occurs for the AR?

Page 126 1 BY MR. SCHOETTES: 2 Q. I am. I'm referring to the major 3 revision that's -- that is due to take place in 4 June of 2019. 5 A. Well, first I will tell you it is a 6 very lengthy process and very painful for the 7 person that's doing it, okay? 8 Q. And that would be -- that would have 9 been you at this time? 10 A. That would have been me. 11 Q. Okay. 12 A. Because the first thing that you 13 have to do is -- and you have to have a timeline 14 usually at least two years out, a minimum of 15 two years for the whole timeline. And some 16 policies, if it's going to be a lot of 17 revisions, will be a longer than that. It may 18 be three to four years, because if you've got 19 a lot of stuff that's going to be changed or 20 modified in the policy, that time frame in 21 collecting the right information may take 22 longer. 23 So first the proponent, the -- the 24 person that's tasked with rewriting it, what I 25 would do is I'd review the entire policy for	Page 128 1 from retention. And -- and so whatever -- 2 generally, it falls into the chapters. So if 3 there's somebody that holds that piece of their 4 specialty for those particular chapters, they'll 5 be coming a part of your working group. 6 So you go through and you kind 7 of identify the -- the significant issues that 8 you might see or changes you might recommend, 9 and then it goes to the next level, which is 10 internal staffing, which is staffed inside my 11 directorate. And most often it's reviewed for 12 my punctuation or my wordiness, and then it is 13 staffed up to -- to go out Army-wide for 14 comment. 15 They -- they, at a minimum, get 16 30 days. They may get more than that if they 17 request it. And then it comes back for the 18 process which you were questioning, which is 19 adjudication. And we go through each of the 20 comments that were provided, and as a -- we 21 determine were -- those recommendations, are 22 they something that will -- that are indicated 23 for this policy. 24 And then once all the adjudication's 25 done, it goes up to APD, the Army Publication
Page 127 1 overall content. And, based on my knowledge, 2 I would definitely already indicate the areas 3 that I believed needed updating or subject 4 matter expert input. And I'm sure everybody 5 does that a little bit differently. I would 6 annotate the -- the areas to which I believed 7 those -- that task would fall. 8 So your working group, then, would 9 generally consist of -- well, it's always going 10 to consist of the Office of the Surgeon General, 11 or whoever they designate, which is usually 12 the -- someone from infectious disease. Public 13 health has different assets that they put toward 14 that because a lot of the -- a lot of the 15 implementation and the management goes to the 16 public health nurses and the preventive medicine 17 doctors. And the people from RARE, where they 18 do the testing, are going to definitively be a 19 part of any of these working groups. 20 And -- and then from those people 21 you usually solicit other individuals for input. 22 And, you know, it might be -- they may recommend 23 that because there's a section of the policy 24 that references accessions, that you have 25 somebody from accessions there and somebody	Page 129 1 Directorate, I'm getting there, and I know from 2 there it has to go through legal and it goes 3 through the G-1. And then if everything -- and 4 it may come back to you for corrections, because 5 you -- you know, you may have not written 6 something right or you may have put something 7 in there twice or -- or you may have put 8 something in that you legally can't do or 9 is not indicated, so ... 10 Q. So then you would incorporate those 11 changes and -- and then it would go on to be 12 published? 13 A. And then it goes on through the 14 channels to be reviewed and signed, and then 15 APD publishes it. And I don't really know what 16 happens to it once APD gets it, because my job 17 is to get it to APD. And -- and there is a 18 regulation that governs that, and I have looked 19 at it, but I don't have it to memory. 20 Q. Okay. That was helpful. 21 You said something about getting input 22 from Combatant Command; -- 23 A. All -- 24 Q. -- is that correct? 25 A. All Army commands. It's pushed out

Page 130 1 to all Army for review once there's a draft. 2 Q. So that was -- that's where that 3 comes into that part of the process that you 4 described, for the Army-wide review? 5 A. Yes. 6 Q. And then you get comments, you said 7 sometimes that's 30 days, sometimes it's longer, 8 but then they send you comments. And then 9 that process after that is referred to as 10 adjudication, -- 11 A. Yes. 12 Q. -- where you're taking those comments 13 and incorporating them, or not, as the case may 14 be, into the policy? 15 A. Correct. 16 Q. Okay. This paragraph also refers to 17 that the last major revision of AR 600-110 was 18 17 August 2012, with rapid action revision dated 19 22 April 2014. Can you describe for me the 20 difference between a major revision and a 21 rapid action revision? 22 A. Well, in the -- 23 MR. NORWAY: Objection to scope. 24 You may answer, to the extent you 25 know.	Page 132 1 You can answer. 2 BY MR. SCHOETTES: 3 Q. -- components? 4 A. If memory serves me correctly, yes, 5 but I cannot tell you that definitively without 6 going back and looking, okay? 7 Q. And do you know what -- 8 A. It does right here. 9 Q. -- revisions were made to AR 600-110 10 in the August -- from the August 2012 version 11 -- or in the August 2012 version what revisions 12 were made from the previous version, or can you 13 direct me to where I would be able to assess 14 those changes? 15 MR. NORWAY: Objection; form. 16 THE WITNESS: Those -- that 17 regulation, the G-1 position I sit in is the 18 proponent for that. So the answer would be our 19 area; however, I cannot tell you that, because I 20 cannot locate the files from that last update. 21 There's -- I -- I don't -- I don't think -- I 22 don't think I had anything from 2000 -- from 23 that -- from 2014. 24 BY MR. SCHOETTES: 25 Q. So those -- normally, those files, if
Page 131 1 THE WITNESS: -- in the policy 2 that -- that governs regulations, and it's AR 25 3 something, I don't -- I -- I, honestly, can't 4 remember, but it gives you definitions of each 5 of those types. And a rapid revision is usually 6 something that is, in this particular case, if 7 memory serves me correctly, the change was in 8 regard to testing intervals. 9 So they were making a change to a 10 specific thing, and usually it's because it 11 has come out from a higher command, like the 12 Department of Defense, that says, these will be, 13 let's say, for example, your testing intervals. 14 And so maybe your policy doesn't say that, so 15 now your policy needs to reflect that and needs 16 to do it in a timely manner. 17 BY MR. SCHOETTES: 18 Q. Got it. 19 In August of 20 -- I'm sorry. 20 No. 21 In 2014, you said that it was -- had 22 to do with testing. Was it that the testing 23 interval went from five to two years for 24 Reserve -- 25 MR. NORWAY: Objection to form.	Page 133 1 they're going to be kept anywhere, would be kept 2 in the G-1? 3 A. Well, they'd be kept in -- in the 4 -- yes, by someone in the G-1 office that -- you 5 know, the health promotion asset that is 6 responsible for that. 7 Q. But you're unable to locate those 8 doc -- those documents -- 9 A. I don't have any -- 10 Q. -- as of today? 11 A. -- documents in any file that I have 12 for that update. 13 MR. SCHOETTES: Do we have the prior 14 version? Has the prior version been produced? 15 MR. NORWAY: I think 2012 is the last 16 one. 17 We -- we've provided you with all of 18 the documents that that Army G-1 had on those 19 prior versions. 20 MR. SCHOETTES: Okay. All right. 21 MR. NORWAY: That's correct, right, 22 Casey? 23 BY MR. SCHOETTES: 24 Q. Do we know if there was a re -- was 25 there a revision after 2006, before the 2012

Page 134 1 revision, of which you are aware? 2 A. I'm not aware. I'm sorry. I don't 3 know. 4 Q. And that is you don't know, or you 5 think that there is not one? 6 A. I truly don't know. 7 Q. Okay. All right. 8 A. I mean, we can go back and look. In 9 the files you'll see there -- there'll be -- I 10 mean, in -- in -- on the APD side there'll be -- 11 it will tell you when the last one has been. 12 (Lute Deposition Exhibit No. 5, a 13 document Bates Numbered US00025945 through 14 25947, was marked.) 15 MR. SCHOETTES: I'm going to hand you 16 another document. 17 THE REPORTER: Number 5. 18 BY MR. SCHOETTES: 19 Q. Do you recognize this document -- 20 A. Yes, sir. 21 Q. -- that has been marked as Exhibit -- 22 THE REPORTER: Five. 23 BY MR. SCHOETTES: 24 Q. -- 5? 25 A. Yes, sir.	Page 136 1 the various commands? 2 A. Yes. 3 Q. And you're saying that there's usually 4 a continuation sheet? 5 A. Well, it's a -- it's a blank form that 6 goes in, so all the rest of the commands that 7 it's staffed to, they then put their information 8 into that sheet. 9 Q. Got it. So it went to all of the 10 agencies that are listed here, and then all of 11 the rest of the commands, as well? 12 A. Yes. There -- like I said, APD gives 13 you a list of all agencies that you must staff 14 this through. 15 Q. And -- and so this is -- at what point 16 in the process that you just described did this 17 take place? 18 Is this the part where it's going out 19 to -- Army-wide for comment? 20 A. Yes. Yes. 21 Q. Okay. And this was sent on September 22 17th of 2018? 23 A. Yes, sir. 24 Q. And then what does the suspense date 25 indicate?
Page 135 1 Q. What is this document? 2 A. This is a staffing sheet. 3 Q. And what is the specific purpose of 4 this staffing sheet? 5 A. This is a staffing sheet for the 6 Army-wide staffing for the draft of AR 600-110. 7 Q. Do you know who prepared this 8 document? 9 A. I prepared this document. 10 Q. Okay. And to whom did -- was this 11 document sent? 12 A. It was sent to all of the major 13 commands. There's -- there's a -- an entire 14 list of commands that are included by APD 15 -- that are required by APD. There's 16 -- there's, generally, a continuation sheet 17 that -- so that all the commands have the 18 opportunity to comment. 19 Q. So are you saying -- so you're looking 20 right now at Page 2 of the document; -- 21 A. Mm-hmm. 22 Q. -- is that correct? 23 And under 15, staff coordination, -- 24 A. Mm-hmm. 25 Q. -- is that where you're referring to	Page 137 1 A. Well, the suspense date is the 2 4/22/19, but that's not the suspense date that 3 goes into the -- it's a computerized staffing 4 module that we have to put this into, and each 5 -- this staffing date is our end date, okay? 6 That's -- that's my end date where everything 7 has to be at APD, okay? That's this suspense. 8 There are various suspenses put into -- I'm 9 sorry, what's the computerized system called for 10 staffing? Do you remember? 11 We -- we have a computerized system 12 for staffing, -- 13 Q. Okay. 14 A. -- so it goes in there and it goes out 15 to all of the commands through that system, and 16 then they -- 17 Q. They get individual suspense dates, 18 or, sort of, deadlines? 19 A. All the commands get the same suspense 20 date, yes, but they get -- they got a -- they 21 originally got a suspense date 30 days from 22 9/17; however, I can tell you that was extended 23 out until the first part of November. 24 Q. For everyone, or what -- based on 25 specific requests?

Page 138 1 A. No. It was people that requested 2 additional time. 3 Q. And that extended out to early 4 September? 5 A. No. It extended out to November. 6 Q. I'm sorry. Early November. 7 Was that the furthest, then, that it 8 was extended out for any of the commands? 9 MR. NORWAY: Objection; form. 10 THE WITNESS: To the best of my 11 knowledge, but I have been in and out quite a 12 lot, because I have been on leave, and doing 13 out-processing things. 14 MR. SCHOETTES: I understand. 15 MR. NORWAY: I'd like to say, also, 16 objection to scope. We're offering her for the 17 current policy and not for the policy revision. 18 MR. SCHOETTES: Got it. 19 MAJOR BIGGERSTAFF: Just to clarify, 20 ma'am, are you referring to TMT? 21 THE WITNESS: Yes. 22 BY MR. SCHOETTES: 23 Q. TMT would be the staffing -- the 24 computer for staffing? 25 A. It's the system that they use to	Page 140 1 answer? 2 MR. NORWAY: I'm instructing 3 the witness not to answer that question. 4 BY MR. SCHOETTES: 5 Q. Are you going to take your advice of 6 counsel and not answer that question? 7 A. I am going to not answer that 8 question. 9 Q. In what ways do you feel a major 10 revision is required to prevent the -- or let me 11 rephrase. 12 In what ways is the HIV policy -- I'll 13 try it one more time. 14 In what ways is a major revision 15 required to keep the Army HIV policy relevant? 16 MR. NORWAY: Objection; scope. 17 Privileged. Instruct the -- the witness not to 18 answer. 19 MR. SCHOETTES: And, again, that is 20 the Deliberative Process Privilege? 21 MR. NORWAY: Correct. 22 BY MR. SCHOETTES: 23 Q. Are you going to follow your counsel's 24 advice not to -- 25 A. I am.
Page 139 1 staff, yes, within the Army. 2 Q. So in Field 11 here it says a couple 3 of things: First it says, medical advancements 4 in the field of Human Immunodeficiency Virus, 5 HIV, detection and treatment are occurring 6 rapidly, potentially impacting soldier and unit 7 readiness to deploy. 8 Do you see that? 9 A. I see that. 10 Q. And then the next statement it 11 says, for Army HIV policy to remain lawful 12 and relevant, a major revision is required. 13 Did you write that? 14 A. Those are my two statements. 15 Q. In what ways do you feel that the -- a 16 revision is required for the policy to remain 17 lawful? 18 MR. NORWAY: Objection; scope. And 19 it's privileged. Her recommendations to ongoing 20 policy process is privileged. 21 MR. SCHOETTES: Under the Deliberative 22 Process Privilege? 23 MR. NORWAY: Correct. 24 MR. SCHOETTES: Are you going to take 25 your -- are you instructing the witness not to	Page 141 1 Q. -- answer? 2 In the new version of AR 600-110, are 3 enlisted individuals living with HIV going to be 4 allowed to commission as officers? 5 MR. NORWAY: Objection; form. Also 6 object that that is calling for information 7 that's privileged under the Deliberative Process 8 Privilege, and I'll instruct the witness not to 9 answer. And it's outside the scope of 10 testimony. 11 THE WITNESS: And I'm not going to 12 answer. 13 BY MR. SCHOETTES: 14 Q. Okay. In Field 12, Additional 15 Information, your name is provided as the 16 AR 600-110 proponent within Army Resiliency 17 Directorate; is that correct? 18 A. Yes, sir. 19 Q. And then it says, all recommendations, 20 comments and input must be endorsed by an O6 21 or GS15, or equivalent, and e-mailed to 22 LTC Lute, along with meeting your local 23 organization's task tracking system 24 requirements; is that correct? 25 A. Yes.

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Page 142 1 Q. And so you received recommendations 2 and comments and input from a variety of sources 3 regarding this policy? 4 MR. NORWAY: Objection. Outside the 5 scope. 6 THE WITNESS: Yes, sir. 7 BY MR. SCHOETTES: 8 Q. Approximately, how many people 9 provided recommendations, comments and inputs to 10 this policy change? 11 MR. NORWAY: Objection. Outside the 12 scope. Form. 13 You may answer, if you can. 14 THE WITNESS: I, honestly, can't 15 tell you exactly how many. When -- before I 16 transferred the responsibility, I think I had 17 received all but six of the required commands. 18 BY MR. SCHOETTES: 19 Q. So everyone that you sent it to is 20 required to respond -- 21 A. Yes. 22 Q. -- in some way? 23 A. Yes. 24 Q. Even if they don't have anything that 25 they want to say about it or any comments that	Page 144 1 Q. Are we talking more than 50? 2 MR. NORWAY: Objection. Outside of 3 scope. 4 You may answer. 5 THE WITNESS: I do not believe that 6 it is more than 50, but I cannot tell you that 7 definitively. 8 BY MR. SCHOETTES: 9 Q. So maybe right around that number -- 10 it would be -- to ballpark we're talking maybe 11 between 40 and 50, -- 12 MR. NORWAY: Objection. Outside of 13 scope. 14 You may answer, if you can. 15 BY MR. SCHOETTES: 16 Q. -- or 40 and 60? 17 A. I would -- I would say, yes, that 18 that's probably an accurate ballpark. 19 Q. I'm not going to hold you to a hard 20 number. I'm just trying to get us in a -- in a 21 range, so that's fine. 22 What changes are going to be made to 23 AR 600-110 based on the recommendations and 24 comments you received? 25 MR. NORWAY: Objection. Outside
Page 143 1 are substantive, they still must respond? 2 MR. NORWAY: Objection. Outside the 3 scope. 4 You may answer. 5 THE WITNESS: Yes, sir. 6 BY MR. SCHOETTES: 7 Q. Do you have any idea how many -- you 8 know, you said it -- that there's a -- a list. 9 Do you have a ballpark number on how many 10 different commands we're talking about? 11 MR. NORWAY: Objection. Outside of 12 scope. 13 You may answer. 14 THE WITNESS: I truly don't. I -- if 15 I even knew how many lines were on the addendum 16 sheet, I could probably be more helpful, but at 17 this time I can't tell you. I don't know. 18 BY MR. SCHOETTES: 19 Q. Can you -- are we talking more than a 20 hundred? 21 MR. NORWAY: Objection. Outside of 22 scope. 23 You may answer. 24 THE WITNESS: No. 25 BY MR. SCHOETTES:	Page 145 1 of scope. Calls for privileged information 2 under the Deliberative Process Privilege for an 3 ongoing update to the Regulation. I instruct 4 the witness not to answer. 5 BY MR. SCHOETTES: 6 Q. And are you going to follow your 7 counsel's advice not to answer? 8 A. I am going to follow my counsel's 9 advice. 10 MR. SCHOETTES: In your objection you 11 said ongoing. If this process was completed, 12 would you not have an objection under the 13 Deliberative Process Privilege? 14 MR. NORWAY: I think we can talk about 15 it after -- you know, like, on -- on a break, 16 but there are -- 17 MAJOR BIGGERSTAFF: And, also, the 18 way you phrased the question was, what changes 19 are going to be made, and once the policy's 20 published you'll know what changes were made. 21 So I don't -- I don't think we -- to that 22 specific question, I don't think we would have, 23 you know, an objection. 24 You would have the information, so ... 25 MR. SCHOETTES: Right.

Page 146 1 MR. NORWAY: And I didn't know if you 2 were talking broadly about all the materials -- 3 MR. SCHOETTES: Yeah. I guess I am 4 talking more broadly about some of the other 5 stuff that has been marked, and maybe we'll get 6 to some of it here. But once the privilege is 7 complete, then would seeing those documents 8 -- would those documents still be protected 9 under the Deliberative Process Privilege? 10 MR. NORWAY: So I do believe that some 11 of those materials will still be protected under 12 it, but do I think that once it is published 13 that the defendants would reassess their 14 privilege calls for those documents. 15 MR. SCHOETTES: Okay. I mean, I'm 16 just going to throw it out there that this is 17 problematic in the context of this litigation 18 that, you know, we don't have access to the 19 information that is directly relevant to this 20 policy, and so we will -- we'll have to deal 21 with this, I think, and maybe get this to the 22 Court. 23 All right. We're going to move on to 24 another document in a moment. 25 ///	Page 148 1 A. Yes. 2 Q. And the subject here is Inquiry 3 Reference or in -- Inquiry r-e-f, HIV-positive 4 soldier; is that right? 5 A. Correct. 6 Q. I notice that there is a Marguerite 7 Lawrence identified in the cc line here. 8 A. Yes, sir. 9 Q. Did you -- was Marguerite Lawrence in 10 your position prior to you? 11 MR. NORWAY: Objection. Outside of 12 the scope. 13 THE WITNESS: Yes, sir. 14 BY MR. SCHOETTES: 15 Q. And did -- where did she go that 16 -- from that position that she would still be 17 involved and cc'd on this document? 18 MR. NORWAY: Objection. Outside the 19 scope. 20 THE WITNESS: She went to Walter Reed 21 National Military Medical Center, working for 22 the Deployment Health Assessment. 23 BY MR. SCHOETTES: 24 Q. And did she go from being -- did 25 she start working from the civilian side?
Page 147 1 (Lute Deposition Exhibit No. 6, an 2 e-mail Bates Numbered US00025970 through 25973, 3 was marked.) 4 MR. SCHOETTES: And we're marking this 5 as Exhibit -- 6 THE REPORTER: Six. 7 MR. SCHOETTES: -- 6. 8 BY MR. SCHOETTES: 9 Q. Take a second to look at this. And 10 when you've had a chance to review it, if you'll 11 look up, I'll know you're ready to go. 12 Do you recognize this Ex -- Exhibit 6? 13 A. I do. 14 Q. What is Exhibit 6? 15 A. It's an e-mail between myself and some 16 of the infectious disease assets. 17 Q. Within the Army? 18 A. Yes, sir. 19 MR. NORWAY: And just as an objection, 20 outside of the scope. 21 BY MR. SCHOETTES: 22 Q. And -- and, actually, the document 23 is -- the e-mail is to Dr. Blaylock, correct? 24 A. Correct. 25 Q. And then other people are cc'd?	Page 149 1 MR. NORWAY: Question is outside the 2 scope. 3 THE WITNESS: Yes, sir. 4 BY MR. SCHOETTES: 5 Q. In Dr. Blaylock's e-mail, he points 6 to an e-mail below that -- the issue -- that 7 discusses, the issue of allowing HIV-infected 8 SMs to participate in unit-level combatives; is 9 that correct? 10 MR. NORWAY: Objection. Outside of 11 scope. 12 You may answer. 13 THE WITNESS: Yes, sir. 14 BY MR. SCHOETTES: 15 Q. What are combatives? 16 A. It's a -- it's a training, and they 17 have these -- well, they remind me of a very 18 large baton. It's a stick -- a fairly long 19 stick with a foam thing on each end. And they 20 do -- I have not had to do them, but they do 21 different activities where they have to try 22 to -- it's a method of learning hand-to-hand 23 combat, so try to knock somebody off of 24 different things, and -- and that's the most 25 I can tell you about it.

Page 150 1 I know there's some -- it's a lot of 2 physical, you know, you get hit with the stick 3 and -- and you get knocked off and you get 4 knocked down-type of activity. 5 Q. And you said that there are foam 6 pieces at the end of this stick? 7 A. Well, when I say foam pieces, they're 8 -- they're pieces about this big. And it's a 9 fairly dense foam, because the intent is to be 10 able to knock the other person down without, you 11 know, beating them with the stick. So the stick 12 runs into the foam, and then the foam is wrapped 13 in a vinyl or a plastic-type stuff. 14 Q. Okay. 15 A. I can't tell you exactly what -- 16 MR. NORWAY: I'm going to interpose an 17 objection for scope. And if you would let me, 18 ma'am, just if you pause before you answer so 19 I can interpose my objection. 20 Thank you. 21 BY MR. SCHOETTES: 22 Q. And just to clarify the record, 23 when you said they're about this big, you were 24 holding your hands about 14 inches apart? 25 MR. NORWAY: Objection; scope.	Page 152 1 MR. NORWAY: Objection; scope. 2 You may answer. 3 THE WITNESS: She does -- I'm sure she 4 does a lot of things, but I deal with her on HIV 5 statistics. 6 BY MR. SCHOETTES: 7 Q. And the working group in -- in that 8 sentence refers to the HIV working group tasked 9 with considering revisions to AR 600-110? 10 MR. NORWAY: Objection to scope. 11 You may answer. 12 THE WITNESS: Yes. 13 BY MR. SCHOETTES: 14 Q. And Dr. Blaylock's opinion was that 15 revisions were needed to AR 600-110 to clarify 16 whether service members with HIV may participate 17 in combatives; is that correct? 18 MR. NORWAY: Objection; scope. 19 THE WITNESS: Based on this e-mail, 20 yes. 21 BY MR. SCHOETTES: 22 Q. And then in your response to 23 Dr. Blaylock you state, I have all the 24 recommendations from the HIV work group that 25 was facilitated by Lt. Col. Lawrence, as well as
Page 151 1 THE WITNESS: This is -- I -- I don't 2 know. And -- and this is my -- my assessment of 3 it. As I've said, I've never -- 4 BY MR. SCHOETTES: 5 Q. Okay. 6 A. -- I've never participated, so ... 7 Q. Yep. I understand. 8 And in Dr. Blaylock's e-mail he 9 indicates that there is much need for further 10 clarification of this in the next revision of 11 AR 600-110. From my last communication with 12 Dr. Scoville and LTC Lute, I was under the 13 impression that the working group was going 14 to reconvene in October. 15 Is that what that says? 16 A. It is what it says. 17 MR. NORWAY: Objection; scope. 18 BY MR. SCHOETTES: 19 Q. Who's Dr. Scoville? 20 MR. NORWAY: Objection to scope. 21 You may answer. 22 THE WITNESS: She works for Public 23 Health Command. 24 BY MR. SCHOETTES: 25 Q. And what's her role?	Page 153 1 the DA Form -- 2 And is that a -- well, is that form or 3 from? 4 A. It's supposed to be form. 5 Q. It's supposed to be form, so it's 6 a miss -- misspelling in the document. 7 -- the DA Form 2028s. I'm currently 8 working to consolidate the recommendations 9 provided. 10 MR. NORWAY: Objection; scope. 11 BY MR. SCHOETTES: 12 Q. As we've indicated, Lt. Col. Lawrence 13 was your predecessor in this role? 14 MR. NORWAY: Objection; scope. 15 THE WITNESS: Yes. 16 BY MR. SCHOETTES: 17 Q. And, again, the HIV WG also refers to 18 the HIV Working Group? 19 MR. NORWAY: Objection; scope. 20 THE WITNESS: Yes. 21 BY MR. SCHOETTES: 22 Q. Who participated in the HIV Working 23 Group? 24 MR. NORWAY: Objection; scope. 25 One moment.

Page 154 1 You may answer, if you can. 2 THE WITNESS: The -- you're talking 3 about the HIV Working Group with Colonel 4 Lawrence? 5 BY MR. SCHOETTES: 6 Q. The one that was convened in 2015 to 7 revise AR 600-110. 8 A. I cannot tell you an inclusive 9 list. I know that Dr. Blaylock was there, and, 10 actually, all of the persons on this traffic 11 were involved in it. I cannot tell you for 12 certain other persons that were involved, 13 because my memory is not that accurate when it 14 comes to that type of information. It's, like, 15 that's -- 16 Q. Would there -- would that list be 17 available somewhere? 18 MR. NORWAY: Objection; scope. 19 THE WITNESS: If that list is 20 available, it would have been in the stuff 21 that was already -- that I've already provided. 22 BY MR. SCHOETTES: 23 Q. Okay. Did we end up with two 24 different working groups related to this 25 revision of AR 600-110, because you referred	Page 156 1 group of commands? 2 MR. NORWAY: Objection; scope. 3 You may answer. 4 THE WITNESS: I don't actually know 5 if she had sent it all to all of the commands. 6 I do know that there were the 2028s referenced 7 submitted, and that the adjudication process of 8 those 2028s have not occurred. 9 BY MR. SCHOETTES: 10 Q. Maybe you just need to clarify for me, 11 I don't think I've heard 2028s before, so can 12 you tell me what form that is? 13 MR. NORWAY: Objection; scope. 14 You may answer. 15 THE WITNESS: It's a Department of 16 the Army form that -- and I can't tell you, 17 specifically, what the columns are on it, but 18 it gives the individual the ability to put the 19 paragraph from the existing policy and then 20 their recommended changes and their 21 justification for the recommended changes, 22 and I think who's recommending the change, 23 I think, are all the columns on it. 24 I think it -- it goes -- it also gives 25 you a space for paragraph and line and all of
Page 155 1 to the -- to one convened by Colonel Lawrence 2 -- Lt. Col. Lawrence. Was that a different 3 group than the group with which you were working 4 more recently? 5 MR. NORWAY: Objection; form. 6 Objection; scope. 7 You may answer. 8 THE WITNESS: Her working group was 9 closed, and their recommendations were -- the 10 working group recommendations were consolidated, 11 but the 2028s and the adjudication process was 12 not completed. 13 So my working group was one that, 14 after reviewing all of this, I did reestablish a 15 working group with the -- the persons indicated 16 to be able to provide clarity, and most of them 17 are, actually -- well, most of them are on this 18 -- are on this e-mail. 19 BY MR. SCHOETTES: 20 Q. So just so that I understand, what I 21 think I heard was this is a process that was 22 started by Lt. Col. Lawrence, she convened a 23 working group, their recommendations were 24 consolidated, but they had not yet engaged in 25 the process of having the review by the wider	Page 157 1 that kind of stuff. 2 BY MR. SCHOETTES: 3 Q. And where do the -- where does the 4 2028 -- who does that get submitted to? 5 MR. NORWAY: Objection; scope. 6 You may answer. 7 THE WITNESS: It depends on the -- the 8 policy. For this policy, it gets submitted to 9 the person sitting in my seat. 10 BY MR. SCHOETTES: 11 Q. Got it. 12 So when you came into the process, 13 what prompted you to start a new working group? 14 MR. NORWAY: Objection; scope. 15 Ma'am, you may answer if the 16 information does not disclose recommendations 17 that are being incorporated in the ongoing 18 process. 19 THE WITNESS: Well, one of my reasons 20 was, this was done in '14, and I arrived in '16. 21 And so in my brain, there had been things that 22 have occurred since 2014 that may need to be 23 reviewed or assessed. And I -- that was, 24 probably, the significant motivator to me. 25 I don't -- I didn't really want to sit down

Page 158 1 and try to use somebody else's two-year-old 2 information to start a policy update. 3 MR. SCHOETTES: And just to clarify, 4 your instruction to the witness was based on a 5 Deliberative Process Privilege objection; is 6 that correct? 7 MR. NORWAY: Correct. 8 BY MR. SCHOETTES: 9 Q. Did the exception to policy request 10 filed by Nick Harrison influence your decision 11 about whether to reconvene a working group to 12 assess revisions to AR 600-110? 13 A. No. 14 Q. Going back to this e-mail, in your 15 e-mail to Dr. Blaylock you indicate, quote, 16 I will tell you didn't find much in regard 17 to this topic in the notes or on the DA Form 18 2028; -- 19 MR. NORWAY: Objection. 20 BY MR. SCHOETTES: 21 Q. -- is that correct? 22 MR. NORWAY: Objection; scope. 23 You may answer. 24 THE WITNESS: That is what it states. 25 BY MR. SCHOETTES:	Page 160 1 Privilege. It's an ongoing revision to the Army 2 Regulation. Instruct the witness not to answer. 3 BY MR. SCHOETTES: 4 Q. Are you going to follow your advice -- 5 A. I am. 6 Q. -- of counsel and not answer? 7 A. I am going to follow the advice of my 8 counsel and not answer. 9 MR. SCHOETTES: I'm just going 10 to point out that, in this very document, 11 Dr. Blaylock has indicated that AR 600-110 needs 12 to be revised to address this issue, so I think 13 we very much are entitled to and need this 14 information that is being withheld based on the 15 Deliberative Process Privilege. And I'm going 16 to move on to the next document. 17 MR. FRELINGHUYSEN: Lunch is next 18 door. 19 MR. SCHOETTES: Ah. Okay. So lunch 20 is at the door. Shall we take a 20-minute break 21 in order to have some lunch, and -- 22 MR. NORWAY: We -- we can break. I, 23 actually, don't think we can accept lunch, 24 so -- well, Army might have another reg. 25 THE WITNESS: No. We, actually, have
Page 159 1 Q. By this topic, are -- are you 2 referring to service members with HIV 3 participating in combatives? 4 MR. NORWAY: Objection; scope. 5 THE WITNESS: You're -- you're looking 6 at the same form I am, so I can't -- I can't 7 definitively tell you, but given the nature 8 of the conversation with him, I would say, yes. 9 BY MR. SCHOETTES: 10 Q. So I just mentioned that you were 11 looking at the same form, and we are. On this 12 form it says, I received this -- on this e-mail 13 it says, I received this question and provided 14 the following feedback, and then there is a big 15 chunk of redacted material; is that correct? 16 MR. NORWAY: Objection; scope. 17 You may answer. 18 THE WITNESS: Yes. 19 BY MR. SCHOETTES: 20 Q. Do you recall what question you 21 received relating to allowing service members 22 with HIV to participate in combatives? 23 MR. NORWAY: Objection; scope. 24 Objection also because that information is 25 privileged under the Deliberative Process	Page 161 1 the same reg. 2 MR. SCHOETTES: They can't accept 3 lunch from us -- I'm sorry. Are we off the 4 record? 5 THE VIDEOGRAPHER: The time is 12:39 6 p.m. We're going off the record. 7 (Lunch recess taken.) 8 THE VIDEOGRAPHER: The time is 1:04 9 p.m. This begins Media Unit Number 3. We're 10 now on the record. 11 Please proceed, Counsel. 12 MR. SCHOETTES: All right. I'm going 13 to hand you another exhibit that we will mark as 14 Exhibit Number -- 15 THE REPORTER: Seven. 16 MR. SCHOETTES: -- 7. 17 (Lute Deposition Exhibit No. 7, an 18 e-mail Bates Numbered US00025689, was marked.) 19 BY MR. SCHOETTES: 20 Q. Do you recognize Exhibit 7, Colonel 21 Lute -- Lt. Col. Lute? 22 A. Yes. 23 Q. And what is it? 24 A. It's e-mail traffic between myself and 25 Dr. Blaylock.

Page 162 1 Q. And -- and, actually, at the very top, 2 is this not an e-mail from you to Carrie 3 Shult, -- 4 A. Yes. 5 Q. -- forwarding a -- a -- an e-mail 6 between you and Dr. Blaylock? 7 A. Yes. 8 Q. And in the text of your e-mail to 9 Ms. Shult is, simply, FYI exclamation point, 10 correct? 11 A. Correct. 12 MR. NORWAY: Objection; scope. 13 THE WITNESS: Right. As she would be 14 the one stepping in when I departed. 15 BY MR. SCHOETTES: 16 Q. Got it. 17 So Ms. Shult is the person who will be 18 taking over for you as you are going into your 19 leave before your retirement? 20 A. Yes. She's the interim. 21 Q. On what date did you actually start 22 your terminal leave? 23 MR. NORWAY: Objection; scope. 24 You may answer. 25 THE WITNESS: Well, my terminal	Page 164 1 MR. SCHOETTES: Okay. 2 MR. NORWAY: Thank you. 3 BY MR. SCHOETTES: 4 Q. And then the e-mail that follows 5 is the e-mail from you to Sarah Wissemeier, 6 dated October 10th, 2018; is that right? 7 A. Yes. 8 Q. Who is Ms. Wissemeier? 9 A. Well, if I'm not mistaken, and it has 10 been a while since this communication, but I 11 believe she is one of the public health nurses. 12 And I can't tell you where she is geographically 13 located. 14 Q. And according to this e-mail, 15 Ms. Wissemeier provided a recommendation for a 16 change to AR 600-110, correct? 17 A. If memory serves me correctly, she 18 did not provide a recommendation. She sent me 19 a question, and I responded to her question. 20 Q. Okay. And her question was with 21 respect to a change to AR 600-110? 22 A. Actually, her question was -- that is 23 what the header -- she indicated. But her 24 question was, actually, much more specific. It 25 was very similar to the question in Exhibit 6.
Page 163 1 leave didn't start until the 2nd of December; 2 however, I had a lot of other leave which I took 3 prior to that. 4 BY MR. SCHOETTES: 5 Q. As of October 11th, were you on leave 6 or not yet? 7 A. Let's see. October 11th? 8 I -- I had been on intermittent leave. 9 Q. Okay. Below your e-mail to Ms. Shult 10 is an e-mail from Dr. Blaylock to you, dated 11 October 10th, 2018, correct? 12 MR. NORWAY: Objection; scope. 13 You may answer. 14 THE WITNESS: Yes. 15 BY MR. SCHOETTES: 16 Q. And in this e-mail Dr. Blaylock refers 17 to your -- refers to your e-mail that follows as 18 a, quote, great response, right? 19 MR. NORWAY: Objection; scope. 20 You may answer. 21 THE WITNESS: Yes. 22 MR. SCHOETTES: Would it be easiest 23 to have a standing scope objection to questions 24 about this e-mail? 25 MR. NORWAY: Yes. That would be fine.	Page 165 1 Q. Was that having to do with combatives? 2 A. Yes, sir. 3 Q. Okay. And what was Ms. Wissemeier's 4 question? 5 MR. NORWAY: Objection. Deliberative 6 process. To the extent that the information 7 has been redacted from that document, ma'am, 8 the Department of Army is claiming Deliberative 9 Process Privilege over the information. 10 If you could answer the question 11 without disclosing that information, you may do 12 so. 13 THE WITNESS: Well, my response 14 would indicate, really, what her question was in 15 regard to, because I advised her that she would 16 find it helpful to review NCAA and other 17 sporting guidelines for management of HIV 18 infection for contact sports. 19 BY MR. SCHOETTES: 20 Q. So her question had to do with contact 21 sports, or -- or what -- what does the fact that 22 you cited to this document indicate to you about 23 her question? 24 A. I believed that, as a public health 25 nurse, this would be beneficial to her to -- for

Page 166 1 reference in the future, to answer any questions 2 she might have about contact sports or 3 combatants or anything of that nature. 4 Q. Is it the case that what Dr. 5 Blaylock described as your great response is, 6 in sig -- significant part, redacted from this 7 document? 8 A. I'm sorry. I don't understand your 9 question. I apologize. 10 Q. So Dr. Blaylock referred to a great 11 response, right, -- 12 A. Mm-hmm. 13 Q. -- in this e-mail. Is he referring to 14 this -- in significant part, this section that 15 is blacked out in this document? Is that the 16 great response? 17 MR. NORWAY: Objection; speculation. 18 You could answer, if you know. 19 THE WITNESS: I believe that his 20 comment was in response to, actually, my entire 21 response to her and taking the opportunity to 22 educate. 23 BY MR. SCHOETTES: 24 Q. Why did you think it would be helpful 25 for her -- for Ms. Wissemeier to review the NCAA	Page 168 1 during athletics or sporting-like activities. 2 Q. Do you recall reading a section of 3 this document that said, the theoretical risk 4 for transmission of HIV during National Football 5 League matches has been calculated to be less 6 than one per 85 million game contacts? 7 A. As you state it, I do have a 8 recollection of something like that in this 9 article. It has been a while since I read the 10 article. 11 MR. SCHOETTES: I understand. 12 All right. We can set that document 13 aside. 14 All right. Give me one second. 15 Oh, okay. Let's go ahead and do 16 -- I'm going to hand you another document to be 17 marked as Exhibit 8? 18 THE REPORTER: Yes. 19 (Lute Deposition Exhibit No. 8, an 20 e-mail Bates Numbered US00025924 through 25925, 21 was marked.) 22 THE WITNESS: Thank you. 23 THE REPORTER: You're welcome. 24 BY MR. SCHOETTES: 25 Q. Do you recognize the document that has
Page 167 1 and other Sporting Guidelines for Management of 2 HIV Infection for Contact Sports? 3 A. Because I think that, as a whole, 4 sometimes even public health nurses need to be 5 reminded that there are resources available to 6 answer their questions, and that there's already 7 research out there. So they -- you know, they 8 don't need to necessarily go to a specific 9 individual with a question that there may 10 already be an answer to. 11 Q. And what was the answer that was 12 provided in this document, the NCAA and other 13 Sporting Guidelines for Management of HIV 14 Infection for Contact Sports? 15 A. I'm sorry. Are you asking me what's 16 in this block that's been blocked out? 17 Q. No. I'm asking what the document 18 that is not blacked out, that is cited, told 19 you and that you thought would be relevant to 20 Ms. Wissemeier's question. What -- what was the 21 information contained there that helps to answer 22 her question? 23 A. Well, it's -- it's a pretty lengthy 24 piece, but the essence of it is it speaks to the 25 minimal risks associated with exposure to HIV	Page 169 1 been marked as Exhibit 8? 2 A. Yes. 3 Q. And what is this document? 4 A. This is communications between myself 5 and Dr. Scoville regarding a POC for the other 6 services. 7 MR. NORWAY: And, Scott, I'm also 8 going to object on scope, that we haven't 9 offered her for -- for the Army, for this, 10 but ... 11 BY MR. SCHOETTES: 12 Q. And POC stands for Point of Contact? 13 A. Point of Contact, yes, sir. 14 Q. I'm just going to direct you to 15 the -- to the bottom of the first page here. 16 This says, due to recent events, I've been 17 queried by G-1 for response to OSD as to why 18 we're the only service that makes our HIV 19 population non-deployable. 20 First of all, can you tell me what 21 does OSD stand for? 22 A. Defense. That's as far as I can get 23 you. 24 Q. Okay. 25 A. Office of the Secretary of Defense.

Page 170 1 Sorry. 2 Q. Got it. 3 A. I'll get there. Just give me time. 4 There's a lot of acronyms. 5 Q. Yes, there are. 6 And you referred to recent events in 7 that sentence. 8 MR. NORWAY: Objection. 9 BY MR. SCHOETTES: 10 Q. What were the recent events to which 11 you were referring? 12 MR. NORWAY: Objection; scope. 13 THE WITNESS: What's the timeframe 14 on this? March. Okay. 15 I had been tasked on -- for some Army 16 input for this report that was somewhere back 17 here in the beginning, and I think it might have 18 been one -- no, two. 19 BY MR. SCHOETTES: 20 Q. Two. The DOD -- the 2018 DOD report? 21 A. Mm-hmm. 22 Q. So that was the recent events that led 23 to this query -- 24 MR. NORWAY: Objection to scope. 25 BY MR. SCHOETTES:	Page 172 1 for some clarification? 2 MR. NORWAY: Mm-hmm. 3 THE WITNESS: Okay. So I can answer 4 the question in regard to whether or not any of 5 this had to do with the memo that I think came 6 out in February, I think. 7 Was that the date on it? 8 BY MR. SCHOETTES: 9 Q. That is correct. The -- the -- the 10 Department of Defense memo regarding retention 11 of non-deployable service members came out in 12 February, yes. 13 A. Okay. And that's -- that's the one 14 you're referencing? 15 Q. Yes. 16 A. Okay. 17 Q. That eventually led to 1332 -- DODI 18 1332.45. 19 A. So that was -- those things all 20 happened at the same time. I think this report 21 -- I can't remember what date I had to have that 22 information in, but the -- everything kind of 23 tracked right on one another, so both things 24 were an impetus for me to make that request. 25 Q. All right. And then it says, why
Page 171 1 Q. -- by G-1? 2 A. Well, that was the -- yes, because I 3 provided them the -- the -- yeah. 4 Q. Did the issuance of the new policy 5 regarding the retention of non-deployable 6 service members play any role in this query 7 from the G-1 for a response to OSD? 8 MR. NORWAY: Objection; scope. I'm 9 also going to object on privilege grounds to the 10 extent that the an -- the question calls for 11 information that has been redacted from the 12 document that you're looking at, and I believe 13 that is, probably, a deliberative process 14 redaction. I'm going to instruct the witness 15 not to answer, but you may answer to the extent 16 the question asks for information that is 17 provided in the document before you. 18 MR. SCHOETTES: I -- I'm sorry. Is 19 the instruction not to answer to the extent that 20 it calls for Deliberative Process Privileged 21 information? 22 MR. NORWAY: For the disclosure of the 23 information that has been redact -- redacted 24 from the document. 25 THE WITNESS: Okay. Can -- can I ask	Page 173 1 we are the only service that makes our HIV 2 population non-deployable. Tell me what you 3 meant by that. 4 A. Okay. AR 600-110 states that service 5 members are not deployable; however, the DODI 6 states that they are deployable with a waiver. 7 And because the Army falls under the Department 8 of Defense, there is a waiver process, but there 9 is not an internal waiver process. And then 10 when it says non-deployable, one of the things 11 as I was able to speak with the other services 12 is, well, what are they defining as 13 non-deployable, okay? And, indeed, we're all 14 pretty much defining it the same, which is 15 deployable with limitations or requirement for a 16 waiver. But at the time it was -- 17 Q. That's how you are doing it currently? 18 A. Yes. 19 Q. But as of the time of this e-mail, 20 so in March of 2018, the other services had a 21 process -- a service-level process for a waiver, 22 and the Army did not, is that what you're 23 saying? 24 A. No, that's not what I'm saying. 25 Q. Okay.

Page 174 1 A. I'm saying that -- how that 2 non-deployable was defined, ours was a -- a 3 word that simply stated non-deployable. And 4 I -- I will caveat that by saying that, though 5 AR 600-110 states that the individual is not 6 deployable, they are given a V Code that falls 7 under AR 40-501, and that V Code indicate that 8 they are deployable with geographical 9 limitations, okay? 10 Q. And was that the case at the time 11 in -- in March of 2018? 12 A. Yeah. That's the case, it has been, 13 is, -- 14 Q. Okay. 15 A. -- you know, continues to be. 16 The other services were functioning on 17 the same premise, but it wasn't -- they weren't 18 -- they didn't use the term non-deployable. 19 They, actually, I think, stated deployable with 20 limitations. I don't know. I'd have to go back 21 and look, because I don't -- I don't do their 22 policy, I don't study it, and -- and I don't 23 have it in front of me. 24 Q. So let me try again to rephrase this 25 to my -- what my understanding is.	Page 176 1 that just -- just a semantic difference that 2 you're referring to, or was there some type of 3 substantive difference in how you were treating 4 your HIV population as compared to the other 5 services? 6 A. No. 7 MR. NORWAY: Objection; form. 8 THE WITNESS: It's -- it's 9 the same thing. We're -- we're making them 10 non-deployable with that V Code, and the caveat 11 being they're non-deployable with geographical 12 limitations. Because that's, actually, what's 13 written in 40-501, is a V Code. They are -- 14 BY MR. SCHOETTES: 15 Q. That they're -- 16 A. They are non-deployable -- or they 17 are -- I guess it says they are deployable with 18 geographical limitations. So that -- that makes 19 them -- as -- as a comprehensive statement, I 20 can't say they're deployable. So they have to 21 be considered non-deployable, because they're 22 going to require a waiver in order to hit that 23 deployment window approval. 24 Q. Would it be fair to say that someone 25 who is not worldwide deployable is considered
Page 175 1 So the Army was using an 2 explicit reference to people living with HIV 3 as non-deployable without any caveat to that, 4 whereas the other services were including that 5 caveat in their description of the status of 6 people with HIV? 7 MR. NORWAY: Objection. 8 Mischaracterizes testimony. 9 You may answer. 10 THE WITNESS: Yeah. It -- the Army 11 wasn't -- the Army's AR 40-501, the code that 12 the HIV positive has is a -- a V Code. And by 13 that policy in the table, it actually outlines, 14 and it is -- they are considered deployable with 15 geographical limitations. So more than 16 anything, it was a difference in the terminology 17 that was being used, and not necessarily the 18 process that was being applied. 19 BY MR. SCHOETTES: 20 Q. Okay. That -- that is clear to me, 21 although this sentence states, we make our HIV 22 population non-deployable. 23 A. Mm-hmm. 24 Q. So when you say, make our HIV 25 population non-deployable, are you -- is	Page 177 1 deployable with limitations, potentially, or 2 non-deployable? 3 A. They could -- they would be considered 4 both. If -- if there were certain areas they 5 couldn't be assigned to, or restrictions to 6 where they would be assigned, they would 7 be considered restricted with geographical 8 limitations, and they would also be considered 9 -- for the -- for the big Army to look at it, 10 they would come up as non-deployable. Because 11 in order for that person to deploy, there has to 12 be a special process that occurs that then makes 13 them a deployable asset. 14 Q. All right. So to be considered 15 fully deployable, the person has to be without 16 -- deployable without the geographic 17 limitations? 18 A. They would have to be deployable 19 without any restrictions. I mean, that's not 20 the only code in AR 40-501. So if they had any 21 of those codes that were deployment-limiting, 22 they couldn't deploy until that -- whatever that 23 was was resolved, or whatever was required was 24 done. 25 Q. Okay. The sentence after this, then,

Page 178 1 indicates, I've been in discussion with Lt. Col. 2 Blaylock as the ID POC to garner buy-in to -- to 3 change. 4 So, first of all, ID is Infectious 5 Disease? 6 A. It is. 7 Q. And POC is Point of Contact? 8 A. Correct. 9 Q. What is the change to which you are 10 referring? 11 MR. NORWAY: Objection. That informa 12 -- or that question calls for information that 13 has been redacted from this document based on 14 the deliberative process priv -- Deliberative 15 Process Privilege. I'd instruct the witness not 16 to answer. 17 THE WITNESS: I will comply with my 18 recommendations from my attorney. 19 MR. SCHOETTES: All right. Set that 20 document aside. 21 I'm going to mark Exhibit 9. 22 (Lute Deposition Exhibit No. 9, a 23 document titled Declaration of Lt. Col. Lisa 24 Lute, was marked.) 25 BY MR. SCHOETTES:	Page 180 1 THE WITNESS: Okay. My role is as the 2 subject matter expert for certain policies or 3 portfolios as a public health asset. 4 BY MR. SCHOETTES: 5 Q. So does that put you in charge 6 of certain policies in terms of things like 7 revision? 8 A. It -- AR 600-110 is one of the 9 policies in my portfolio that I am responsible 10 for responding to questions for clarification 11 and updates if indicated. 12 Q. So you indicate you are responsible 13 for personnel-related activities within the 14 DCSG-1. What -- what does that mean? 15 MR. NORWAY: Objection to scope. 16 You may answer. 17 THE WITNESS: Okay. The DCSG-1 is -- 18 is the personnel section. That's what -- that's 19 what it is. So personnel, as far as readiness, 20 deployability, the directorate, I would assume 21 is the Army Resiliency Directorate, so 22 programming that is focused on the -- the 23 personnel and -- and their ability to be ready 24 to go. 25 BY MR. SCHOETTES:
Page 179 1 Q. Do you recognize this document, 2 Colonel -- Lt. Col. Lute? 3 A. I do. 4 Q. And what is it? 5 A. It's a statement that I gave, I think 6 it was earlier this -- well, it was earlier in 7 2018. I -- I don't remember the exact date. It 8 is probably on here somewhere. 9 Q. So, actually, yeah, allow me to turn 10 -- if you want to turn to the last page -- 11 A. Okay. 12 Q. -- and confirm that that's your 13 signature -- 14 A. That is my signature. 15 Q. -- and that this was signed on August 16 16th, 2018? 17 A. That is correct. 18 Q. And it's the declaration that you 19 submitted in -- in this matter; is that correct? 20 A. Yes, sir. 21 Q. Can you describe your role in the 22 office of the deputy chief of staff? 23 A. My role -- 24 MR. NORWAY: Objection; scope. But 25 you may answer.	Page 181 1 Q. And the Deployment Health Assessment 2 Program, what is that? 3 MR. NORWAY: Objection; scope. 4 You may answer. 5 THE WITNESS: The Deployment Health 6 Assessment Program is -- it's a mandated 7 program, and there's four phases. So there's a 8 pre-deployment health assessment that's included 9 in it, there's a post-deployment, 10 and -- maybe there's three -- three. And then 11 there's a redeployment. 12 BY MR. SCHOETTES: 13 Q. What was the last one? 14 A. A redeployment. 15 Q. Oh. 16 A. And they're done at certain intervals, 17 and it's to assess the individual's status and 18 any potential issues or impacts associated with 19 deployments. The pre-deployment is to assess 20 their readiness and capacity to deploy. 21 Q. Are pre-deployments -- are 22 pre-deployment health assessments done directly 23 before a deployment, or are they done on people 24 who are not yet being deployed, that are just -- 25 A. It is immediately before deployment.

Page 182 1 Q. Right before deployment. 2 So it says that you're the staff 3 officer proponent for several health-related 4 Army Regulations. Are you the staff officer 5 proponent for both AR 600-110 and AR 40-501? 6 A. No. 7 Q. Are you the proponent for AR 600-110? 8 A. I am. 9 Q. It says that you have an understanding 10 of the Army's personnel policies pertaining to 11 applicants and soldiers infected with the Human 12 Immunodeficiency Virus, HIV, correct? 13 A. Yes. 14 MR. NORWAY: Objection to scope. 15 THE WITNESS: Sorry. 16 BY MR. SCHOETTES: 17 Q. But that was a yes? 18 A. Yes. 19 Q. Do you have an understanding with 20 respect to retention policies as they relate to 21 soldiers living with HIV? 22 MR. NORWAY: Objection to scope. 23 THE WITNESS: I have a -- an overall 24 comprehensive concept of what the retention 25 policy states.	Page 184 1 on, failure to comply, whatever the case may be. 2 BY MR. SCHOETTES: 3 Q. Okay. And this statement remains 4 true today, the one I just gave you about during 5 periodic -- I'm sorry, that soldiers infected 6 with HIV who do not demonstrate progressive 7 clinical illness or immunological deficiency 8 during periodic evaluations will not be 9 involuntarily separated solely due to their 10 infection status; is that correct? 11 A. That is, sir. 12 Q. Okay. And then you say that AR 600 13 limits a soldier living with HIV to military 14 duty within the United States and its 15 territories absent the granting of an 16 exception to policy; is that correct? 17 A. That is correct. 18 Q. And exception to policy is abbreviated 19 here as ETP? 20 A. Yes, sir. 21 Q. Can you walk me through the process 22 of someone applying for an ETP? How does that 23 work? 24 A. For an exception to policy for 25 AR 600-110?
Page 183 1 BY MR. SCHOETTES: 2 Q. And the same thing with the deployment 3 policies? 4 MR. NORWAY: Same objection. 5 THE WITNESS: Yes, the same thing with 6 the deployment policies. 7 BY MR. SCHOETTES: 8 Q. So it does state that it is the 9 current policy that soldiers infected with 10 HIV who do not demonstrate progressive clinical 11 illness or immunological deficiency during 12 periodic evaluations will not be involuntarily 13 separated solely due to their infection status. 14 Can you tell me what the phrase 15 progressive clinical illness or immunological 16 deficiency means in this context? 17 MR. NORWAY: Object to form. 18 You may answer. 19 THE WITNESS: Can I -- thank you. 20 Okay. So progressive clinical illness 21 would be -- could be a secondary illness that 22 the individual had contracted due to the HIV. 23 And it could be the HIV disease itself that has 24 not been effectively or properly managed, be 25 that by the regime that the individual was put	Page 185 1 MR. SCHOETTES: Yes. 2 MR. NORWAY: Object to form. 3 You can go ahead. 4 THE WITNESS: That would -- generally, 5 it's either the assignment officer or the 6 individual that would contact me, and then 7 there's a standard list of items which I 8 would request from them. There would be a 9 memo that goes through their chain of command 10 acknowledging their request and either 11 supporting it or -- or not. 12 There's -- and it's -- I have to 13 caveat by saying it's going to make a little 14 bit of difference whether it's an active duty or 15 a Reserve or National Guard, because Reserve 16 or National Guard has to provide medical 17 documentation that is already there on the 18 active duty side, okay? 19 So -- but in all packets that 20 go forward, there will be a memo from the 21 infectious disease provider, and I do ask all 22 soldiers to provide a memo from their particular 23 infectious disease provider supporting that -- 24 whatever the request is, or saying that's not 25 a reasonable request.

Page 186 1 BY MR. SCHOETTES: 2 Q. Wait. Now, are those two separate 3 things, then? There's their infectious disease 4 provider and then the -- did you say there's a 5 separate thing from another? 6 A. I -- in -- well, that's later on in 7 the process. 8 MR. NORWAY: Objection; form. 9 Go ahead. Yeah. 10 BY MR. SCHOETTES: 11 Q. Okay. Continue. 12 A. Okay. So they -- so they provide 13 the memo, they provide the letter from their 14 ID provider, they provide a copy of their ORB or 15 ERB, whichever is relevant. They provide copies 16 of their OER. 17 Q. Sorry. The acronyms, can you just 18 help me out, ORV or ERV? 19 A. It's Officer -- 20 MR. NORWAY: Evaluation Record? 21 THE WITNESS: Thank you. Yes. 22 See, there's too many acronyms today, 23 I'm going to be really honest with you, but it's 24 for enlisted -- 25 BY MR. SCHOETTES:	Page 188 1 A. And then they review the information 2 in the packet, and that's also where the 3 military records are, so they do that last 4 piece, which is the military record review, 5 and then they provide me with a decision. 6 Q. Do you make a recommendation to the 7 DMPM? 8 A. I make a recommendation -- well, 9 when you say make a recommendation -- I -- what 10 I include in my write-up is if there was a, 11 let's just say, for example, that OTSG said they 12 do not recommend, for whatever reason, then, on 13 my cover sheet that information will be 14 included. Anything that is -- that I need to 15 -- to make sure that they're aware of that's 16 been provided; you know, if the individual gives 17 me something that says, you know, this has been 18 endorsed and it's -- they've got endorsements 19 all the way up their chain of command or 20 whatever, and then I would include a comment 21 in there, that, you know, -- 22 Q. So -- 23 A. -- the chain of command endorses this 24 request, whatever. 25 Q. So your cover letter, say, to the DMPM
Page 187 1 Q. So that's the OER? 2 A. It's the enlisted evaluation. 3 Q. Got it. 4 A. So they would provide copies of those. 5 I give them the opportunity to include anything 6 that they believe is -- is relevant to their 7 request, and then they have to actually provide 8 a memo that tells me what they're requesting. 9 Q. The individual applicant? 10 A. Yes. Because I need to know what it 11 is they're actually asking, so ... 12 Q. Okay. And then once you have all of 13 that information, what do you do with it? 14 A. After I have that, I request that 15 Office of the Surgeon General do a review -- if 16 I already have medical documents from that 17 individual, to do a review and either agree or 18 disagree with the recommendation, and they're 19 usually pretty much in line. 20 And then after I receive that it goes 21 to -- over to JAG, and then once I receive their 22 input it goes up to the G-1 for signature, which 23 has actually been delegated to DMPM -- I know -- 24 Department of Military Personnel Management. 25 Q. Okay.	Page 189 1 is -- is compiling the various input that you 2 have received, -- 3 A. I don't -- 4 Q. -- more than a recommendation? 5 A. I don't, actually, provide a cover 6 letter. It's a form, and you had actually -- 7 at some point in time today, it had been in 8 something that you gave me. It's a form like 9 this. These are used -- these are staffing 10 forms, and they're used for a variety of 11 staffing actions. And so there would be one of 12 these prepared and there would be key points in 13 here, or additional information. 14 MAJOR BIGGERSTAFF: What -- what 15 document is that, ma'am? 16 THE WITNESS: That's Headquarters Form 17 5. 18 BY MR. SCHOETTES: 19 Q. Okay. But -- but what exhibit number, 20 I'm sorry, -- 21 A. Oh. 22 Q. -- I think that's what he was hoping 23 to get? 24 A. Sorry. Five. 25 Q. Oh, that happened to be the same.

Page 190 1 A. Okay. 2 Q. All right. And then -- so then it 3 goes up to the DMPM, and they make a decision? 4 A. Yes. 5 Q. Is that decision then signed off on by 6 someone higher up the command -- the chain of 7 command? 8 A. The Army G-1, has designated, and I -- 9 I believe -- is Colonel Evans still in that 10 slot? I -- sometimes I miss when -- General 11 Evans. I'm sorry. I miss when they -- so 12 whoever is sitting in as the general officer 13 for DMPM has been delegated by the Army G-1 to 14 be the signatory on that. 15 Q. Then in this, going back to, I 16 think it's Exhibit 9, the declaration, it says, 17 soldiers living with HIV, quote, may not be 18 operationally deployed unless a waiver has been 19 granted by the applicable com -- Combatant 20 Command, COCOM, in consultation with the COCOM's 21 surgeon; is that correct? 22 A. Correct. 23 Q. Can you explain the difference for me 24 between the process for applying for an ETP and 25 the process of applying for the waiver described	Page 192 1 that can definitively say I -- the Army G-1 will 2 not approve this. It at least needs to make it 3 there, and then they need to say, we can't 4 approve this, because it falls under the -- the 5 instruction and we don't have the authority. 6 Q. So when you say you would put the 7 packet together and process it, you would 8 process it within the Army -- 9 A. Mm-hmm. 10 Q. -- and get that denial, if you will, 11 because there's not the authority, and then at 12 that point you would elevate it over to the 13 Department of Defense? 14 A. No. I would -- I would -- it goes 15 back to the service member. 16 Historically, if I know that what 17 they're requesting is outside of what we can do, 18 and I am involved in it in the beginning, I may 19 tell them I will process this for a response, 20 and I will ask them to familiarize themselves 21 with the policies and the directives, the -- the 22 DODIs that go along with the request. 23 Q. And then do you advise them after 24 either you tell them that or -- or you process 25 it, do you tell them that they need to submit
Page 191 1 here? 2 MR. NORWAY: Objection; scope. 3 You may answer to the extent you can. 4 THE WITNESS: The deployment waiver 5 falls under a Department of Defense Instruction. 6 The exception to policy falls under AR 600-110. 7 BY MR. SCHOETTES: 8 Q. So in that -- in the case of a waiver, 9 they would make the request not to you, but to a 10 different part of the Department of Defense? 11 A. I have -- I have received a request 12 for a deployment, but, again, even if it goes 13 through our process it's going to have to go up, 14 because the Department of the Army doesn't have 15 the authority to approve it. 16 Q. So you might review that request 17 that you received for a waiver to deploy, but, 18 ultimately, that decision would then need to be 19 elevated to the Department of Defense for a 20 final decision? 21 A. Well, because everything is done at 22 a certain level, I would go ahead and put that 23 packet together, and I would process that packet 24 through the steps and get a response, because 25 I -- I'm not -- I am not sitting in the seat	Page 193 1 this through a different channel? 2 A. I do not. I -- I recommend to them 3 that -- that they might want to review the DODI 4 and consider using the DODI as a guideline to 5 make their request. 6 Q. Okay. Going back to your declaration, 7 you make the statement that, I am aware of 8 multiple soldiers who have been granted COCOM 9 waivers to deploy. 10 MR. NORWAY: Objection; scope. 11 You may answer. 12 THE WITNESS: Yes. I said that. 13 Is that the question? I'm sorry. 14 BY MR. SCHOETTES: 15 Q. Yes. No, it is. That was just a 16 baseline. 17 So are you -- is it -- are you saying 18 that you're aware of soldiers living with HIV 19 who have been granted COCOM waivers to deploy? 20 MR. NORWAY: Objection; scope. 21 THE WITNESS: Yes. 22 BY MR. SCHOETTES: 23 Q. And how did you become aware that 24 soldiers living with HIV have been granted 25 waivers to deploy?

Page 194 1 MR. NORWAY: Objection; scope. 2 You may answer. 3 THE WITNESS: Excuse me. 4 Because working as a public health 5 nurse, as I said earlier, all positive tests 6 come through us. And the first one that I 7 became aware of was because I received the -- I 8 received the test result and, of course, as 9 part of that process, I'm going to see if the 10 individual has ever had a positive test, and I 11 couldn't find any previous tests. So I made an 12 attempt to contact the individual and couldn't 13 locate the individual. So in order to find an 14 individual, you find their command. So I found 15 their command, and their command was -- was a 16 special forces command. And they -- they were 17 aware, and there are certain things I can't see, 18 and so they advised me they were aware and they 19 would address it. And the -- and the individual 20 was -- 21 BY MR. SCHOETTES: 22 Q. Okay. But you say that there are 23 multiple, so this -- 24 A. The other two -- 25 Q. -- there's been more than one?	Page 196 1 because I can't see those records. 2 BY MR. SCHOETTES: 3 Q. Okay. Do you know anything about how 4 that individual was being provided with their 5 HIV-related treatment? 6 MR. NORWAY: Objection; scope. 7 You may answer. 8 THE WITNESS: I don't know how that 9 individual, specifically, was being provided, 10 no. 11 BY MR. SCHOETTES: 12 Q. Or what about the other two 13 individuals of which you're aware that deployed? 14 MR. NORWAY: Objection; scope. 15 THE WITNESS: Still I don't know. 16 BY MR. SCHOETTES: 17 Q. Okay. 18 A. I -- I should -- I would like to add 19 something in here, though. Special forces is a 20 little bit different. They have an indigenous 21 medical asset, that's usually a physician's 22 assistant that is with them, or somewhere in the 23 area that they are. So, you know, that -- that 24 would -- 25 Q. All right. So that's not unique to
Page 195 1 MR. NORWAY: Objection; scope. 2 You can answer. 3 THE WITNESS: The other two were 4 simply, because, as the public health nurse, 5 you work with a lot of the providers. And when 6 these discussions come up -- and I have -- I did 7 have a -- at one point in time I remember a 8 conversation where one of the providers had 9 stated that there were at least two waivers 10 that they had done for special forces assets. 11 BY MR. SCHOETTES: 12 Q. So they were all in the context of 13 special forces, the -- 14 A. The ones -- 15 Q. -- the people that you know were 16 deployed with a waiver? 17 A. The ones that I am aware of. 18 Q. And do you know, then, if they were 19 deployed into combat situations? 20 MR. NORWAY: Objection; scope. 21 You may answer. 22 THE WITNESS: I don't know. I 23 know that the one that I was tracking, trying 24 to locate, was -- was deployed downrange at -- 25 at the time. And that's the most that I know,	Page 197 1 special forces, but, at a minimum, the special 2 forces units have that PA? 3 A. They have a -- 4 MR. NORWAY: Objection; scope. 5 You may answer. 6 THE WITNESS: They have a PA 7 assigned to their unit. It may not be -- he or 8 she may not be sitting in the same place they're 9 sitting. I don't know about that. But I know 10 that there will be one assigned to a special 11 forces unit. 12 BY MR. SCHOETTES: 13 Q. Okay. Yeah. Let's continue on here. 14 So this paragraph on -- let's see, I'm looking 15 now at Paragraph 5, discusses guidance set forth 16 in a memorandum on February 14th, 2018, entitled 17 DOD Retention Policy for Non-deployable Service 18 Members; is that correct? 19 A. Yes. 20 Q. Have you heard this policy guidance 21 referred to as the deploy or get out policy? 22 A. Yes. 23 Q. Under that guidance, service members 24 who have been non-deployable for more than 25 12 consecutive months, for any reason, with the

Page 198 1 exception of pregnant and postpartum personnel, 2 will be processed for involuntary separation or 3 disability processing; is that correct? 4 MR. NORWAY: Objection. 5 Mischaracterizes the policy. 6 You may answer. 7 MR. SCHOETTES: It mischaracterizes 8 the policy, or it mischaracterizes the current 9 state of the -- the -- the instruction? Because 10 I wasn't asking about the instruction, I was 11 asking about what -- the policy that was issued 12 on 2 -- February 14th says. 13 MR. NORWAY: The policy memo? 14 MR. SCHOETTES: Yes. 15 MR. NORWAY: Okay. Okay. 16 MR. SCHOETTES: So do you withdraw 17 that objection? 18 MR. NORWAY: Yes. 19 THE WITNESS: And -- and the policy 20 memo did state that. 21 BY MR. SCHOETTES: 22 Q. Okay. Under this guidance from the 23 February 18th memorandum, would soldiers living 24 with HIV have been subject to involuntary 25 separation or disability processing?	Page 200 1 but -- so to say that they would have been 2 subject to separation, based on just this 3 section, I think, is -- is a bit of a reach, 4 because it would have been based on, as the 5 services moved forward with writing their 6 memorandums, how that memorandum -- because 7 it did say in there that -- that it could be 8 -- there could be a -- I don't know if it was 9 listed as a waiver or as an exception to policy, 10 I don't remember in there, for circumstances. 11 But that was -- that would be decided 12 by the -- I think the secretary of whatever 13 service it was, I think, is what was written in 14 there, okay? But you're asking me to remember 15 something that I -- I can't readily access. 16 Regardless, it -- you know, the 17 essence was there -- there was still latitude 18 there for various disease processes to be 19 assessed and retained. 20 MR. SCHOETTES: Yeah. We'll stop 21 there. 22 So let's now pull out -- we'll mark 23 this -- oh, actually, this one? Is it that one? 24 And so it is. 25 THE REPORTER: Number 10.
Page 199 1 MR. NORWAY: Can you repeat the 2 question, please? 3 BY MR. SCHOETTES: 4 Q. Yeah. Under the February 14th policy 5 memorandum, would soldiers living with HIV have 6 been subject to involuntary separation or 7 disability processing? 8 A. Well, first let me -- 9 MR. NORWAY: I would -- 10 THE WITNESS: I'm sorry. 11 MR. NORWAY: I guess it's -- 12 objection; speculation. I'm not sure -- well, 13 you can answer, if you can. 14 THE WITNESS: Okay. 15 First, this would have been a 16 higher-level directive, and -- and the way that 17 other content in there were written, it -- it 18 allowed some latitude. And I don't have the 19 document in front of me, so I can't tell you the 20 exact verbiage. I did have it in front of me 21 when we started today, but it -- it -- it spoke 22 more to -- it -- it gave a little broader brush 23 stroke for the services to determine how all of 24 this was sorted. And, again, I can't tell you 25 the specifics, because I'm not looking at it,	Page 201 1 (Lute Deposition Exhibit No. 10, a 2 document titled Department of Defense 3 Instruction 1332.45, was marked.) 4 BY MR. SCHOETTES: 5 Q. So in the declaration, you can keep 6 the declaration in front of you, as well, but 7 we've just marked Exhibit 10. Do you -- do you 8 recognize Exhibit 10? 9 A. Yes. 10 Q. And what is it? 11 A. It's the Department of Defense 12 Instruction 1332.45. 13 Q. And in your declaration you indicate 14 that -- that this instruction, 1332.5 -- 45, 15 rescinded the February 18th memo; is that 16 correct? 17 MR. NORWAY: Objection; scope. 18 You may answer, if you know. 19 THE WITNESS: Yes. I did indicate 20 that in my memo. 21 BY MR. SCHOETTES: 22 Q. And then you further state that 23 this instruction does not require the Army to 24 refer non-deployable soldiers into disability 25 processing or initiate their separation, and,

Page 202 1 thus, does not supersede the Army's policy 2 described in Paragraph 3 above; is that correct? 3 A. Yes. 4 Q. You go on to say in your declaration 5 that the DODI requires the Army to conduct 6 retention reviews of non-deployable soldiers, 7 beginning on October 1st, 2018, to determine 8 whether a member should be retained without 9 further processing or referred to disability 10 processing or the initiation of administration 11 -- administrative separation; is that correct? 12 A. Yes. 13 Q. Has the Army begun conducting 14 retention reviews of non-deployable soldiers? 15 A. I, honestly, can't speak to anything 16 other than the HIV piece, because I don't know 17 if they've started the process with other. 18 Q. Okay. 19 MR. NORWAY: And that's -- objection 20 to scope. That's one of the policies that we 21 limited to just the HIV. 22 MR. SCHOETTES: Right. 23 BY MR. SCHOETTES: 24 Q. Okay. You go on to indicate that the 25 Army is currently conducting a policy review	Page 204 1 exhibits in front of me now. 2 BY MR. SCHOETTES: 3 Q. All right. You have this document in 4 front of you, Exhibit 11. Do you recognize this 5 document? 6 A. I do. 7 Q. And what is it? 8 A. It is Army Directive 2018-22, 9 Retention Policy for Non-deployable Soldiers. 10 Q. So is that the memorandum that -- to 11 which you were just referring about how the Army 12 is going to implement 1332.45? 13 A. I believe there is another document 14 that came out. Is this the one that I'm looking 15 for? This was a one-page. 16 Q. So -- so it may not be the document to 17 which you're referring, but do you recognize -- 18 A. I -- I do recognize this document. 19 Q. -- what this document is? 20 A. Yes. 21 Q. And it is, indeed, the Retention 22 Policy for Non-deployable Soldiers within the 23 Army; -- 24 A. Yes. 25 Q. -- is that correct?
Page 203 1 in order to determine how to best implement 2 the directives in the DODI, referring to DODI 3 1332.45; is that right? 4 A. Yes. 5 Q. And has the Army then issued 6 regulations or guidance implementing the 7 policy set forth in DODI 1332.45? 8 A. Yes. There was a memo, and I 9 -- again, I had that when I came in, and I don't 10 have it anymore, but it was a memo as to how 11 the Army would, indeed, implement. And it was 12 -- there was also a memo that was specific to 13 the HIV population. 14 Q. All right. So -- 15 MR. NORWAY: Scott, I have the memo 16 here, if you want that. 17 MR. SCHOETTES: I've got it, -- 18 MR. NORWAY: Okay. 19 MR. SCHOETTES: -- I think. 20 We're going to mark another exhibit, 21 11. 22 (Lute Deposition Exhibit No. 11, a 23 document Bates Numbered US00006912 through 6919, 24 was marked.) 25 MR. SCHOETTES: I've got too many	Page 205 1 A. Yes. 2 Q. And in -- on Page 2 in Paragraph D 3 it says, soldiers found to be deployable with 4 limitations are exempt from this paragraph. 5 Do you see that under D? It would 6 be -- 7 A. Yes. 8 Q. -- 6D. 9 A. Yes. 10 Q. Does that mean just that paragraph, 11 Paragraph D? 12 MR. NORWAY: Objection to form. 13 You can answer. 14 THE WITNESS: It's -- it states 15 they're exempt from this paragraph. 16 BY MR. SCHOETTES: 17 Q. And by the way you read this, that 18 would be Paragraph D? 19 A. Yes. Unless there's an exception to 20 policy. 21 Q. Okay. Would you look to Page 3, -- 22 A. Mm-hmm. 23 Q. -- let's see, i(2). 24 A. Mm-hmm. 25 Q. And this -- in this section it

Page 206 1 refers to maintaining medical readiness through 2 prescribed health encounters; e.g., periodic 3 health assessment, annual dental exam and 4 medical screenings are key components of 5 identifying and correcting non-deployable 6 conditions. 7 How often does a periodic health 8 assessment occur? 9 A. It's an annual occurrence. 10 Q. So, obviously, the dental exam is also 11 annual, and then do you know what this medical 12 screenings is referring to in this document? 13 MR. NORWAY: Objection to form. 14 You may answer. 15 THE WITNESS: Medical screenings, 16 historically and generally, would be labs 17 that are required during your period -- periodic 18 health assessment, and those labs might vary 19 depending on your age. As you get older, they 20 want you to have more labs done, and they want 21 you to have an EKG done. So those would be 22 medical screening processes. 23 BY MR. SCHOETTES: 24 Q. Are soldiers required to be seen by 25 a medical provider more than once a year, or	Page 208 1 their labs are correct and -- and they don't 2 need a change in their insulin or there's no 3 complicating processes, whatever the case may 4 be. 5 Q. Are insulin-dependent diabetics 6 permitted to deploy? 7 MR. NORWAY: Objection. Outside the 8 scope. You may answer, if you know. 9 THE WITNESS: To the best of my 10 knowledge, they are not. 11 Now, there is a waiver for -- there's 12 a -- you can request a waiver for things. I -- 13 I -- but that's all I would know about that. 14 MR. SCHOETTES: Okay. 15 THE WITNESS: I don't know if there's 16 ever been any granted or anything. 17 BY MR. SCHOETTES: 18 Q. Okay. Let's return to Page 1 of this 19 document. 20 MR. NORWAY: And, Scott, what is this 21 document? 22 MR. SCHOETTES: I'm sorry. I'm still 23 on Exhibit 11, -- 24 MR. NORWAY: Thank you. 25 MR. SCHOETTES: -- which is the Army
Page 207 1 is this the, sort of, minimum requirement for a 2 soldier, -- 3 MR. NORWAY: Objection. 4 BY MR. SCHOETTES: 5 Q. -- an annual periodic health 6 assessment? 7 MR. NORWAY: Objection to form. 8 You may answer. 9 THE WITNESS: As a general rule, 10 soldiers are only required to be seen one time 11 a year, and then I caveat that by saying, as 12 stated in AR 600-110, that population is 13 required to be seen, at a minimum, twice a year. 14 BY MR. SCHOETTES: 15 Q. You're talking about people living 16 with HIV -- 17 A. Yes, -- 18 Q. -- when you say that population? 19 A. -- that population, the population 20 identified in AR 600-110. 21 There are other disease processes that 22 the standard of practice will require certain 23 intervals to be seen; for example, diabetics 24 have to be seen at a certain interval, if 25 they're insulin-dependent, to make sure that	Page 209 1 Directive 2018-22. 2 MR. NORWAY: Okay. 3 MR. SCHOETTES: And the Paragraph 4 4 says, soldiers are considered deployable unless 5 they have a service-determined reason that 6 precludes them from deployment. To be 7 deployable, soldiers must meet the following 8 criteria: One, the soldier is administratively, 9 legally and medically cleared for employment in 10 any environment in which the Army is operating 11 or could operate. 12 So that seems like a pretty broad 13 catchall, sort of, requirement, that they must 14 be administratively, legally and medically 15 cleared. 16 MR. NORWAY: Object -- 17 BY MR. SCHOETTES: 18 Q. Is it your understanding that those 19 are different clearances, administratively, 20 legally and medically? 21 MR. NORWAY: Objection to form. 22 You may answer. 23 THE WITNESS: Yes. 24 BY MR. SCHOETTES: 25 Q. Number 2 seems to track something

Page 210 1 we've talked about previously that is -- appears 2 in AR 600-110, which is whether a soldier can 3 operate in austere areas, or areas that 4 regularly experience significant environmental 5 conditions, that would exacerbate existing 6 medical conditions. Is that -- 7 A. I do not believe that -- and I'd have 8 to -- I'd have to look. I'm sorry. We've seen 9 a lot of documents. They're all, -- 10 Q. Yeah. 11 A. -- kind of, starting to run together. 12 But I do not believe that AR 600-110, 13 specifically, speaks to austere environments. 14 I know it speaks to deployment, and it may say 15 deployment to austere environments. But at this 16 point I can't tell you that it, specifically, 17 states that. It would be designed to ensure 18 that a soldier deploying to what would then be 19 characterized as an austere environment was -- 20 that we were looking out for the best interest 21 of the soldier, and -- 22 Q. Right. So if not in 600-110, we agree 23 that this same concept is found in DODI 6130.03? 24 MR. NORWAY: Objection to form. 25 You may answer.	Page 212 1 A. I -- I think that would be a very 2 fluid thing, because I would think it would 3 depend on what the assigned mission was, or 4 -- or what the warrior tasks were for that 5 particular assigned mission. 6 Q. Okay. Can you give me an example of 7 a -- a warrior task that a person living with 8 HIV would not be able to -- would not be capable 9 of executing? 10 A. I can't, because I don't know what 11 -- what is being -- what their definition of 12 a warrior task is. I mean, -- 13 Q. Okay. 14 A. -- if it's -- if a warrior task is 15 considered being worldwide deployable, then 16 we'll go back to one, you know, so ... 17 Q. And then Number 5, the soldier 18 can operate while wearing body armor, helmet, 19 eye protection, gloves and/or chemical or 20 biological protective equipment, do you know 21 of any way in which HIV would inhibit a 22 soldier's ability to operate while wearing 23 any of those things? 24 A. None that I'm aware of. 25 MR. SCHOETTES: Okay. I'm going to
Page 211 1 THE WITNESS: I do believe that this 2 is found in -- in the DODI. And -- and remnants 3 of this are -- or, in essence of this, is -- is 4 in AR 600-110. It's just different verbiage, 5 because it deals with a different concept. 6 BY MR. SCHOETTES: 7 Q. Okay. The soldier can carry and 8 employ a -- an assigned weapon. I think this 9 is the first time I've seen that in any of the 10 documents that we've been looking in, but that 11 is not a person issue for a person living with 12 H -- with HIV, is it? 13 MR. NORWAY: Objection to form. 14 THE WITNESS: Are you asking me that 15 question? 16 BY MR. SCHOETTES: 17 Q. Is a -- yes, I'm asking you, is a 18 person living -- does HIV implicate the third 19 consideration here as to whether someone is 20 deployable? 21 A. I -- I can think of no reason. 22 Q. Okay. Similarly, is there anything 23 about, the soldier is capable of executing all 24 individual warrior tasks for his or her assigned 25 mission? Is -- does HIV implicate that?	Page 213 1 hand you another document that -- oh, no, 2 actually, let's see. Can we go to -- can we 3 mark that as an exhibit? 4 THE REPORTER: Number 12. 5 (Lute Deposition Exhibit No. 12, a 6 one-page Memorandum dated 9 November 2018, 7 signed by Marshall M. Williams, was marked.) 8 BY MR. SCHOETTES: 9 Q. And we've marked this as Exhibit 12. 10 Do you recognize this document? 11 A. I do. 12 Q. What is it? 13 A. It's a characterization of 14 HIV-positive soldiers' deployable status for 15 the purpose of calculating non-deployable time. 16 Q. And what's the date on this document? 17 A. 9 November 2018. 18 Q. And that is dated just a day after 19 the previous Exhibit 10, correct, which is dated 20 November 8th? 21 A. That is correct. 22 Q. And what does this document tell us, 23 Exhibit 11 [sic]? 24 MR. NORWAY: Objection; vague. 25 You may answer, if you can.

Page 214 1 THE WITNESS: Well, the essence of 2 this is to clarify that soldiers with -- with 3 HIV, as we discussed earlier, are actually 4 considered deployable with limitations, based on 5 the V Code, and that limitation is, generally, a 6 geographical limitation. 7 BY MR. SCHOETTES: 8 Q. And what are the ramifications of that 9 within the context of 1332.45? 10 MR. NORWAY: Objection; vague. 11 You can answer. 12 THE WITNESS: I'm not actually 13 sure I understand what you're asking me. 14 BY MR. SCHOETTES: 15 Q. So is a person -- if a person is 16 characterized as deployable with limitations, -- 17 A. Mm-hmm. 18 Q. -- will they be subject to the 19 retention reviews called for in 1332.45? 20 A. Based on, I think it's -- I think it's 21 3.3 in here, it clearly states in that document 22 that deployable with limitation of those service 23 members with medical condition that require 24 additional medical screening or Combatant 25 Command approval prior to deployment outside the	Page 216 1 I'm not sure how it's listed in that particular 2 DODI. 3 MR. SCHOETTES: Do you have 6490 for 4 me? 5 (Lute Deposition Exhibit No. 13, a 6 document titled Department of Defense 7 Instruction Number 6490.07, was marked.) 8 THE REPORTER: Number 13. 9 BY MR. SCHOETTES: 10 Q. So I'll get you to the section 11 that I think is relevant. Have you had 12 a chance to look at this document, and do 13 you recognize it? 14 A. I do. 15 Q. And what is it? 16 A. It's DODI 6490.07, Deployment-Limiting 17 Medical Conditions for Service Members and DOD 18 Civilian Employees. 19 Q. If you will look to Enclosure 3 -- 20 A. Mm-hmm. 21 Q. -- and, in particular, Page 11, -- 22 A. Mm-hmm. 23 Q. -- it refers to infectious disease 24 under Paragraph E. 25 A. Okay.
Page 215 1 continental United States will be characterized 2 as deployable with limitations. This includes, 3 but is not limited to, conditions referenced 4 in 6490.07. 5 So this is clarifying that this 6 population, HIV-positive service members, are 7 coded with a V Code, and it reflects that they 8 are deployable with limitations. 9 Q. Okay. 10 A. So by this they would not be 11 considered a non-deployable asset but a -- an 12 asset that would require additional medical 13 screening or Combatant Command approval. 14 Q. So I'm glad that you brought us to 15 that section of 3.3 of the -- of DODI 1332.45. 16 It says here that the conditions described 17 include, but are not limited to, conditions 18 referred to in DODI 6490.07; is that correct? 19 A. That is correct. 20 Q. And HIV is one of the conditions 21 referred to in DODI 6490.07? 22 MR. NORWAY: Objection; vague. 23 THE WITNESS: I -- I -- I don't know 24 if it's listed as -- as HIV in that particular 25 DODI or if it's listed as autoimmune disorder.	Page 217 1 Q. And then Paragraph e(2) it lists, a 2 diagnosis of human immunodeficiency antibody 3 positive with the presence of progressive 4 clinical illness or immunological deficiency, 5 do you see that? 6 A. I do. 7 Q. And it says, the cognizant Combatant 8 Command surgeon shall be consulted in all 9 instances of HIV seropositivity before medical 10 clearance for deployment. 11 A. Yes. 12 Q. So, indeed, HIV is listed in -- 13 A. It is, spe -- 14 Q. -- 6490.07? 15 A. -- specifically, as -- as HIV, yes. 16 Q. And then, pursuant to Section 3.3 of 17 1332.45, that would make it a condition that is 18 considered deployable with limitations; is that 19 correct? 20 A. Given that this DODI states that a 21 waiver can be requested, yes. 22 Q. Help me out just a little bit here 23 with the exhibit I just handed you, 6490.07. 24 It talks about a diagnosis of human -- human 25 immunodeficiency antibody positive with the

Page 218 1 presence of progressive clinical illness or 2 immunological deficiency, -- 3 A. Mm-hmm. 4 Q. -- that you indicated earlier would 5 involve someone who was -- had a secondary 6 illness or had -- was otherwise not compliant 7 with their medication, perhaps, their treatment 8 regimen, and was seeing the effects of that 9 noncompliance. 10 A. Mm-hmm. 11 Q. And yet the very next sentence says 12 that the Combatant Command shall be consulted in 13 all instances of HI -- HIV seropositivity. 14 A. Mm-hmm. 15 Q. So there seems to be, to me, some 16 discrepancy there between are we talking about 17 people who have a progressive clinical illness 18 or immunological deficiency as a result of their 19 HIV, or are we addressing all people who are HIV 20 positive? 21 MR. NORWAY: Objection to scope. 22 Objection to form. She can testify to the 23 extent that she can talk about the Army policy. 24 BY MR. SCHOETTES: 25 Q. So do you know if the Army -- let	Page 220 1 clearance or deployment, that's referenced 2 in the HIV DODI, and that speaks to the fact 3 that there will be geographical limitations or 4 potential risks. So the requirement is stated 5 in that policy that it must be approved by 6 the Combatant Commander, which is why they -- 7 they're all going to have to be reviewed. Can 8 someone be safely placed at that geographical 9 location and does the SOFA allow and does the 10 country allow, or whatever the case may be. 11 Q. So just to clarify in getting back 12 to, I think, your area of -- of greatest 13 expertise, AR 600-110, -- 14 A. Mm-hmm. 15 Q. -- as you stated previously, that 16 document categorically stated that everyone 17 living with HIV was non-deployable, even though 18 it operated with this possibility of someone 19 being able to deploy to certain geographical 20 regions based on a waiver; is that correct? 21 A. AR 600-110 categorizes persons with 22 HIV as being a non-deployable asset. And, 23 again, we've already been through that the 24 non-deployable is -- they -- they -- in order 25 for someone to be a deployable asset,
Page 219 1 me rephrase. Maybe this will help. 2 Does the Army consider everyone 3 living with HIV non-deployable absent a waiver 4 regardless of whether they have the presence of 5 progressive clinical illness or immunological 6 deficiency? 7 A. The Army considers all assets, as 8 we already discussed, as non-deployable, again, 9 with a V Code that indicates deployable with 10 geographical limitations, which would require 11 an additional assessment. It would also require 12 that it go up to Department of Defense for that 13 decision. 14 Q. And when you said all assets, did you 15 mean all assets with HIV? 16 A. Yes. Because that's what AR 600-110 17 is in reference to, correct. 18 Q. Okay. 19 A. And if I could just clarify, this 20 really is -- there -- there are, kind of, two 21 different statements that have been put into one 22 paragraph. 23 The -- the piece for the cognizant 24 Combat Command surgeon shall be consulted in all 25 instances of HIV seropositivity before medical	Page 221 1 they have to be set and ready to go, okay, but 2 they're not deployable because there would have 3 to be additional steps taken to make that asset 4 able to deploy. 5 Q. And is it fair to say that the 6 Army has had to adjust a little bit given the 7 categories that are described in DODI 1332.45, 8 which draw a distinction between non-deployable 9 and deployable with limitations; is that 10 correct? 11 A. No. Since -- since I have 12 been sitting in this seat, if an individual 13 requests a -- to deploy, I am very aware that 14 HIV-positive persons are coded with a V Code, 15 and that 40-501 very clearly states that that V 16 Code means they are deployable with geographical 17 limitations, okay? 18 So having said that, by the way, the 19 entire -- you know, the entire time I've been 20 sitting in this seat, if somebody submits a 21 packet for that, which, quite frankly, until 22 recently I've not had a request to deploy, but 23 that would go forward, just like every other 24 packet, and I would refer them to the DODI 25 so that they would have the knowledge that they

Page 222 1 needed to know where they -- where they actually 2 needed to go for that level of approval. 3 Q. Is the Army still going to classify 4 people living with HIV -- so let's look to 5 1332, again, and -- on Page 7, and it says, the 6 military departments will monitor and track the 7 number of service members by military service 8 that are, one, non-deployable, and then it says, 9 in accordance with the categories established in 10 Paragraphs 3.5 and 3.6 of this in -- issuance, 11 and, then, two, deployable with limitations in 12 accordance with Paragraph 3.3 of this issuance. 13 Where are people living with HIV going 14 to be -- how are they going to be categorized 15 under this DODI? 16 A. They're still going to be categorized 17 as deployable with limitations, and that 18 limitation would be geographical limitations. 19 Q. So they're not going to be categorized 20 under this as non-deployable? 21 A. Again, as we've discussed earlier, 22 this becomes a thing of semantics, because 23 the Army says they are non-deployable because 24 they're not an asset that's ready to move. They 25 can't -- I can't pack their bag today and send	Page 224 1 coding that applies in 40-501 is specific to 2 medical circumstances. It's a -- it's a code 3 that's put on -- and I don't -- there's probably 4 codes that are put on for administrative 5 restrictions. I just don't have eyes on that. 6 But when you look at the dep -- the -- 7 the readiness process as a whole, and if I want 8 to know if my unit is ready, anybody that's not 9 ready to put their boots on the ground is 10 considered non-deployable. Again, it doesn't 11 matter if it's because they're HIV positive and 12 they require an additional waiver or must go 13 through some kind of process, or if it's 14 because, I don't know, they -- they didn't 15 get their PHA done, they didn't get their labs 16 drawn, they didn't get whatever else may be 17 indicated, and they become a -- they -- they 18 are flagged in our tracking system as a 19 non-deployable asset. 20 Q. So I think I -- think I understand, -- 21 A. Okay. 22 Q. -- although it is, I think, confusing 23 given the semantics and what this instruction 24 says. I want to refer you to Paragraph -- Page 25 12.
Page 223 1 them out. There's a process that must occur 2 before they become deployable. So they are 3 deployable with geographical limitations, 4 or someone may be deployable with some other 5 limitation, but AR 600-110 lists them as 6 non-deployable, because the Army considers an 7 asset that is not ready to hit boots on the 8 ground as soon as you're notified as 9 non-deployable. 10 Somebody that hasn't completed their 11 PHA or their dental, or whatever else may be 12 required, is flagged as non-deployable, okay? 13 That -- that issue, whatever that issue is, has 14 to be fixed to be considered deployed. 15 Q. I understand, and I understand -- 16 you're saying it's semantics, but I think 17 semantics are important here, because that's, in 18 part, what this is about, whether or not someone 19 is classified as non-deployable or deployable or 20 deployable with limitations. And -- and so what 21 I hear you saying now is that someone can be 22 simultaneously deployable with limitations and 23 non-deployable. 24 A. Yes. See, in my mind, they're -- 25 they're kind of different things. Because the	Page 225 1 A. Oh, which one are we on? 2 Q. We are on the DODI 1332.45. 3 A. Okay. 4 Q. And I want to refer you to Para -- 5 Page 12, -- 6 A. Mm-hmm. 7 Q. -- Paragraph 3.8, which says, service 8 members will be counted only once in a single 9 category. And so I'm not quite understanding 10 how the Army intends to implement this given 11 that it is still calling people living with 12 HIV in AR 600-110 non-deployable, while, 13 under its new memorandum, it is calling them 14 deployable with limitations. So if you could 15 help me understand which one is there going to 16 be counted as for purposes of 1332.45, that 17 would be helpful. 18 MR. NORWAY: Objection to form, and, 19 Scott, can you identify the exhibits that you're 20 referring to? 21 MR. SCHOETTES: I don't know if I have 22 exhibit numbers on them, but I can try. It's 23 the last three exhibits that we've been looking 24 at. 25 MR. NORWAY: So 12 --

Page 226 1 MR. SCHOETTES: So 12 and 11 and 10. 2 THE WITNESS: Okay. So in -- in 3 12 that you handed me, it tells me that the -- 4 the soldier's MEDPROS records will be updated 5 with a V Code for deployment restrictions 6 (solely to reflect positive tests for HIV) 7 will not be used as an initial date of 8 non-deployability for the purpose of counting 9 non-deployable time. Non-deployable time 10 will still be counted if soldiers have another 11 underlying legal, administrative or medical 12 reason. 13 So the code is -- they're already 14 coded as a V, so I think it's a matter of making 15 it a recognized and standard process as to which 16 category they will be counted in, which I think 17 is your question. 18 BY MR. SCHOETTES: 19 Q. Right. Because -- because Paragraph 2 20 says, they will be categorized as deployable 21 with limitations. 22 A. Mm-hmm. 23 Q. So I guess we can -- would it be 24 wise to -- when AR 600-110 is revised, will 25 it be revised to reflect that, rather than	Page 228 1 past it. I can't seem to find it right now. 2 If I can find it later, I will refer to -- we'll 3 come back to it. 4 That's that. That's that. That's 5 that. Let's go on to the next document. 6 Yeah. This one. 7 (Lute Deposition Exhibit No. 14, a 8 document Bates Numbered US00025937, was marked.) 9 THE REPORTER: Number 14. 10 BY MR. SCHOETTES: 11 Q. Do you recognize this document that 12 we've just marked as Exhibit 14? 13 A. Yes. 14 Q. What is this? 15 A. This is an update to the Secretary of 16 the Army from the Office of the Surgeon General. 17 Q. If you'll look to the third paragraph 18 there, it states that DODI 1332.45, Paragraph 3, 19 now requires that asymptomatic HIV-positive 20 service members be categorized as deployable 21 with limitations. 22 Do you see that? 23 A. I do see that. 24 Q. Army policy established in AR 600-110 25 conflicts with this new requirement. Do you see
Page 227 1 non-deployable, people living with HIV are 2 deployable with limitations? 3 MR. NORWAY: Objection. The 4 recommendations that -- that are going through 5 the process for the revision of AR 600-110 6 would be privileged by the Deliberative Process 7 Privilege, and it's also outside the scope for 8 her testimony. 9 THE WITNESS: They're -- they're 10 already coded with a V Code. 11 BY MR. SCHOETTES: 12 Q. Okay. And a V Code to you indicates 13 that they're deployable with limitations? 14 A. Yes, sir. 15 Q. Okay. All right. Let me get myself 16 back on track here. 17 Oh, before we go away from 1332, 18 somewhere in this document, 1332.45, it states 19 that people who are considered deployable 20 with limitations will not be subject to the 21 retention reviews, and I'm just looking for 22 where that place is. 23 I'm sorry. I don't have it marked 24 here. 25 All right. We're going to move on	Page 229 1 that? 2 A. I do see that. 3 Q. And then it says, the Office of 4 Surgeon General is coordinating with the G-1 on 5 a proposed revision to AR 600-110 that will, and 6 then it's all redacted. 7 Do you see that? 8 A. I do see that. 9 Q. Are you the person within the G-1 10 with whom the office of the Surgeon General was 11 coordinating on this? 12 A. The -- the person that they were 13 coordinating for the proposed revision of AR 14 600-110? 15 Q. That will accomplish whatever is 16 blacked out here. 17 A. Yes. 18 Q. Do you know what is blacked out here? 19 A. No. 20 Q. You don't know, or you are with -- not 21 answering based on Deliberative Process 22 Privilege? 23 A. Well, it should probably be both, but, 24 honestly, I don't know, -- 25 Q. Okay. Nope, that's -- that's --

Page 230 1 A. -- because it's not my memo, so I 2 don't remember. 3 Q. Okay. But you are the person that -- 4 with whom they were coordinating about this? 5 A. Yes. 6 MR. SCHOETTES: Okay. All right. 7 I think maybe that's it on that. And it was 8 -- wait, did you find where it was? 9 I was looking for where this document 10 was referred to in here. 11 It is? Okay. Thank you. 12 BY MR. SCHOETTES: 13 Q. Okay. Is it your understanding that 14 AR 600-110 will be revised to eliminate this 15 conflict that's described in Exhibit 14? 16 MR. NORWAY: I'm going to object. The 17 question calls for the -- I recall this morning 18 an answer that includes a recommendation that 19 has been made during an ongoing revision policy 20 process that's deliberative in nature. I'll 21 instruct the witness not to answer. 22 BY MR. SCHOETTES: 23 Q. Are you going to follow your counsel's 24 advice? 25 A. I'm going to follow my counsel's	Page 232 1 It will be Exhibit 15? 2 THE REPORTER: Fifteen, yes. 3 (Lute Deposition Exhibit No. 15, an 4 e-mail Bates Numbered US0002498 through 2500, 5 was marked.) 6 BY MR. SCHOETTES: 7 Q. Do you recognize this document? 8 A. Yes. 9 Q. What is it? 10 A. It is an e-mail between myself and Lt. 11 Col. Becker. 12 Q. And who is James Becker? 13 A. He's a reserve component officer 14 accession policy development asset. 15 Q. I'm sorry. Say that again. 16 A. He's -- according to this, he's a 17 reserve component officer accession policy 18 development. 19 Q. Okay. And that's his title? 20 A. He falls into DMPM, Department of 21 Military Personnel Management. 22 Q. Okay. 23 And in this e-mail to you, he says 24 that Ms. Wada -- who is Ms. Wada? 25 A. Well, she was in -- in charge of ASA
Page 231 1 advice. 2 MR. SCHOETTES: All right. I think 3 we're here. 4 Do we want to take a five-minute 5 break? Maybe it will help me be more organized 6 going into this final section, -- 7 MR. NORWAY: Sure. 8 MR. SCHOETTES: -- and I think we will 9 be able to bang it out more quickly if I'm more 10 organized. 11 MR. NORWAY: Thank you very much, 12 Scott. 13 MR. SCHOETTES: Thanks. 14 We'll go off the record. 15 THE VIDEOGRAPHER: Time is 2:35 p.m. 16 This completes Media Unit Number 3. We're now 17 off the record. 18 (Recess taken.) 19 THE VIDEOGRAPHER: The time is 2:46 20 p.m. This begins Media Unit Number 4. We're 21 now on the record. 22 Please proceed, Counsel. 23 MR. SCHOETTES: I'm going to hand 24 you another document we're going to mark as an 25 exhibit.	Page 233 1 MNRA. I -- she's not who's there now, so -- 2 Q. Okay. But can you -- first of all, 3 does she have a -- is she in the military? Does 4 she have a rank? 5 A. No. She's Honorable Wada. She's a 6 civilian. 7 Q. Okay. What was the acronym? 8 A. ASA MNRA. 9 Q. Is it Manpower and readiness? 10 A. Yes. Thank you. 11 Q. I don't know what the first things 12 stand for, but I got the -- the last couple of 13 letters there I was able to figure out. 14 And it says that she requests an 15 update on the current deployment policy for 16 those diagnosed with HIV. Do you see that? 17 A. Mm-hmm. 18 Q. What was the answer to the next 19 question he asked, which was when was the last 20 time we looked at the deployment policy and what 21 countries still prohibit -- prohibit SM, service 22 members, with HIV being deployed in their 23 country? 24 A. I did not actually answer that 25 question. That was deferred to somebody that --

Page 234 1 that does -- because that's kind of -- that 2 would fall more to the strategic side, as far 3 as the COCOMs, to know which countries would 4 prohibit it. I -- I didn't answer that one. 5 Q. Okay. Is goes on to provide a 6 background, and it says, an officer's accessions 7 questions has come up on the relevancy on the 8 AR 600-110 with respect to a previous request 9 for waiver. However, while not stated in the 10 service member's inquiry, AR 40-501 has a stated 11 prohibition on any waiver for accession with 12 HIV. 13 Do you see that? 14 A. I see that. 15 Q. And are you in agreement with 16 that statement, that AR 40-501 has a stated 17 prohibition on any waiver for accession with 18 HIV? 19 A. I -- I am not a subject matter on 20 accessions, and I -- 21 Q. Okay. 22 A. -- I know that it states that people 23 cannot access into the military if they are HIV 24 positive. I -- I do not know anything about the 25 waiver process for that, though.	Page 236 1 Sergeant Harrison's request for an exception to 2 policy. 3 A. Mm-hmm. 4 Q. So can you tell me what the document 5 that I've handed you is, and, actually, if you 6 would look through it and ensure for me that 7 this all belongs together, that would be 8 helpful. 9 So is this one packet or one set of 10 documents, and I believe it -- it had, perhaps, 11 tabs to it, Tab A, Tab B and Tab C. 12 A. Let me see here. 13 Okay. Yes. 14 Q. Okay. So what is this document? 15 A. This is the Exception to Policy, 16 Exception to AR 600-110, that I received 17 from -- and I actually think this was actually 18 initiated as I was incoming. So my name was 19 included on the packet because I would be the 20 person that would be there when the next person 21 departed, so ... 22 Q. When the last person departed? 23 A. Yes. 24 Q. And that was Lt. Col. Lawrence? 25 A. Correct.
Page 235 1 MR. NORWAY: And that was going to be 2 an ex -- an objection on scope. 3 BY MR. SCHOETTES: 4 Q. Okay. And then the next part 5 does say, it is the only condition that is 6 non-waiverable. 7 Do you know if that is true? 8 MR. NORWAY: Objection; scope. 9 You may answer, if you can. 10 THE WITNESS: I -- I do not know if 11 that is true. 12 MR. SCHOETTES: Okay. You can set 13 that document aside. 14 THE WITNESS: Okay. 15 (Lute Deposition Exhibit No. 16, a 16 document Bates Numbered US00025518 through 17 25540, was marked.) 18 MR. SCHOETTES: All right. I'll hand 19 you another document, and I believe we're on 20 Exhibit 16? 21 THE REPORTER: Yes. 22 BY MR. SCHOETTES: 23 Q. And we've been talking about the 24 policies, in general, with respect to people 25 living with HIV. We're now going to turn to	Page 237 1 Q. And when Lt. Col. Lawrence departed, 2 she went over to the civilian side -- 3 A. Yes. 4 Q. -- into -- can you remind me of the 5 position? 6 A. She's a nur -- 7 MR. NORWAY: Asked and answered. 8 You may answer. 9 THE WITNESS: Okay. 10 Nurse practitioner at Walter Reed, 11 yes. 12 BY MR. SCHOETTES: 13 Q. So is this what you would describe as 14 the packet for Sergeant Harrison's request? 15 A. Yes. I don't -- I mean, I don't see 16 -- I don't see the ORB or the evaluation, but 17 this would be -- yeah. 18 Q. Remind me what ORB stands for. 19 A. Officer's Record Brief, and ERB would 20 be Enlisted Record Brief. 21 Q. And so as an enlisted person, he -- 22 Sergeant Harrison would have had an ERB? 23 A. Yes. 24 Q. So that would normally be included in 25 the packet, an ERB?

Page 238 1 A. Oh, it is in here. 2 Q. Ah. 3 A. Okay. 4 Q. Okay. 5 A. And so the only thing that I don't see 6 in here would be his NCOER, which maybe when 7 this initial packet went forth it wasn't in 8 there. I don't -- I don't know. 9 Q. And that was, I'm sorry, the -- is 10 that the recommendation from his -- 11 A. An NCOER is his evaluation. 12 Q. Medical evaluation? 13 A. No. It's a personnel evaluation. 14 It's over the last 12 months, how -- how have I 15 performed as an officer or an enlisted person. 16 Q. Okay. Did you help in the preparation 17 of this packet? 18 A. Yes. 19 Q. And on this packet, what would the 20 date -- today's date indicate, the date on which 21 this was -- 22 A. That would have been when the packet 23 was -- they started to originally put the packet 24 together. 25 Q. Okay. And then the suspense date	Page 240 1 A. And I say that because, as I 2 was coming in, he was leaving, so we all 3 transitioned at once. 4 And then Colonel Reeves was the deputy 5 for Army Resiliency Directorate, and then Ms. 6 Saunders was the director. 7 So that was my chain of command in 8 order to have them review it, and, you know, 9 they review for content and process and -- 10 and such things. And then it went up to 11 Mr. Wallace, so the SES for the G-1, and 12 then on to the G-1's office. 13 Q. So Wallace would have been -- after 14 all these other people reviewed it, then Wallace 15 -- it would go to Wallace -- 16 A. Mm-hmm. 17 Q. -- as the assistant to the G-1? 18 A. Mm-hmm. 19 Q. And then it would go to the G-1, who 20 was McConville? 21 A. At the time, yes. 22 Q. And so would it be McConville who 23 would make the ultimate determination? 24 A. According to the policy, the Army G-1 25 is the asset that would make the determination;
Page 239 1 is the date by which it would be expected that 2 there would be a resolution of this request? 3 A. Yeah. It would be -- yeah. And it's 4 -- it would be an anticipated date. Because 5 each area you send it through, there -- there is 6 no specific amount of time that they can have 7 it. You -- you know, you -- you, generally, 8 put a suspense on there, and -- and they request 9 additional time, if indicated. 10 Q. Okay. On this first form, it is a -- 11 a staffing form, correct? 12 A. Yes. 13 Q. Can you identify for me and tell me 14 who each of the people are who have been staffed 15 on this, I believe it's on Page 2, the folks who 16 it would be expected will sign off? 17 A. Okay. Ms. Williams would have been 18 the chief of ARD policy, which would review 19 anything that was related to policy for our 20 directorate. 21 Q. Okay. 22 A. And division chief for ops was 23 Colonel Bigelman, and he would have been Ms. 24 Lawrence's oversight, her immediate supervisor. 25 Q. Okay.	Page 241 1 however, Lieutenant General McConville had sent 2 a memorandum advising that the -- the general 3 for -- but that was after this packet was 4 originally submitted, because I see his name 5 is still on this. So then it was -- it's -- I 6 -- because I believe the -- the -- his memo was 7 signed by General Evans, who would have been 8 DMPM, which is where that decision process 9 was -- 10 Q. Who's delegated to that position -- 11 A. Yes. 12 Q. -- in the DMPM? 13 A. Yes. 14 Q. But that delegation happened, you're 15 saying, after this packet was initiated? 16 A. I don't know when the delegation 17 occurred, quite honestly. 18 Q. Okay. Okay. 19 And then what are your 20 responsibilities as the action officer in 21 charge of a packet like this? 22 A. Well, I'm responsible for putting 23 the packet together, for formatting the approval 24 and disapproval memorandum, making sure that we 25 have an OTSG response, and then to make sure

Page 242 1 that it goes over to the JAG before I send it up 2 for a decision. 3 Q. And then after you there is -- or it 4 says SACO. What does SACO stand for? 5 A. SACO. That's your administrative 6 person. 7 Q. And is Ms. Barron your administrative 8 person? 9 A. I -- I don't have an administrative 10 person. She is the department's administrative 11 person, and she does all of our TMT staffing 12 entries, in addition to any hard packets, 13 because mine are not placed -- my packets for 14 the -- the cover sheet goes into TMT, but none 15 of the supporting document goes into TMT, so I 16 send it over as a hard packet for review. 17 Q. Okay. I think I heard you just refer 18 to the approval and disapproval memorandums? 19 A. Mm-hmm. 20 Q. And you said those were under your 21 purview? 22 A. I format a standard, it varies 23 slightly, memorandum for recommendation and 24 for approval and disapproval. 25 Q. So it's common practice, or it is	Page 244 1 Can -- can we stop for just a second? 2 Q. Sure. 3 A. Because this is the packet that was 4 initiated. This was put into play before I 5 arrived, this packet. Okay? 6 So some of this is going to have 7 things on it, and it will show my name, because 8 I was the incoming, I was going to be the person 9 holding that cup when I arrived, -- 10 Q. Mm-hmm. 11 A. -- but I needed to be clear on that. 12 So not all of this would I have been engaged 13 in. Because I'm looking at these memos and I'm 14 thinking, I don't think I drafted these two 15 memos. So I just need to be clear. 16 Q. Okay. And just to be clear from this 17 side, you are testifying as -- 18 A. Yes. I -- I understand it, -- 19 Q. -- in your official capacity -- 20 A. Yes. 21 Q. -- as the representative. So -- 22 A. Yes. 23 Q. -- if there's anything where -- that 24 you don't have personal knowledge because of -- 25 you know, even though it has your name on it, --
Page 243 1 the practice to generate both an approval and a 2 disapproval memorandum -- 3 A. Yes. 4 Q. -- with respect to each packet? 5 A. Yes. 6 Q. And so are those what the next two 7 pages, marked US00025520 and 25521, is that what 8 those are? 9 A. Yes. 10 Q. Okay. 11 A. Now, having said that, I need to 12 caveat that these are prepped. And -- and 13 when these were prepped, I'm -- I'm just sliding 14 into the seat. So I don't even know all of the 15 directives and stuff that go along with this, 16 so ... 17 Q. Okay. I'm going to -- if you 18 turn to the first page of this, which has some 19 additional information, -- 20 A. Mm-hmm. 21 Q. Well, actually, let's start with the 22 stuff under -- in Field 11, and it explains that 23 the proponent for the exception to policy is the 24 G-1; is that correct? 25 A. Yes.	Page 245 1 A. Right. 2 Q. -- you can make that clear. 3 A. Okay. 4 Q. So then a second point under Field 11 5 it says, the Office of Surgeon General Medical 6 Consultant states medical condition does impede 7 soldier commissioning in JAG Corps and executing 8 the mission; is that correct? 9 A. That is what it says. 10 Q. Can you now turn to Bates stamped 11 25522? 12 A. Mm-hmm. 13 Q. And this, indeed, is the opinion from 14 the Office of the Surgeon General regarding this 15 application? 16 A. It is. 17 Q. And, indeed, it states that it's 18 recommended to deny the exception to policy 19 request, correct? 20 A. It does. 21 Q. And it says that the consultant stated 22 that for soldiers requesting exception to Policy 23 AR 600-110, there is an increased risk of 24 associated medical conditions and side effects 25 of lifelong medication treatment, as well as

Page 246 1 deployment limitations. 2 Is that the basis for their decision? 3 A. The basis for OTSG's decision? 4 Q. Yes. 5 A. Based on this memo, I'd say yes. 6 Q. And then it goes on to say, in 7 combination with existing policy to deny 8 accession, OTSG feels that exception to policy 9 is unwarranted in this case, correct? 10 A. Correct. 11 MR. SCHOETTES: I'm going to hand you 12 another document, which we will mark as Exhibit 13 17? 14 THE REPORTER: Yes. 15 (Lute Deposition Exhibit No. 17, a 16 document Bates Numbered US00001136, was marked.) 17 BY MR. SCHOETTES: 18 Q. Do you recognize what this document 19 is? 20 A. Yes. 21 Q. And what is this document? 22 A. This is an OTSG response to the -- the 23 packet that I resubmitted based on additional 24 information that I received from the medical 25 -- from -- actually, from Mr. Harrison.	Page 248 1 documents. 2 So I -- I would suspect that, 3 given that this is a 2015 date, that there was 4 something that was submitted in 2015 to solicit 5 a response. 6 Q. Okay. And in this response, the 7 OTSG says that there is no medical restriction 8 related to the service member accepting the 9 position being offered within the parameters 10 outlined in AR 600-110; is that correct? 11 A. That is what that document says. 12 Q. So this was an -- a recommendation to 13 approve the requested exception of Mr. Harrison; 14 is that correct? 15 A. That was a recommendation to approve 16 a packet that I don't have in hand, so I don't 17 know what was in it, but, yes. 18 Q. And do you know what information 19 -- well, do you know why this recommendation 20 was not acted upon -- 21 A. No. 22 Q. I'm sorry. Why the -- Exhibit 17 -- 23 the recommendation in Exhibit 17 was not acted 24 upon? 25 MR. NORWAY: Objection; form.
Page 247 1 Q. Are you saying you -- you resubmitted 2 this? So are you saying that this would have 3 come after the Bates stamped 25522 that we were 4 just looking at? 5 A. Yes. 6 Q. Okay. Let's look at the dates on 7 these two. 8 A. Oh, no. This one came before. 9 Q. So the date on the docu -- on 10 Exhibit -- 11 A. Oh, no, -- 12 Q. -- 17 -- 13 A. -- nevermind. Because I don't know 14 this person. I know this person. Okay. 15 Q. The date on the document, Exhibit 17, 16 is April 30th, 2015, correct? 17 A. Correct. 18 Q. And in this Memorandum from the 19 Office of the Surgeon General it says, the OTSG 20 infectious disease consultant has reviewed the 21 submitted documentation, referring to the 22 documentation on Mr. Harrison's application? 23 A. I -- I can't tell you what 24 documentation this is referencing because this 25 is -- this is in advance of the rest of these	Page 249 1 THE WITNESS: I don't know if it was 2 acted upon. I -- I don't -- I don't know, once 3 this was received, where it went, or where the 4 packet is that goes with it. I don't know the 5 answer to that. 6 MR. SCHOETTES: So I'll make an 7 official request that we receive the packet to 8 which Col -- Lt. Col. Lute is referring, because 9 I don't think we have such a packet. And so to 10 the extent that one exists, I want to make a 11 specific request that -- that we are provided 12 with that -- that packet. 13 MR. NORWAY: Well, I -- I do think 14 we've provided all of the documentation from 15 G -- in G-1's possession in regards to all of 16 Sergeant Harrison's ETP -- or exceptions to 17 policies, but we can -- we can go back and check 18 again. 19 BY MR. SCHOETTES: 20 Q. So you're unable to explain right now 21 as the representative for the Army on -- on 22 these issues what the circumstances were under 23 which this was generated or why this does not 24 appear in the packet that was eventual -- 25 eventually adjudicated by the G-1?

Page 250 1 MR. NORWAY: And I'm going to object. 2 She is here to provide testimony for the 3 exception to policy packets that we've -- we 4 have provided, and that is the policy packet 5 that you gave to her as Exhibit 16. 6 MR. SCHOETTES: Well, but the witness 7 just said that this was submitted with a packet, 8 that just because you didn't provide it doesn't 9 mean that it doesn't exist. 10 THE WITNESS: No. I said this would 11 have had to have gone with a different packet 12 based on this date. I don't have this packet. 13 MR. NORWAY: And we -- if we don't 14 have that packet, -- 15 MR. SCHOETTES: Okay. 16 MR. NORWAY: -- then she can't advise 17 herself of -- of what was in the packet. 18 BY MR. SCHOETTES: 19 Q. It does appear that there was a change 20 of heart with respect to the opinion of the 21 Office of the Surgeon General regarding 22 Mr. Harrison's request for an exception 23 to policy. 24 MR. NORWAY: Objection; speculation. 25 You may answer, if you can.	Page 252 1 oversight. These are sent to G357 box for 2 request for medical input on an exception 3 to policy or a waiver. They don't go to an 4 individual. 5 You know, I might communicate with the 6 individual to check on the status, if I know who 7 that individual is, but they -- they go to a -- 8 a box. 9 BY MR. SCHOETTES: 10 Q. So would it be that this person, 11 perhaps -- does this person put this rec -- do 12 an assessment and put this together and then 13 present it to the -- Laurie Ann Fontaine for 14 that person to re -- review, approve, sign? 15 A. I -- I'm sorry. I'm not clear on the 16 question. 17 Q. Okay. So Mr. Goodwin, in this 18 instance, what would his role have been with 19 respect to this request for medical opinion? 20 A. When these are done, and I can only 21 speak, specifically, for the Exception to Policy 22 AR 600-110, whoever is the person that puts 23 this together, they do a -- a consult with 24 the infectious disease providers, whoever 25 that person is identified through OTSG as the
Page 251 1 THE WITNESS: Well, there are two 2 different recommendations. I will give you 3 that. 4 BY MR. SCHOETTES: 5 Q. And you don't know what changed 6 between these two assessments that resulted in a 7 different opinion? 8 A. That would have to be answered by 9 OTSG. 10 Q. Okay. Which is my next question, in 11 the Office of the Surgeon General, would that be 12 Laurie Ann Fontaine who would -- who would know 13 the answer to that, or there are two different 14 people listed here underneath -- well, let me 15 just start there. 16 The person listed on 25 -- Bates stamp 17 25522 underneath Laurie Ann Fontaine is George 18 R. Goodwin. What would it signify that that 19 individual's name is placed there on a document 20 like this? 21 MR. NORWAY: Objection to form. 22 You can answer, if you can. 23 THE WITNESS: Well, on the one dated 24 12 January 2016, I know that that individual 25 fell underneath his oversight, Dr. Goodwin's	Page 253 1 infectious disease person. And then they take 2 those recommendations and any other medical 3 information they've been provided, and they 4 -- and any policy that would pertain to the 5 circumstance that was outlined, and then this 6 is -- this is what should occur. I can't tell 7 you if that is what occurred in either one of 8 these because I'm not that person. And then 9 they -- they take that information and this -- 10 Colonel Goodwin was the oversight, so he would 11 have -- she would have given it to him simply 12 to -- for information and to review. 13 Q. Okay. So he would have put it 14 together, as you say? 15 A. No. She would have put it together. 16 Q. Ah. 17 A. She would have fallen under -- under 18 Colonel Goodwin. 19 Q. Ah. I'm sorry. So Ms. Fontaine -- 20 A. Mm-hmm. 21 Q. -- would have put it together, and she 22 works for Colonel Goodwin? 23 A. At that time, yes. 24 Q. Okay. So it appears that the person 25 who actually did both of these assessments, or

Page 254 1 came up with these two different opinions, was 2 Laurie Ann Fontaine? 3 A. It -- yeah. 4 Q. Okay. 5 A. But I don't know what she -- you know, 6 I don't know what package she's look -- what 7 information -- coexisting information she's 8 looking at on the initial packet -- 9 Q. Okay. 10 A. -- that I don't have. 11 Q. Going back to Page 1 of the staffing 12 form, the packet, it states that AR 600-110 13 requires that enlisted soldiers who are officer 14 candidates and are confirmed HIV-infected will 15 be immediately disenrolled from the program 16 under the provisions of AR 350.51, there were 17 some other regulations cited, as appropriate, 18 and will be reassigned to original MOS, which 19 is Military Occupational Specialty; is that 20 correct? 21 MR. NORWAY: Objection; form. 22 You may answer. 23 THE WITNESS: Yes. 24 BY MR. SCHOETTES: 25 Q. Okay. This next explains that	Page 256 1 they congratulate him on his appointment. It's 2 dated January 27th, 2011. 3 BY MR. SCHOETTES: 4 Q. All right. 5 A. And then it goes through the things he 6 has to do. 7 Q. Okay. Going on to the next statement 8 under C in Field 12 of this first page, it says 9 that the Office Strength Manager reports Army 10 Reserve National -- or, I'm sorry -- yeah, Army 11 reserve National Guard, -- 12 A. Mm-hmm. 13 Q. -- JAG, 124 percent fill, with 31 14 assigned strength, 25 authorized strength. No 15 supporting -- well, let's just deal with that 16 first part first. 17 How did that play into the decision 18 that was being made? 19 MR. NORWAY: Objection; form. 20 You may answer. 21 THE WITNESS: I can't tell you how 22 that played in, because that would not have been 23 my decision to make. I know that that is a 24 piece of information that is requested, and that 25 is -- is -- is the -- is the ARNG JAG at full
Page 255 1 the soldier was requesting a direct commission 2 into the JAG Corps, and, according to his waiver 3 request, he had been offered a position in the 4 Legal Services Office supporting the D.C. Army 5 National Guard; is that correct? 6 MR. NORWAY: Objection to form. 7 You may answer. 8 THE WITNESS: That is what was given, 9 yes. 10 BY MR. SCHOETTES: 11 Q. And so it was your understanding 12 of Mr. Harrison's situation that he had, indeed, 13 already interviewed and applied and been offered 14 a position as a JAG officer prior to the process 15 of being commissioned as an officer? 16 MR. NORWAY: Objection. Outside the 17 scope of her testimony that -- that she's being 18 offered for. 19 You may answer to the extent that you 20 know. 21 THE WITNESS: I know that -- what I 22 know is what is stated here, that he had been 23 offered a position and there was a -- and I 24 -- it's in the paperwork somewhere that we have, 25 or, perhaps, it's in here. It's in here where	Page 257 1 strength. 2 BY MR. SCHOETTES: 3 Q. Okay. And it -- it says, there's no 4 supporting documentation from D.C. Army Reserve 5 National Guard to corroborate the position 6 offer, that's an indication that there was 7 nothing in the packet that made clear that -- 8 A. This document -- 9 Q. Yeah. 10 A. -- came after this packet was 11 originally prepped. This states that this 12 packet was prepped in January 2016. And -- and 13 I know that -- that Colonel Lawrence had -- and 14 I -- I can't tell you exactly where it was, but 15 I know that she had made a request to him for 16 something that demonstrated that he had been 17 offered the position. 18 Again, I -- I -- I can't speak 19 directly to that because that was managed 20 -- that -- that's not a general question about 21 this process. That's a -- somebody specifically 22 requested something, and -- and I wasn't the 23 requester, and I don't -- I can't reach in and 24 grab some things. 25 Q. Okay. So you think that this letter

Page 258 1 that he received, and that he then provided 2 subsequently, was not a part of the packet when 3 it was -- when this statement was made on the 4 cover of the packet? 5 A. Again, this would have to be an 6 assumption on my part, -- 7 Q. Okay. 8 A. -- because I -- I wasn't there. 9 But given that it states there was nothing that 10 would justify the offer, and -- and this is the 11 offer, I'm going to have to say that this was 12 not included in the original packet. But I 13 cannot tell you that factually. 14 Q. So if you go to that letter real 15 quickly, it's 25529, is the Bates stamp, -- 16 A. Mm-hmm. 17 Q. -- you know, it has the date on which 18 it was received, or sent, of January 27th, 2011. 19 But above that it has a date on which it was -- 20 it looks like it was printed, and it says 21 7/2/2015. Do you see where it says 7/2/2015 22 and then across from that it says print? 23 A. Mm-hmm. 24 Q. Would -- does that change your opinion 25 as to whether or not this was likely attached to	Page 260 1 I understand that if this witness doesn't 2 have the personal knowledge, it's still the 3 responsibility of the defendant to provide 4 someone who can speak on these topics. 5 MR. NORWAY: So we've -- we've 6 provided the proponent agency for those ETFs, 7 and -- and Colonel Lute is the institutional 8 knowledge for that seat. So to the extent that 9 the organization has the information, has it 10 available to them, and it is known, then she 11 would know it. 12 So that is just one of the limitations 13 of having an organization where people rotate in 14 and out of jobs. We've provided you with all of 15 the ETF packets that we could find, with the -- 16 with the files that are in the possession of 17 that organization. And, you know, to the 18 extent that they can -- they know or have the 19 information available about that, then Colonel 20 Lute is really the witness who could provide 21 that information. 22 MR. SCHOETTES: So is it not possible 23 for Colonel Lute to speak with the person who 24 wrote this in order to gather that information? 25 MR. NORWAY: Well, we -- we did inform
Page 259 1 this packet? 2 A. No, because I don't know if it was 3 attached. 4 Q. Okay. 5 A. It could have been printed and not 6 attached. You know, this -- 7 Q. All right. 8 A. -- this may have been his file. I, 9 honestly, don't know. 10 Q. All right. I mean -- 11 A. I mean, we could assume a lot of 12 things. We could assume that this was in here 13 and -- and it was included, but then the -- the 14 last statement here would not be -- or the 15 statement that -- that speaks to no supporting 16 documentation probably would not exist, so ... 17 MR. SCHOETTES: Yeah. I mean, I think 18 there's, potentially, other interpretations of 19 that that would, I don't know, justify that, and 20 maybe it was that there was no supporting 21 documentation currently, but I guess that's 22 besides the point. But I just want to say for 23 the record, we need or we requested a witness 24 who would be able to speak, specifically, to 25 Mr. Harrison's exception to policy packet. And	Page 261 1 you earlier that she was on terminal leave, and, 2 if -- if necessary, we can -- we can go and have 3 the next Army witness maybe try to track down 4 if we could -- if we could still speak with 5 Ms. Lawrence, because I think she is now retired 6 out of the military. 7 MR. SCHOETTES: Okay. So she's no 8 longer working on the civilian side? 9 MR. NORWAY: I -- I'm sorry. What was 10 that? 11 MR. SCHOETTES: Is she no longer 12 working on the civilian side? 13 MR. NORWAY: So -- 14 MAJOR BIGGERSTAFF: Not for the Army. 15 MR. NORWAY: -- she is not working for 16 the Army. And, you know, we have an obligation 17 to find out the information that is within 18 the organization. And Colonel Lute is the 19 representative of the Army. And if Ms. 20 Lawrence is no longer employed by the Army, 21 then we don't have the obligation to go out 22 and find people who are no longer there. 23 MR. SCHOETTES: All right. 24 BY MR. SCHOETTES: 25 Q. I want to now turn to the final

Page 262 1 statement here that the Army Reserve National 2 Guard chief surgeon noted Sergeant Harrison's 3 possible noncompliance with AR 600-110 4-9.2(e), 4 Safe Sexual Practices and Potential Violations 5 of Portions of Commander's Counseling. Do you 6 know -- do you have any knowledge about that? 7 MR. NORWAY: Objection; form. 8 You may answer. 9 THE WITNESS: I know that there was a 10 letter submitted by the National Guard surgeon. 11 BY MR. SCHOETTES: 12 Q. Okay. And shall we turn to that 13 letter now? 14 A. Okay. 15 Q. And what -- what's the Bates stamp on 16 that letter? 17 A. It states 29 February 2000 -- oh, down 18 at the bottom, -- 19 Q. Yeah. 20 A. -- is that what you're asking, the 21 25523? 22 Q. Okay. So we're both looking at the 23 same thing. 24 So -- so this document says that -- 25 that this Army Reserve National Guard, is it	Page 264 1 THE WITNESS: I -- I'm sorry. I don't 2 know what you're currently looking at. 3 BY MR. SCHOETTES: 4 Q. I'm looking at Number 2, -- 5 A. Okay. Okay. 6 Q. -- look -- reviewing the things that 7 the -- 8 A. Yes. 9 Q. -- chief surgeon reviewed, which 10 included the medical PHA records. 11 A. Yes. 12 Q. And then they discussed the matter 13 with the Office of the Surgeon General. 14 A. Yes. 15 Q. And with the Dep -- D.C. Army Reserve 16 National Guard Deputy State Surgeon. 17 A. Yes. 18 Q. And then they have these 19 following information -- observations: One, 20 Sergeant Harrison has been getting annual PHA 21 medical examinations and civilian subspecialty 22 examinations to AR 600-110 standards and 23 according to his counseling. That's -- that was 24 the first thing that he observed, correct? 25 A. Yes.
Page 263 1 combatant surgeon, or what does CSG stand for, 2 chief surgeon? 3 A. Surgeon -- 4 MR. NORWAY: Objection; form. 5 I'm not sure where -- where you're -- 6 THE WITNESS: It's down here. 7 He's going to be the chief surgeon. 8 BY MR. SCHOETTES: 9 Q. Okay. So in that Paragraph Number 2, 10 is that referring to Eric Morgan? A -- ARNG 11 CSG, is that referring to Eric Morgan, that that 12 person has reviewed the submitted documentation? 13 A. Eric Morgan has reviewed that, yes. 14 Q. Thank you. 15 A. I'm sorry. 16 Q. And that information includes the 17 medical PHA, which is Periodic Health Assessment 18 records; is that correct? 19 MR. NORWAY: Objection to form. 20 THE WITNESS: Correct. 21 BY MR. SCHOETTES: 22 Q. Discussed the matter with the Office 23 of the Surgeon General, correct? Is that what 24 that says? 25 MR. NORWAY: Objection to form.	Page 265 1 Q. And then it says that Sergeant 2 Harrison's condition meets retention standards 3 of AR 40-501 using the civilian medical 4 information provided; is that correct? 5 A. Yes. 6 Q. And then C says, these same medical 7 records reveal other sexually transmitted 8 infections that were not disclosed by Sergeant 9 Harrison in his January 25th [sic] and January 10 2016 PHAs. 11 Can you explain to me what -- well, 12 it goes on to say, these conditions were 13 intermittent and recurring, indicating the 14 treatment that occurred. The treatments were 15 also not revealed on the last two PHAs. The 16 sexually transmitted infections also indicate 17 that SM is, likely, engaging in high-risk sexual 18 behaviors with other individuals that could 19 violate the terms of his counselings. 20 So let's actually take the first part 21 of that. What is the significance of the fact 22 that these sexually transmitted infections were 23 not disclosed in his January 2015 and January 24 2016 PHAs? 25 MR. NORWAY: Objection to form.

Page 266 1 You may answer. 2 THE WITNESS: There is an Army 3 Regulation in the -- that requires all soldiers 4 to report any changes in their medical status 5 or treatments that occurred from one PHA to 6 another. Generally, we see that as something 7 that is handled a little bit differently through 8 the Guard and -- and Reserve, as opposed to 9 active duty. Because when I go in, they can see 10 my entire record and any treatment I've had -- 11 theoretically, I've had within the system; 12 however, should I, for some reason, have chosen 13 to go outside the system and pay for whatever 14 service on my own, there is a requirement that 15 I should report that back to the Army medical. 16 BY MR. SCHOETTES: 17 Q. Is there a threshold for such 18 reporting back? Are you supposed to tell 19 -- disclose, you know, any little thing, or is 20 there a certain threshold of seriousness with 21 which you are expected to disclose? 22 MR. NORWAY: Objection to form. 23 You may answer. 24 THE WITNESS: I'm not aware of any 25 threshold. It's any -- any -- and I think	Page 268 1 PHA? 2 A. And, to the best of my knowledge, it's 3 any change in the status of your health or any 4 new diagnoses. 5 Q. Do you know how one's information 6 about sexually transmitted infections would end 7 up in one's medical records if that information 8 was not revealed as a part of the PHA process? 9 MR. NORWAY: Objection; scope. 10 You may answer to the extent you can, 11 ma'am. 12 And I'd also remind you we are going 13 to put forth a witness from the National Guard. 14 MR. SCHOETTES: Okay. 15 THE WITNESS: I -- I don't know, 16 because I don't know where -- I don't know at 17 what point they obtained that information. It 18 didn't -- it came from them. 19 BY MR. SCHOETTES: 20 Q. Right. So it came from -- what you're 21 saying is it came from the service member, in 22 some way or another? 23 A. I don't know. This came from the 24 National Guard, so -- 25 Q. Oh, I see.
Page 267 1 somewhere in there, and, again, I can't even 2 reach which policy it's referenced in, but I do 3 know that I have recently read through it, it 4 speaks to any new diagnoses, any -- I want to 5 say something in there about infectious disease 6 and something else. But without having it in 7 front of me, I can't tell you, specifically, 8 what it says. 9 BY MR. SCHOETTES: 10 Q. Okay. But it's written down in a 11 policy somewhere what is expected -- what types 12 of things are -- it is expected a person will 13 disclose on their PHA? 14 MR. NORWAY: So I'm going to jump in, 15 Scott. The last question I'm going to have an 16 objection based on scope, because it sounds like 17 she's testifying to a topic that we have not 18 designated her for, and I'm also going to make 19 that same objection for this question. 20 You may answer, if you can, ma'am. 21 THE WITNESS: Yeah. Could you repeat 22 your question? 23 BY MR. SCHOETTES: 24 Q. What -- my question was what is the 25 threshold as to what needs to be reported on a	Page 269 1 A. -- yeah, I have no idea how that was 2 obtained. 3 Q. But what you just described, you said 4 for people who are in the -- the National Guard 5 or the Reserves, as opposed to active duty, 6 that their information would not necessarily be 7 in their medical record because they might be 8 receiving their care from outside of the medical 9 system? 10 MR. NORWAY: Objection. 11 Mischaracterizes the testimony. 12 You may answer. 13 THE WITNESS: What -- what I actually 14 stated was that, during the PHA, though, you are 15 supposed to report any changes in your medical 16 status or any new diagnoses or such things. 17 BY MR. SCHOETTES: 18 Q. Right. 19 A. So, you know, based on what's written 20 here, there were two -- two PHA cycles that 21 passed with no reporting of information, that, 22 however they got it, indicated that it happened 23 during those two cycles. 24 Q. But they got the information somehow? 25 A. It would really have to be the

Page 270 1 individual. I -- I can't just go and request 2 it. 3 Q. It would have to be the individual 4 service member who provided the information? 5 MR. NORWAY: Objection. Outside the 6 scope. 7 You may answer. 8 THE WITNESS: Yeah. I -- I don't know 9 who provided it. But what I do know is that it 10 wasn't provided during -- in a timely manner. 11 So it's indicated during a PHA those are 12 supposed to be done. 13 BY MR. SCHOETTES: 14 Q. Have you had a PHA -- do you do a PHA 15 on an annuai basis? 16 A. I do. 17 MR. NORWAY: Objection. Outside of 18 scope. 19 THE WITNESS: Well, yes. I'm sorry. 20 I do. 21 BY MR. SCHOETTES: 22 Q. Do you know the circumstances under 23 which a -- a soldier fills out the forms of a 24 PHA; in other words, are you in a room with 25 other people? Can other people see what you're	Page 272 1 separate process to this exception to policy, 2 are not possible? 3 MR. NORWAY: Objection; scope. This 4 is a document that was produced by the National 5 Guard, and you're -- we have offered Colonel 6 Lute as -- to offer testimony as to how the 7 packets were put together. And we will be 8 offering a -- a witness from the National Guard. 9 You may answer, if you can. 10 THE WITNESS: Okay. I don't -- I 11 don't know what was in the person that's doing 12 this -- this particular write-up. I don't -- I 13 don't know what their basis for that assumption 14 is, because the DODI allows for a waiver process 15 and -- and an exception to policy process would 16 -- for AR 600-110, though, again, this would 17 have to go up to the Department of Defense 18 level because it's in regard to an accession. 19 BY MR. SCHOETTES: 20 Q. So in terms of how these packets are 21 put together, you send -- you request an opinion 22 from this individual -- from the National Guard 23 Bureau, correct? 24 A. No, sir. 25 Q. How -- how is this generated?
Page 271 1 writing down? What are the circumstances under 2 which -- 3 MR. NORWAY: Objection. Outside the 4 scope. You may -- and -- and it calls for 5 speculation. 6 THE WITNESS: I can tell you how I 7 do mine and how it's directed to soldiers. They 8 get a sheet that says, go on this, it's MEDPROS 9 or MODS, it's a website, and it's a -- you 10 -- it's yours. It's -- only you can log on 11 to there. And you fill out the -- the form. 12 There's a set of -- a standard set of questions. 13 BY MR. SCHOETTES: 14 Q. So you're able to do that from the 15 privacy of your own home, -- 16 A. Yes. 17 MR. NORWAY: Objection. 18 BY MR. SCHOETTES: 19 Q. -- or a computer somewhere? 20 A. Okay. Yes. 21 Q. Okay. This goes on to say, due to the 22 risks from blood borne transmission, Sergeant 23 Harrison is not deployable into a combat zone 24 and waivers are not possible. 25 Is that indicating that waivers, as a	Page 273 1 A. This was provided by the service 2 member, and so I don't know if he -- I don't 3 know if he -- from my understanding, he had 4 already submitted a packet through the National 5 Guard side of the house, so I suspect that was 6 a part of what he -- was in his packet from the 7 National Guard side of the house. 8 I -- I can't -- I don't know. It's a 9 National Guard thing. It's-- 10 Q. So you're saying that you would not -- 11 as a person in charge of putting together this 12 packet, you would not generate a document like 13 the one we have from -- you know, get someone 14 to generate a document like the one we have from 15 Eric Morgan here? 16 A. This is the equivalent to what I would 17 get from the Surgeon General's office, but this 18 is from the National Guard side of the house. 19 So they prepped a packet and -- and -- and this 20 is -- evidently, they have a similar 21 requirement. 22 Q. I see. 23 A. It's generated by a different asset, 24 because these aren't my assets. 25 Q. Got it.

Page 274 1 MR. NORWAY: And I'm going to object 2 to that. That's -- that testimony is outside 3 the scope. 4 MR. SCHOETTES: Well, I'm just trying 5 to understand. 6 MR. NORWAY: Right. 7 MR. SCHOETTES: I mean, this is part 8 of the packet, so I'm trying to figure out where 9 it came from, -- 10 MR. NORWAY: Right. No, I under -- I 11 understand. 12 MR. SCHOETTES: -- because it is part 13 of the packet that was submitted. 14 BY MR. SCHOETTES: 15 Q. So you said this comes from the mem -- 16 this would come from the member. Are you saying 17 that you think that Sergeant Harrison would send 18 this to you? 19 A. Okay. I don't know. 20 Q. Okay. But you did obtain the opinions 21 from the Office of the Surgeon General, correct? 22 A. I obtained the opinion that is 23 included in this packet from the Office of the 24 Surgeon General, yes. 25 Q. Right. Okay.	Page 276 1 THE WITNESS: I'm sorry. 2 MR. NORWAY: You can answer to the 3 extent you can. 4 THE WITNESS: We can't -- we can't 5 just walk out and get anybody's medical records, 6 so the individual would have had to have 7 provided this. 8 BY MR. SCHOETTES: 9 Q. And when you say provided this, it's 10 possible that they would ask that person to 11 send, right? It doesn't necessarily pass 12 through their hands? I mean, I'm not saying 13 it didn't, but -- 14 A. I can only speak to how I do it. 15 Q. Yeah. 16 A. I -- I have the service member collect 17 all of the paperwork and send it to me so that 18 that service member is aware of what's going 19 into their packet, instead of their physician 20 writing something and sending it to me. 21 Q. Or the chief surgeon for the Army 22 Reserve National Guard, potentially, putting 23 things in that the -- that the member has not 24 seen. You ensure that the member has seen 25 everything that's going into their packet.
Page 275 1 And does this person examine -- the 2 person who provides that opinion from the Office 3 of the surgeon general, do they examine 4 Mr. Harrison? 5 A. No. These -- both of these would, 6 in theory, be done on a record review. 7 Q. And so would they speak with 8 Mr. Harrison? 9 A. No. If they wanted additional 10 information that they didn't have, they would 11 come back to me and then I would go back to the 12 service member, -- 13 Q. Okay. 14 A. -- if they wanted something they 15 didn't have. 16 Q. All right. Oh, actually, the -- turn 17 to the Bates stamp 25528. 18 A. Okay. 19 Q. And what about this document that 20 is from his provider, is this something that you 21 would -- obviously, it's something that becomes 22 part of the packet. How would this become part 23 of the packet? 24 A. The individual would have -- 25 MR. NORWAY: Objection; speculation.	Page 277 1 MR. NORWAY: Objection; form. 2 You may answer. 3 THE WITNESS: Yeah. And I think 4 you need some -- you need to have a -- an 5 understanding here. If this document was 6 generated, this memorandum, this, very likely, 7 and I can't tell you factually, but because it 8 is in regard to his medical status, it may very 9 well show up in his medical record from the 10 National Guard. I don't know. Again, that's a 11 question you'll have to ask the National Guard. 12 MR. NORWAY: And I will say, Scott, 13 that we did produce the -- the medical records 14 from the Office of the Chief Surgeon of the 15 National Guard for Mr. Harrison. We've produced 16 all of them in -- in a single production so you 17 know all of those medical records are together. 18 BY MR. SCHOETTES: 19 Q. And just to make sure that I 20 understand, the -- the last pages of this 21 document that are blacked out that are all 22 redacted, would those be the opinion of the JAG? 23 A. That would be my assumption, yes, 24 because -- 25 Q. Okay.

Page 278 1 A. -- that's the only thing that's not in 2 the packet. 3 Q. And that's a normal thing that you -- 4 that is a part of a packet like this? 5 A. Yes. 6 Q. Okay. 7 MR. NORWAY: Scott, it's about 3:40 8 now. I was wondering how much longer you think 9 it would be? 10 MR. SCHOETTES: I think we can still 11 do it. 12 MR. NORWAY: You think? 13 MR. SCHOETTES: Maybe. Let's keep 14 moving. 15 MR. NORWAY: Thank you. 16 THE REPORTER: Number 18. 17 (Lute Deposition Exhibit No. 18, a 18 document Bates Numbered US00001136, was marked.) 19 MR. SCHOETTES: So you've been handed 20 Exhibit 19. 21 THE REPORTER: Eighteen. 22 MR. SCHOETTES: Eighteen. 23 BY MR. SCHOETTES: 24 Q. Do you recognize what this document 25 is?	Page 280 1 received his -- going back. Sergeant Harrison's 2 packet was denied. His request was denied; is 3 that correct? 4 A. From Army G-1. 5 Q. Yes. 6 A. His -- his request was denied? 7 Q. Yes. 8 A. Yes. 9 Q. And did he contact you after -- did he 10 contact anyone about appealing that decision? 11 A. He sent me a -- an e-mail requesting a 12 copy of why he was denied. 13 Q. And was this document that's before 14 you now generated after that request from 15 Sergeant Harrison? 16 A. I, honestly, can't answer that, 17 because I don't know when he sent me the e-mail. 18 Q. Well, what is this document? 19 A. Oh, here's a signed one for the 20 request. 21 What is this document? 22 Q. Yeah. 23 MR. NORWAY: And just to be clear, 24 Scott, this document, you're talking about the 25 first page of Exhibit 18?
Page 279 1 A. Yes. 2 Q. And what is this document? 3 A. This is a re -- excuse me. This is an 4 information paper for the request for exemption 5 to policy for Identification, Surveillance and 6 Administration of Personnel Infected with HIV, 7 which is AR 600-110. It's to provide updated 8 information on Sergeant Harrison's request for 9 exception to policy. 10 Q. So Sergeant Harrison was reject -- 11 was sent a -- a disapproval letter before this 12 document was generated; is that correct? 13 A. I don't have his signed letter, 14 although I -- I know that was provided to you, 15 so I can't tell you the date that his packet was 16 accepted or denied without -- I can't tell you 17 the date, because that -- the signed one is not 18 in here. 19 Q. Okay. I have the letter. 20 Unfortunately, it doesn't have a date on it, 21 although -- 22 MR. SCHOETTES: Did you say the e-mail 23 did? 24 BY MR. SCHOETTES: 25 Q. Okay. So after Sergeant Harrison	Page 281 1 MR. SCHOETTES: Yes. 2 THE WITNESS: I -- this, I believe, 3 was in response to his request to Ms. Wada. 4 BY MR. SCHOETTES: 5 Q. Which was, essentially, an appeal 6 of the decision that had been made denying his 7 original request for an exception to policy? 8 A. Yes. 9 Q. And in what office is Ms. Wada again? 10 MR. NORWAY: Asked and answered. 11 You may answer. 12 THE WITNESS: ASA MNRA. 13 BY MR. SCHOETTES: 14 Q. I'm sorry. Say that again. 15 A. It's ASA MNRA. 16 Q. Oh. 17 A. Yeah. 18 Q. Which we're not sure all that it 19 stands for, but Manpower and Readiness is -- 20 A. We know it's Manpower and Readiness 21 for sure. 22 Q. Okay. Were you at all involved 23 in -- in the creation of this document, Exhibit 24 18? 25 A. I provided input that was requested,

Page 282 1 yes. 2 Q. And which in -- which information did 3 you provide? 4 A. Well, I would have provided the -- the 5 chronology that was included in A, and I 6 provided the DODI reference for B, although 7 I'm quite sure they already had that. 8 Q. But in terms of the substance of this 9 document, would we need to speak to Colonel 10 Charles Sizemore to learn -- 11 A. As far as where he got each piece? 12 Q. Yes. 13 A. Yes, sir. 14 Q. Okay. All right. 15 (Lute Deposition Exhibit No. 19, a 16 document Bates Numbered US00000991 through 996, 17 was marked.) 18 BY MR. SCHOETTES: 19 Q. All right. I'm going to hand you a 20 document, and this is going to get a little 21 tricky. So I'm going to hand you a series of 22 documents that were Bates stamped consecutively 23 that we can mark as the exhibit, and then we 24 have a document that we put together using those 25 -- that series of documents that, actually, make	Page 284 1 A. Yes. 2 Q. Okay. And what is this document? 3 A. This is an Excel tracking -- tracking 4 spreadsheet that I established so that I could 5 track the different requests that I received and 6 their status and the outcome. 7 Q. And so -- so this was cheated 8 -- initiated by you. They're -- you're not 9 aware of a similar way of tracking these kinds 10 of requests prior to your arrival in this 11 office? 12 A. No. I established this. 13 Q. Okay. And it is a Request for 14 Exceptions to AR 600-110, correct? 15 A. Correct. 16 Q. And then the first column there is the 17 date requested, and it shows request from the 18 18th of December 2013, through to the 9th of 19 October 2018; is that correct? 20 A. That's correct. 21 MR. NORWAY: Objection; form. 22 THE WITNESS: I do want to clarify 23 that the first three that are listed on there 24 were hard copy files that were in my desk from 25 my -- from the people that had previously sat in
Page 283 1 them legible and that we will want to -- I don't 2 know if we would mark this as a separate 3 exhibit. I guess we'll mark them as a sep -- 4 mark this as a separate exhibit. 5 MS. BERMAN: I think you would mark 6 that as 19A or something like that since it is 7 just the same information. 8 MR. SCHOETTES: Yes. It is the same 9 information. When they were produced to us, 10 sorry, going round like a -- when they were 11 produced to us they ended up produced sort of in 12 this funky way through the PDF format. But if 13 you will look at the document where they are 14 pulled together -- I'm sorry. 15 THE REPORTER: 19A. 16 MR. SCHOETTES: Let's do 19A. 17 MS. BERMAN: Yeah. Let's do 19A. 18 (Lute Deposition Exhibit No. 19A, a 19 document titled Exception to AR 600-110, was 20 marked.) 21 BY MR. SCHOETTES: 22 Q. We can see if this -- if you 23 recognize this as a compilation or a -- an 24 accurate representation of what this document 25 would have looked like in its native format?	Page 285 1 my position. So I incorporated them into here 2 just so I would have the information. 3 BY MR. SCHOETTES: 4 Q. Understood. 5 And -- and the names have all been 6 redacted with the exception of Mr. Harrison, 7 correct? 8 A. Correct. 9 Q. To protect the privacy of those 10 individuals? 11 A. Yes. 12 Q. And can you tell me what information 13 was in the -- what category of information was 14 in the notes that would have required redaction 15 based on privacy concerns? 16 A. Well, there's no specific thing that I 17 put in notes. Sometimes it might be a request 18 that I had made to the individual or their 19 -- maybe their viral load and their count or 20 some -- I don't know. It's just a variety of 21 different things. It may have been something 22 that I requested from the individual, and if I 23 requested it from the individual, for whatever 24 reason, I write, requested from sergeant so and 25 so this information on this date.

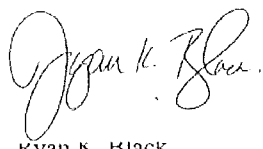
Page 286 1 Q. I see. 2 If the names were removed from that 3 information, is there anything that would make 4 it -- as they have been from the beginning of 5 this document in the first column, is there 6 any reason why that information could not be 7 produced and -- and maintain the privacy and 8 confidentiality of that individual? 9 MR. NORWAY: Objection; scope. And 10 she just testified that she provided medical 11 information in that column. 12 You may answer, ma'am. 13 THE WITNESS: And I did. If -- if I 14 had obtained something from the medical, be it 15 a viral load or a CD4 count or something else 16 medically that was relevant, I would annotate 17 it there so that I would remember to do my 18 follow-up on it. This is my -- this is my 19 reminder list. 20 BY MR. SCHOETTES: 21 Q. I understand. But there would be a 22 way of disconnecting that medical information 23 from an individual's name, correct? 24 MR. NORWAY: Outside of scope. 25 You may answer, if you can.	Page 288 1 The reason in this document are 2 the reason that the person is requesting an 3 exception -- 4 A. Yes. 5 Q. -- for what -- the purpose, if you 6 will, of their exception? 7 A. Yes. 8 Q. And then is the final column the 9 individual who made the decision in each of 10 these cases? 11 A. It's -- it's the individual that 12 went on the memorandums that were sent up. 13 So, occasionally, I had to go back and modify 14 the name in that column because they may have 15 changed persons from the time I initiated the 16 action until the time the action went through. 17 Q. So you might list someone as to whose 18 signature it would be when it was -- finally 19 went out when you first put it on the list, but 20 then by the time it went -- the actual approval 21 or disapproval went out, there might be a 22 different person in that position? 23 A. Right. So then I would go in and 24 change that name. 25 Q. Okay. Are there any requests for
Page 287 1 THE WITNESS: I think without going 2 back and looking at each one individually, -- 3 BY MR. SCHOETTES: 4 Q. All right. 5 A. -- yeah. 6 Q. So then in the next column is the 7 date of response, and then there's a column 8 for approved or disapproved on all of these 9 requests. 10 A. Yes. 11 Q. Is it true that all of these requests, 12 with the exception of one that was recalled by 13 a service member and then the three at the end, 14 where it looks like there have -- there was not 15 yet a disposition, and -- and the ones from 16 Harrison and the person listed right before 17 Harrison, that all of the rest of them were 18 approved? 19 MR. NORWAY: Objection; form. 20 You may answer. 21 THE WITNESS: Yes. And the last three 22 are still pending. 23 BY MR. SCHOETTES: 24 Q. The last three are still pending. 25 Okay.	Page 289 1 deployment -- requests for an exception that 2 would allow a person to deploy on this list? 3 A. Yes. 4 Q. Which ones? 5 A. Well, they're not numbered, so it's 6 going to be the last one. They're requesting 7 to be assigned to non-TDA units, dependent upon 8 commander's approval and travel OCONUS for 9 temporary duty or deployments for durations 10 of six months or less as long as they remain 11 fit for duty in accordance with medical 12 requirements. That was their request. 13 There's also -- there's one in between 14 these two. The -- the next one would be the 15 request to be assigned to an MTOE as a member 16 of USSOCOM, eligible for contingency operations. 17 Q. Those are both requests to deploy? 18 A. Those are requests to be assigned to a 19 unit that is considered deployable. 20 Q. Got it. 21 I'm sorry. The -- the second one -- 22 A. So the -- the first -- this is a 23 little difficult for me, because these aren't 24 numbered. So starting at the bottom, -- 25 Q. Yeah.

Page 290 1 A. -- the first one at the bottom, -- 2 Q. Yeah. 3 A. -- then there's one in between, and 4 then the next one up, -- 5 Q. Okay. 6 A. -- and then there's one in between and 7 there's one other that's request reassignment to 8 an MTOE. 9 Q. Got it. 10 A. Oh, and there's, actually, you go 11 skip another line and go up again, and there's 12 another request for assignment to an MTOE. 13 Q. And so two of those, actually, the 14 request for assignment to an MTOE were approved? 15 A. Yes. 16 Q. Do you know the basis for approving 17 those requests? 18 A. The one nearest the top, all of the 19 units that this individual could participate in 20 would be considered MTOEs. I can't answer the 21 -- the next one down, and the other three are 22 not decided, or the other two are not decided. 23 Q. But what -- I guess what I'm asking 24 you is why was it okay for this person to 25 receive an exception to policy to -- to be	Page 292 1 that -- what's written here. 2 BY MR. SCHOETTES: 3 Q. And what I hear you saying -- 4 A. I've had a lot of packets come through 5 my office. 6 Q. What I hear you saying is that, while 7 these are deployable units, there might have 8 been some assessment that they weren't likely 9 to deploy during the time period that they were 10 being requested to be assigned? 11 A. No. That's -- that's not -- I'm 12 sorry. That's not actually what I'm saying. 13 I'm saying that these are all 14 considered deployable units. Even if they 15 were assigned to that unit, in order to actually 16 deploy, they're still going to have to go 17 through the waiver process from the DODI. Even 18 if the Army says, yes, we'll let you be assigned 19 to that MTOE, if that unit deploys, they're 20 still going to have to get a waiver from 21 -- through the -- the DODI to be deployed. 22 That doesn't change that parameter. 23 Q. Okay. Were any of these exceptions 24 that are listed here seeking an exception to 25 policy allowing them to access, either enlist
Page 291 1 assigned to a deployable unit, an MTOE? Do 2 we know what it was about their particular 3 circumstance, their HIV, that made that 4 exception to policy possible? 5 MR. NORWAY: We objected to this 6 topic for overbreadth for that reason, and we've 7 provided this summary sheet to identify those 8 individuals. To the extent Colonel Lute can 9 testify to that, I will allow her to testify 10 as to this one individual; however, that's 11 -- that's getting into material and information 12 that we objected to, and we stood on our 13 objections. 14 THE WITNESS: They're being asked 15 to assign -- be assigned to an MTOE unit. 16 They're not asking to be deployed. Those MTOE 17 units are considered deployable -- rapid -- I 18 think they're considered rapid deployment units, 19 so, in other words, they're very likely to 20 deploy, and they may frequently deploy. But 21 I can't -- I cannot, honestly, tell you what the 22 thought process was when he requested assignment 23 from an MTOE to the 3rd Infantry Regiment, 24 because I don't remember the packet. I don't 25 remember either of the packets. I just know	Page 293 1 or commission as an officer? 2 A. Sergeant Harrison. 3 Q. Other than Sergeant Harrison? 4 A. No. 5 Q. Could there be requests for the waiver 6 to the deployment prohibition for people living 7 with HIV that do not come through your office 8 that go straight to the Department of Defense? 9 MR. NORWAY: Speculation. You may 10 answer, if you know. 11 THE WITNESS: I'm sorry. Can -- can 12 you ask me your question again. 13 BY MR. SCHOETTES: 14 Q. Yeah. So could there be requests 15 for an exception to policy or a waiver of the 16 deployment prohibition for people living with 17 HIV that would not come through your office, 18 would not end up on this list, that would go 19 straight to the DOD? 20 A. Yes, that is possible, because the -- 21 the G-1 couldn't authorize the requests or prove 22 their request to deploy anyhow. So, yes, in 23 theory, it could go straight to the COCOM and 24 through that process. 25 Q. Are you likely to hear -- would you

Page 294 1 be likely to hear about such a thing, or are you 2 aware of any of -- of any instances where that 3 happened where you found out later that, ah, 4 this request went straight to the DOD? 5 MR. NORWAY: Objection; form. 6 You may answer, if you know. 7 THE WITNESS: No. 8 MR. SCHOETTES: Okay. And I know we 9 are hitting the 4:00 mark here. 10 Give me just one second, and we'll get 11 you out of here. 12 BY MR. SCHOETTES: 13 Q. Going back to Nick's application for 14 an exception to policy, was the denial based 15 solely on his HIV status? 16 A. No. 17 Q. What else was it based on? 18 A. It was based on the fact that the -- 19 the DODI precludes accessions, and on this -- 20 on this page, which is 5518, under key points, 21 you'll see that I also had said that I didn't 22 support the request for an exception to policy 23 as the G-1 ARD health promotion officer, and 24 that was because it was a request to access. 25 And -- and, one, we don't control that, and,	Page 296 1 Q. But what you are saying is that the 2 accessions waiver -- or, I mean, the accessions 3 ban for people living with HIV is absolute, as 4 far as the Army is concerned. They can't -- 5 A. No. 6 Q. -- waive you around it? 7 A. Let me clarify. The Army can't waive 8 you around it, okay? They can -- they can make 9 a request to have it done through Department of 10 Defense, because it's a DODI, but the Army can't 11 waive them around it. 12 Q. So are you saying that if -- if he had 13 been successful in this request for an exception 14 to policy that then it would have needed to go 15 to another level, to the DODI? 16 MR. NORWAY: So -- so, Scott, this is 17 getting into the scope of -- of testimony, and 18 that last question we didn't -- we haven't 19 offered Colonel Lute for the accessions piece 20 of the Army Regulation, and that's 40-501. So 21 that testimony is outside her scope, and it's 22 objectionable because of that. And, also, the 23 -- the line of questioning now that you're going 24 down is outside the scope of testimony that 25 we're offering for her.
Page 295 1 two, according to the Army piece of that, you 2 can't access without a DODI waiver. And it's 3 my job to -- to identify that and inform. 4 Q. But the -- what you just said was he 5 couldn't access, but that's based solely on his 6 HIV status still, right, -- 7 A. Yes. 8 Q. -- the policy that says you can't 9 access is based on the fact that he's living 10 with HIV. 11 A. Well, I can't speak to everything 12 that's in the accession policy, because it's not 13 mine. But persons with HIV are prohibited from 14 accessing into the military, yes. Is that what 15 you're asking me? 16 Q. I was asking you if -- if the decision 17 was then based solely on his HIV status or if 18 there was other con -- other considerations 19 -- other issues that determined the refusal? 20 A. What I can tell you is -- is this is 21 the packet I presented. I -- when -- when the 22 individual signing this document makes that 23 decision, I don't know what weighed the most 24 with them, I truly don't, and I probably won't 25 know that.	Page 297 1 To the extent that it is in this 2 document and that it was -- it was put in the 3 exceptions to policy, then that is what she can 4 testify to. 5 BY MR. SCHOETTES: 6 Q. Well, and you just testified that 7 you did not recommend granting this exception to 8 policy because it can't be granted by the Army? 9 A. Well, my statement to them was because 10 there's a DODI that states that it has -- there 11 has to be a waiver through the COCOM commander. 12 Because, quite frankly, I'm not -- I'm not 13 really a legal E. So interpret to that degree 14 might be a little beyond my scope, but -- but I 15 am smart enough to figure out if the DODI says 16 they can't deploy without a waiver from the 17 COCOM commander, I'm bright enough to figure 18 out that I need to advise that I have read that 19 and I acknowledge that that -- that that is a 20 statement, which is why I would recommend 21 against an exception to policy, because, in 22 theory, then we would not be within our -- our 23 scope, in our lane, because it falls out of AR 24 600-110. 25 Q. I guess my -- my question is it just

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Page 298 1 -- is it futile, then? I mean, what is the 2 point of an exception to policy if you can't 3 get an exception to policy through it? 4 A. It's not that you can't get an 5 exception to policy. It's can you get an 6 exception to policy for what's being requested. 7 Q. And you're saying that you -- the Army 8 cannot grant this exception to policy; that it 9 requires signoff by the DOD. But you were 10 saying -- you were recommending or telling the 11 Army not to grant the request because -- 12 A. I'm not telling you -- 13 Q. -- they would have to go to the DOD? 14 A. I'm not telling the Army anything. 15 I'm making a recommendation to the senior leader 16 that I'm presenting this to that the DODI 17 precludes -- it -- that the DODI requires a 18 waiver from the COCOM commander, and that's 19 above where we are. 20 There's -- I -- our AR 600-110, there 21 is no process written in there to allow us to do 22 a waiver for accessions. I'm not the accessions 23 smead [phonetic]. Somebody else is your person 24 that can answer all your questions about 25 accessions and -- and the basis for that	Page 300 1 BY MR. SCHOETTES: 2 Q. Right. But in the same -- that kind 3 of brings us back to the same point, and maybe 4 there's no resolution here, but in the packet 5 you explained that they -- that the Army should 6 not grant this exception to policy because it 7 would require the DODI to grant an exception to 8 policy. 9 A. That's not exactly what I said, and 10 it -- it doesn't actually say that in here. It 11 simply says that the G-1 ARD health promotion 12 officer, as well as the OTSG, does not support 13 the exception to policy. That's all it says. 14 And I'm telling you that I said I -- I don't 15 support it because there's a -- a requirement 16 for a waiver from a COCOM commander. We don't 17 -- we don't -- we don't meet that criteria. 18 MR. SCHOETTES: All right. I believe 19 I'm finished. I would -- but we'll -- we'll 20 want to hold this open to the extent that we 21 were not able to ask questions related to the 22 -- the documents that are at issue with respect 23 to the due process -- Deliberative Process 24 Privilege, and so we will have to hold this 25 open awaiting resolution of that matter.
Page 299 1 and where that comes from. 2 What I can tell you is simply what 3 exists in policy on accessions, and -- and it's 4 my job, then, to advise whoever I'm sending the 5 packet to what those things are. 6 Q. And I think I'm following you, 7 although you switched there between us between 8 deployment and accessions. 9 A. I'm sorry. Accessions. 10 Q. So it's all about accessions? 11 A. We've been talking about two different 12 pieces. 13 Q. So is there a way to get a waiver to 14 the accessions piece from the DODI, an exception 15 to policy for the accessions piece? 16 MR. NORWAY: Objection; scope. You 17 may answer to the extent you can, but you're not 18 being offered -- your testimony is not being 19 offered as a representative. 20 THE WITNESS: And I can't answer that. 21 I don't -- I don't know what the process is for 22 the accession except to policy. I know what the 23 process is for the -- what can be -- what an 24 exception to policy can be done just through AR 25 600-110.	Page 301 1 MR. NORWAY: Okay. Well, I -- the 2 -- it could have been resolved before now, so 3 we're going to object to holding the deposition 4 open. Would -- can we have a few moments? I 5 might want to have some clarifications or do a 6 redirect? 7 MR. SCHOETTES: Sure. And I guess I'd 8 like to better understand how it could have been 9 resolved before now given that, I mean, you 10 asked to do this deposition at this time. 11 MR. NORWAY: Right. 12 MR. SCHOETTES: So we moved it up in 13 the schedule so that -- to accommodate Lt. Col. 14 Lute. 15 MR. NORWAY: Right. And we -- 16 we appreciate that. The parties have been 17 discussing the Deliberative Process Privilege 18 and how it impact -- impacts this -- this case 19 for some time now. And, in fact, it probably 20 changed also once the Army policy is published, 21 the new 600, so -- 22 MR. SCHOETTES: All right. 23 MR. NORWAY: Let's -- 24 MR. SCHOETTES: Yeah. Do you need a 25 couple minutes, then, off the record?

Page 302 1 MR. NORWAY: Yeah. Let's go off the 2 record. 3 MR. SCHOETTES: Okay. 4 THE VIDEOGRAPHER: The time is 4:09 5 p.m. We're going off the record. 6 (Recess taken.) 7 THE VIDEOGRAPHER: The time is 4:15 8 p.m. We're back on the record. 9 Please proceed, Counsel. 10 MR. SCHOETTES: I'd like to ask the 11 court reporter to record for us how much time we 12 spent on the record thus far. 13 THE VIDEOGRAPHER: 5:51:36 and 14 counting. 15 MR. SCHOETTES: Thank you. 16 MR. NORWAY: And we have no redirect. 17 MR. SCHOETTES: All right. Well, then 18 we're done. 19 MR. NORWAY: Great. And we're going 20 to read and sign. 21 THE REPORTER: Yeah. Okay. 22 MR. NORWAY: Thank you very much, 23 Scott. 24 THE VIDEOGRAPHER: Time is 4:15 p.m. 25 This concludes today's testimony given by Lt.	Page 304 1 Lt. Col. Lisa M. Lute 2 3 CERTIFICATE 4 5 I do hereby certify that the aforesaid 6 testimony was taken before me, pursuant to 7 notice, at the time and place indicated; that 8 said deponent was by me duly sworn to tell the 9 truth, the whole truth, and nothing but the 10 truth; that the testimony of said deponent was 11 correctly recorded in machine shorthand by me 12 and thereafter transcribed under my supervision 13 with computer-aided transcription; that the 14 deposition is a true and correct record of the 15 testimony given by the witness; and that I am 16 neither of counsel nor kin to any party in said 17 action, nor interested in the outcome thereof. 18 19 WITNE al this 20 24th day of 21  22 23 Ryan K. Black 24 25
Page 303 1 Col. Lisa Lute. We're now off the record. 2 (Deposition concluded -- 4:15 p.m.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 305 1 Veritext Legal Solutions 2 1100 Superior Ave 3 Suite 1820 4 Cleveland, Ohio 44114 5 Phone: 216-523-1313 6 7 January 24, 2019 8 To: Robert M. Norway, Esq 9 10 Case Name: Harrison, Nicholas, et al v. Mattis, James N., et al 11 Veritext Reference Number: 3189088 12 Witness: Lt. Col. Lisa M. Lute Deposition Date: 1/9/2019 13 14 Dear Sir/Madam: 15 Enclosed please find a deposition transcript. Please have the witness 16 review the transcript and note any changes or corrections on the 17 included errata sheet, indicating the page, line number, change, and 18 the reason for the change. Have the witness' signature notarized and 19 forward the completed page(s) back to us at the Production address 20 shown 21 above, or email to production-midwest@veritext.com 22 23 If the errata is not returned within thirty days of your receipt of 24 this letter, the reading and signing will be deemed waived 25 26 Sincerely, 27 Production Department 28 29 NO NOTARY REQUIRED IN CA

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1 DEPOSITION REVIEW CERTIFICATION OF WITNESS 2 ASSIGNMENT REFERENCE NO: 3189088 3 CASE NAME: Harrison, et al v Mattis, James N , et al 4 DATE OF DEPOSITION: 1/9/2019 5 WITNESS' NAME: Lt Col Lisa M Lute 6 In accordance with the Rules of Civil 7 Procedure, I have read the entire transcript of 8 my testimony or it has been read to me 9 I have made no changes to the testimony 10 as transcribed by the court reporter 11 12 Date Lt Col Lisa M Lute 13 Sworn to and subscribed before me, a 14 Notary Public in and for the State and County, 15 the referenced witness did personally appear 16 and acknowledge that: 17 They have read the transcript; 18 They signed the foregoing Sworn 19 Statement; and 20 Their execution of this Statement is of 21 their free act and deed 22 I have affixed my name and official seal 23 this _____ day of _____, 20____ 24 _____ 25 Notary Public Commission Expiration Date	1 ERRATA SHEET 2 VERITEXT LEGAL SOLUTIONS MIDWEST 3 ASSIGNMENT NO: 1/9/2019 4 PAGE/LINE(S)/ CHANGE /REASON 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 Date Lt. Col. Lisa M. Lute 21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ 22 DAY OF _____, 20____. 23 _____ 24 Notary Public 25 _____ Commission Expiration Date
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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days

after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate.

The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

NICK HARRISON and	.	Civil Action No. 1:18cv641
OUTSERVE-SLDN, INC.,	.	
	.	
Plaintiffs,	.	
	.	
vs.	.	Alexandria, Virginia
	.	December 21, 2018
JAMES N. MATTIS, Secretary of	.	10:04 a.m.
the U.S. Department of	.	
Defense; MARK ESPER,	.	
Secretary of the Army; and	.	
U.S. DEPARTMENT OF DEFENSE,	.	
	.	
Defendants.	.	
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TRANSCRIPT OF MOTION HEARING
BEFORE THE HONORABLE LEONIE M. BRINKEMA
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFFS:	ANDREW R. SOMMER, ESQ. Winston & Strawn LLP 1700 K Street, N.W. Washington, D.C. 20006 and SCOTT A. SCHOETTES, ESQ. Lambda Legal Defense and Education Fund, Inc. 105 West Adams, Suite 2600 Chicago, IL 60603

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(APPEARANCES CONT'D. ON PAGE 2)

(Pages 1 - 6)

COMPUTERIZED TRANSCRIPTION OF STENOGRAPHIC NOTES

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

2 THE CLERK: Civil Action 18-641, Nick Harrison, et
3 al. v. James N. Mattis, et al. Would counsel please note their
4 appearances for the record.

5 MR. SOMMER: Good morning, Your Honor. Andrew Sommer
6 on behalf of plaintiffs, from Winston & Strawn. Arguing today
7 will be Mr. Scott Schoettes from Lambda Legal, on behalf of
8 plaintiffs. And we're here today with plaintiff, Nick
9 Harrison.

10 THE COURT: Good morning.

11 MR. MCCOTTER: Good morning, Your Honor. Trent
12 McCotter, Assistant United States Attorney. With me and
13 arguing today will be Robert Norway from Federal Programs
14 Branch, Your Honor. Also with us in the gallery are Keri
15 Berman and Rebecca Cutri-Kohart, also from Fed. Programs, and
16 Casey Biggerstaff from the Army and Stuart Sparks from the
17 Department of Defense, Your Honor.

18 THE COURT: As observers or participants?

19 MR. MCCOTTER: Observers, Your Honor.

20 THE COURT: All right, that's fine.

21 Well, what's before the Court today is the appeal or
22 objection to the magistrate judge's ruling on a discovery
23 request of the plaintiffs to have access to information from
24 services other than the Department of the Army in terms of this
25 case.

1 You know, I've looked at the pleadings in this case,
2 and quite frankly, I'm not sure the defense truly understands
3 what's at issue in this case. The evidence that Judge Davis
4 found is relevant to the plaintiffs' case is in this Court's
5 view absolutely relevant. The issue is whether or not the
6 policies that the Army has concerning HIV-positive military
7 members is a rationally developed policy. The fact that sister
8 and brother services may treat HIV-positive service members
9 differently would in my view be highly relevant to determining
10 whether or not the Army's policy is rational, and that's the
11 essence of what Judge Davis found, that this information is
12 relevant to that evaluation.

13 Now, to the extent that defendant -- the government
14 is arguing, well, you know, the Air Force, for example, is not
15 a defendant in this case, so why would the Air Force policies
16 be relevant, I should tell you, if you don't already know, we
17 have a new case, it's been assigned to me because it's
18 considered a related case. I don't know if any of the
19 attorneys are here on that one, but it's currently -- are you
20 doing the -- same counsel?

21 MR. SOMMER: Yes.

22 MR. SCHOETTES: Yes, Your Honor.

23 THE COURT: Well, we can talk then about both cases,
24 all right, and I can save you perhaps a court appearance then
25 because there's a pending motion to proceed pseudonymously.

1 Does the government have any objection to that, that the two
2 plaintiffs in that case, apparently unlike our plaintiff,
3 Mr. Harrison, they don't want to reveal their names? I think
4 right now it's Roe and --

5 MR. SCHOETTES: Roe and Doe, Your Honor.

6 THE COURT: Yeah, Roe and Doe.

7 Any objection to proceeding without their names being
8 disclosed at this point?

9 MR. McCOTTER: Your Honor, I don't believe -- or I
10 don't know if the government has been served process in that
11 case yet. We were just made aware of it earlier this week, so
12 I can't represent here today whether or not we would oppose
13 that motion.

14 THE COURT: Well, I'm going to save you the trouble.
15 It's a perfectly reasonable request under the circumstances.
16 I'm going to grant the motion. The case can proceed in that
17 manner at this point. At some point, you know, the plaintiffs
18 may choose to go public; we'll see.

19 It's against the Air Force rather than the Army. I
20 think the government should be smart about figuring out about
21 limiting the amount of resources that have to be spent. I
22 should think the two cases probably should be somehow, I don't
23 mean merged, but consolidated. It may affect some of the -- it
24 may or may not. The timing problems may exist in the other
25 case that don't exist in this one. But in any case, I've

1 granted that motion, so the case will go forward with
2 pseudonyms at this point.

3 But in any case, I've looked at the paperwork in this
4 case, and as I said, I'm completely satisfied the magistrate
5 judge was correct in his ruling, so I'm overruling the
6 objection, and you need to comply with the discovery, and I
7 recommend strongly that you-all think about whether there are
8 ways of economizing on discovery and other issues so that we
9 now have the second case, it wouldn't surprise me if we don't
10 get a third case with another branch, in case that becomes an
11 issue, all right?

12 That's my ruling. Thank you.

13 (Which were all the proceedings
14 had at this time.)

15
16 CERTIFICATE OF THE REPORTER

17 I certify that the foregoing is a correct transcript of
18 the record of proceedings in the above-entitled matter.

19
20
21 /s/

22 _____
Anneliese J. Thomson
23
24
25

From: Jovanovic, Olivera A CTR OSD OUSD P-R (US)
Sent: Friday, July 20, 2018 12:18 PM
To: Shell, Donald CIV OSD OUSD P-R (US)
Subject: RE: MHS Early Bird (7-20-2018)

Sure, Dr. Shell. [REDACTED]

Very Respectfully,

Olivera

Olivera Jovanovic, MPH
Consultant
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-----Original Message-----

From: Shell, Donald CIV OSD OUSD P-R (US)
Sent: Friday, July 20, 2018 12:16 PM
To: Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>
Subject: Re: MHS Early Bird (7-20-2018)

[REDACTED]

----- Original message -----

From: "Jovanovic, Olivera A CTR OSD OUSD P-R (US)" <olivera.a.jovanovic.ctr@mail.mil>
Date: 7/20/18 09:48 (GMT-05:00)
To: "Shell, Donald CIV OSD OUSD P-R (US)" <donald.shell4.civ@mail.mil>
Subject: RE: MHS Early Bird (7-20-2018)

Dr. Shell:

[REDACTED]

Very Respectfully,

Olivera

Olivera Jovanovic, MPH

Consultant

Information Innovators, Inc. (Triple-i), Contractor Employee Wholly-Owned Subsidiary of Salient CRGT Supporting the OASD(HA), Health Services Policy and Oversight Defense Health Headquarters

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-----Original Message-----

From: Shell, Donald CIV OSD OUSD P-R (US)

Sent: Friday, July 20, 2018 9:44 AM

To: Jovanovic, Olivera A CTR OSD OUSD P-R (US) <olivera.a.jovanovic.ctr@mail.mil>

Subject: Fwd: MHS Early Bird (7-20-2018)

FYSA

----- Original message -----

From: "Rodriguezvazquez, Jose E CTR (US)" <jose.e.rodriguezvazquez.ctr@mail.mil>

Date: 7/20/18 09:37 (GMT-05:00)

To: "Jones, Steven P CIV OSD OUSD P-R (US)" <steven.p.jones10.civ@mail.mil>, "Wiesen, Andrew R COL USARMY OSD OUSD P-R (US)" <andrew.r.wiesen.mil@mail.mil>, "Ciminera, Paul CIV OSD OUSD P-R (US)" <paul.ciminera.civ@mail.mil>, "Shell, Donald CIV OSD OUSD P-R (US)" <donald.shell4.civ@mail.mil>, "Shell, Donald CIV OSD OUSD P-R (US)" <donald.shell4.civ@mail.mil>, "Chan, Edmund M CIV OSD OUSD P-R (US)" <edmund.m.chan.civ@mail.mil>

Cc: "Serkowski, Richard J Col USAF DHA J-3 (US)" <richard.j.serkowski.mil@mail.mil>, "Coker, James R CIV DHA PUB HEALTH (US)" <james.r.coker.civ@mail.mil>, "Palm, Keith C COL USARMY DHA DEPLOY HEALTH (US)" <keith.c.palm.mil@mail.mil>

Subject: RE: MHS Early Bird (7-20-2018)

I am just checking all my bearings.

Thanks;

Jose
José E. Rodríguez-Vázquez, M.D., M.P.H., F.A.A.F.P.
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Contractor Support to Public Health Division Defense Health Agency Tel (703) 681-8475,
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www.knowesis-inc.com <http://www.knowesis-inc.com> <http://www.knowesis-inc.com> CVE Service Disabled
Veteran Owned Small Business SBA 8(a) Small Disadvantaged Business SBA Economically Disadvantaged Woman Owned
Small Business (EDWOSB)

-----Original Message-----

From: Jones, Steven P CIV OSD OUSD P-R (US)
Sent: Friday, July 20, 2018 7:08 AM
To: Wiesen, Andrew R COL USARMY OSD OUSD P-R (US) <andrew.r.wiesen.mil@mail.mil>; Ciminera, Paul CIV OSD OUSD P-R (US) <paul.ciminera.civ@mail.mil>; Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>; Rodriguezvazquez, Jose E CTR (US) <jose.e.rodriquezvazquez.ctr@mail.mil>; Shell, Donald CIV OSD OUSD P-R (US) <donald.shell4.civ@mail.mil>; Chan, Edmund M CIV OSD OUSD P-R (US) <edmund.m.chan.civ@mail.mil>
Subject: FW: MHS Early Bird (7-20-2018)

"Deploy or Get Out!" policy is the draft DoDI 1332.JB. Steve

Title: U.S. Soldiers With HIV Say Trump's New Policy Will Force Them Out
Source: Bloomberg
Author: Erik Larson

A U.S. soldier asked a federal judge to bar the Trump administration from firing HIV-positive service members from the military under a new "Deploy or Get Out!" policy intended to improve readiness.

The policy, announced in February, directs the Pentagon to discharge service members who can't be deployed outside of the U.S. for more than 12 consecutive months "for any reason." It takes effect Oct. 1.

An earlier directive put in place at the height of the AIDS crisis prevents service members with HIV from deploying overseas, meaning the new policy "makes it effectively impossible for people living with HIV to serve," the soldier said Thursday in a filing seeking an injunction against the rule. There are about 1,200 soldiers with HIV, according to the complaint.

"Soldiers, sailors, fighter pilots and marines are seeing their promising careers cut short, their dreams of service shattered and their health jeopardized due to antiquated notions about HIV and the stigma that results," Scott Schoettes, the soldier's lawyer with Lambda Legal, said in a statement.

Afghanistan, Kuwait

Defense Secretary Jim Mattis said in February that the directive will ensure fairness in deployment rates by preventing some service members from being deployed more than others, the Military Times reported then.

Jessica Maxwell, a spokeswoman for the Department of Defense, didn't immediately respond to a request for comment.

The suit in federal court in Alexandria, Virginia, was filed in May by Nicholas Harrison, a 41-year-old Oklahoman whose National Guard unit was deployed to Afghanistan in 2006 and Kuwait in 2011, according to the complaint. He was diagnosed with HIV in 2012, shortly after returning from Kuwait.

Under the new policy, HIV-positive service members are already being discharged and having their duties restricted, according to his suit.

“People living with HIV have served in this nation’s armed services with distinction for decades,” according to the filing. “For much of that time, their service has been unjustifiably restricted based on misconceptions regarding the consequences of an HIV diagnosis.”

Outdated Policies

The soldier argues in his lawsuit that drugs developed in recent years allow HIV-positive people to live and work effectively for years without medical issues that get in the way of their duties.

“These medical advances should have resulted in an overhaul of military policies related to people living with HIV,” Harrison said in the suit.

Harrison is joined in the case by OutServe-SLDN, a network of LGBT military personnel. The suit also seeks to block the policy that bars HIV-positive Americans from enlisting and prohibits them from obtaining officer status if they are diagnosed with HIV while already serving.

According to Harrison, that policy wrongfully prevented him from becoming a Judge Advocate General officer of the D.C. National Guard.

<https://www.bloomberg.com/news/articles/2018-07-19/u-s-soldiers-with-hiv-say-new-trump-policy-will-force-them-out>
dvidshub.net/news/284933/national-cleft-and-craniofacial-awareness-month