

**Freedom of Information Act (FOIA) Activity for the Week of
May 2, 2024- May 8, 2024
DHS Privacy Office
May 13, 2024
Weekly FOIA Report**

I. Efficiency and Transparency – Steps taken to increase transparency and make forms and processes used by the public more user-friendly, particularly web-based and FOIA-related items: (i.e. – any posts made this week to your FOIA library or other disclosure actions/activities).

- Nothing significant to report.

II. Freedom of Information Act Requests

- On May 2, 2024, **Mike Howell**, a representative of *The Heritage Foundation* in Washington, D.C., requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to any listening sessions concerning Executive Order (E.O.) 14019. (Case Number 2024-FLETC-FO-00128)
- On May 2, 2024, **Wills Robinson**, a representative of the *Daily Mail* in New York, New York, requested from the U.S. Secret Service (USSS) records pertaining to an incident at Andrews Air Force Base in Maryland on April 22, 2024, involving members of Vice President Kamala Harris’ protective detail. (USSS Case Number 20240725)
- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications sent by Sanjeev “Sonny” Bhagowalia and Scott Davis, that mention the term “TikTok,” from May 2, 2021, to May 2, 2024. (Case Number CBP-FO-2024-101292)
- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Scott Davis, and Sanjeev “Sonny” Bhagowalia that mention the following terms, “artificial intelligence,” “Inflection,” “Cohere,” “NVIDIA,” “Palantir,” “Scale AI,” “OpenAI,” or “Anthropic,” from May 2, 2021, to May 2, 2024. (Case Number CBP-FO-2024-101311)
- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Sanjeev “Sonny” Bhagowalia and Scott Davis between October 7, 2023, to May 1, 2024, that mention the terms “West Bank,” “Gaza,” “Palestine,” or “Palestinian territories.” (Case Number CBP-FO-2024-101322)
- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to government devices that were reported lost, stolen, or taken abroad without

authorization from May 2, 2021, to May 2, 2024. (Case Number CBP-FO-2024-101404)

- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to policy, rules, or memos created from May 1, 2021, to May 1, 2024, for CBP use of artificial intelligence. (Case Number CBP-FO-2024-101406)
- On May 2, 2024, **Rebecca Heilweil**, a representative of *FedScoop* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Scott Davis and Sanjeev "Sonny" Bhagowalia sent between February 15, 2024, and April 30, 2024, that contain the terms "Microsoft," and either "ED 24-02" or "Emergency Directive 24-02" or "APT29." (Case Number CBP-FO-2024-101412)
- On May 3, 2024, **Loree Stark**, a representative of *American Oversight* in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to manifests contained in the Advance Passenger Information System or the Automated Targeting System for all private aircraft and non-commercial small vessel and/or pleasure boats containing the name of Supreme Court Justice, Sandra Day O'Connor. (Case Number CBP-FO-2024-102441)
- On May 3, 2024, **Carlos Polanco**, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the use and application of light detection and ranging (LIDAR) concerning hurricane disasters. (Case Number 2024-FEFO-00827)
- On May 3, 2024, **Mara Arellano**, a representative of *Telemundo Network* in Universal City, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications between Border Patrol personnel discussing the apprehension, detention, processing, and treatment of undocumented individuals from 2017 to 2020 where U.S. Border Patrol agents used the derogatory slur "tonk" on government devices. (Case Number CBP-FO-2024-102598)
- On May 2, 2024, **Allison Pohle**, a representative of *The Wall Street Journal* in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to the operations, maintenance, and speed of the Analogic checkpoint computed tomography scanners. (Case Number 2024-TSFO-01046)
- On May 3, 2024, **Deanna Allbrittin**, a representative with *WRIC ABC 8News* in Richmond, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to surveillance footage of passenger Tyler Scott Wenrich as he went through the Richmond International Airport security checkpoint on April 17. (Case Number 2024-TSFO-01057)
- On May 6, 2024, **John Terhune**, a representative of *The Portland Press Herald* in South Portland, Maine, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Border Patrol Tactical Unit's (BORTAC) involvement in the manhunt for Robert Card in Lewiston, Maine, from October 25-27, 2023. (Case Number CBP-FO-2024-103432)
- On May 6, 2024, **David Collins**, a representative of *WBAL TV 11 News*, in Baltimore, Maryland, requested from the U.S. Coast Guard (USCG) records

obtained on March 26, 2024, from the DALI ship voyage data recorder. (Case Number 2024-CGFO-01777)

- On May 6, 2024, **Rick Brewer**, a representative of **WCMU Public Media** in Mount Pleasant, Michigan, requested from the U.S. Coast Guard (USCG) records pertaining to the March 28, 2024, collision involving the AMERICAN MARINER with the Mud Lake Junction Light in the St. Mary's River. (Case Number 2024-CGFO-01779)
- On May 8, 2024, **Steve Thompson**, a representative of **The Washington Post** in Washington, D.C., requested from the U.S. Coast Guard (USCG) records pertaining to the Investigation and Casualty Analysis incident of the vessel MV WAWASAN RUBY on August 25, 2012, close to Curtis Bay. (Case Number 2024-CGFO-01742)
- On May 8, 2024, **Ed Gallek**, a representative with **FOX 8** in Cleveland, Ohio, requested from the Transportation Security Administration (TSA) records pertaining to any report of a security breach involving Bryant Francis at Hopkins Airport from February 1, 2024 through May 8, 2024. (Case Number 2024-TSFO-01073)

Late Requests:

- On April 15, 2024, **Ed Williams** a representative of **Searchlightnm.org** in Santa Fe, New Mexico, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to complaints and correspondence sent or received by employees of USCIS' New Mexico office regarding Dr. Christopher R. Fletcher, a civil surgeon residing in Santa Fe, New Mexico. (Case Number COW 2024-003188)
- On April 23, 2024, **George Joseph**, a representative of **The Guardian**, in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to NYC Mayflower Regional Center, INC. (Case Number COW 2024-003374)
- On April 29, 2024, **Bryan Temmermand**, a private individual in Mill Valley, California, requested from the U.S. Coast Guard (USCG) records pertaining to the November 4, 2023, marine mishap in the San Francisco Bay between the M/V CMA CGM CHILE with a San Francisco Bar Pilot aboard (Unit 30) and a group of 78 swimmers from an Odyssey Open Water Swimming event. (Case Number 2024-CGFO-01732)
- On May 1, 2024, **Andrea Meza**, a representative of the **Government Accountability Project** in Washington D.C., requested from U.S. Customs and Border Protection (CBP) records pertaining to communications related to Dr. Alexander Eastman's issuance and possession of CBP firearm. (Case Number CBP-FO-2024-100501)
- On May 1, 2024, **Theodore Hesson**, a representative of **Reuters** in Washington D.C., requested from the U.S. Customs and Border Protection (CBP) records pertaining to the cost of CBP's canine program from 2000 to present; drug seizures by weight and drug type in cases where canines discovered the contraband from 2000 to present. (Case Number CBP-FO-2024-100602)
- On May 1, 2024, **Dhruv Mehrotra**, a representative of **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records

pertaining to a list of questions asked by CBP to TikTok workers at the border. (Case Number CBP-FO-2024-101181)

III. Freedom of Information Act Releases

- On April 30, 2024, the U.S. Secret Service (USSS) released to **David Fahrenthold**, a representative of *The New York Times* in Washington, D.C., 9 pages of records pertaining to the USSS rental of rooms, villas, cabanas or other dwelling at the Trump National Club in Bedminster, New Jersey since September 2021. (USSS Case Number 20240513)
- On May 2, 2024, U.S. Customs and Border Protection (CBP) released to **Samantha Manning**, a representative of *Cox Media Group* in Washington, D.C., 5 pages of records pertaining to DHS officials' direct involvement with the security planning/response for the January 6, 2021, protests, and breach at the U.S. Capitol. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C). (Case number CBP-2022-065756)
- On May 2, 2024, U.S. Customs and Border Protection (CBP) released to **Robin Bravender**, a representative of *Business Insider* in Washington, D.C., 5 pages of records pertaining to communications between DHS officials and U.S. Capitol Police between January 1, 2021, and January 7, 2021. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C). (Case number CBP-2022-065763)
- On May 2, 2024, U.S. Customs and Border Protection (CBP) released to **Joseph Lloyd**, a private individual 5 pages of records pertaining to communications between DHS officials and U.S. Capitol Police between January 1, 2021, and January 12, 2021. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C). (Case number CBP-2022-065779)
- On May 2, 2024, U.S. Customs and Border Protection (CBP) released to **Joseph Konig**, a representative of *Spectrum News* in New York, New York, 467 pages of records from 2017 to 2020 with the phrase "tonk" as previously provided to HuffPost. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2024-100064)
- On May 3, 2024, U.S. Customs and Border Protection (CBP) released to **David Warren**, a representative of the *Institute for Justice* in Arlington, Virginia, 31 pages of records pertaining to tort claims filed for claims of damage in the pursuit and/or apprehension of a subject. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-FO-2023-134610)
- On May 6, 2024, the Federal Law Enforcement Training Centers (FLETC) released to **Mike Howell**, a representative of *The Heritage Foundation* in Washington, D.C. a no records final response pertaining to any listening sessions concerning Executive Order (E.O.) 14019. (Case Number 2024-FLETC-FO-00128)
- On May 7, 2024, U.S. Customs and Border Protection (CBP) released to **Colin Aamot**, a representative of *The Daily Signal* in Washington, D.C., a one page of record pertaining to the vacancy and occupancy rates of the Ronald Reagan building

and the number of full-time employees covered under telework agreements as of January 1, 2024. Portions of this release were withheld pursuant to FOIA exemptions 7(E) and 7(F). (Case Number CBP-FO-2024-050389)

- On May 7, 2024, U.S. Customs and Border Protection (CBP) released to **Colin Farnsworth**, a representative of **Center for Immigration Studies** in Washington, D.C., 6 pages of records pertaining to the last known U.S. address for each person who received parole after using the CBP One system. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number CBP-FO-2024-089333)
- On May 7, 2024, U.S. Customs and Border Protection (CBP) released to **Mara Arellano**, a representative of **Telemundo Network** in Universal City, California, 467 pages of records pertaining to email communications from 2017 to 2020 with the phrase "tonk" as previously provided to HuffPost. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2024-102598)
- On May 8, 2024, U.S. Customs and Border Protection (CBP) released to **Julia Harte**, a representative of **Reuters News**, in Brooklyn, New York, 122 pages of records pertaining to Harry Hughes and the "U.S. Border Guard." Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-057419)
- On May 8, 2024, The Federal Law Enforcement Training Centers (FLETC) released a no records final response to **Mike Howell**, a representative of **The Heritage Foundation** in Washington, D.C. pertaining to communications between DHS officials and several nonprofit organizations containing the terms '14019', 'executive order', 'Promoting Access to Voting', 'get out the vote', 'GOTV', 'vote# within 5 words of regist#', 'vote# within 5 words of turnout', 'vote# mobilization', 'PAC', 'election integrity', 'VRA', 'NVRA', or 'expanding access'. (Case Number 2024-FLETC-FO-00107)
- On May 8, 2024, U.S. Citizenship and Immigration Services (USCIS) released to **Grey Moran**, a representative of **Civil Eats** in New Orleans, Louisiana, one Excel spreadsheet pertaining to the number of notifications of abandonment, filed by employers of H-2A guestworkers, to USCIS, between January 1, 2022, through December 31, 2022. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number COW 2023-000325)

IV. Freedom of Information Act Appeals

- Nothing significant to report.

V. Freedom of Information Act Appeals Releases

- Nothing significant to report.

VI. Litigation

- In the matter of ***America First Legal Foundation v. U.S. Department of Homeland Security (DHS) (22-cv-01896) (2022-HQLI-00044)***, plaintiff filed a complaint on July 5, 2022, seeking records pertaining to political appointees since January 20, 2021. On May 6, 2024, the U.S. Department of Homeland Security (DHS) Privacy Office issued a supplemental response consisting of 8 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemption 6.
- In the matter of ***Immigrants' Legal Defense v. U.S. Department of Homeland Security (DHS) (23-cv-06348) (2024-HQLI-00022)***, plaintiff filed a complaint on December 8, 2023, seeking records pertaining to any complete or signed "DHS Multimedia Agreement,"; communications containing the following phrases: "proposed pilot"; "shooting schedule"; "outline of the production"; or "approved production" from the following custodians: Brandon A. Montgomery, Director, DHS, Office of Multimedia Liaison, the current Director of DHS' Office of Multimedia Liaison or any individual who has held the title of Director of DHS' Office of Multimedia Liaison from March 1, 2018, to the present. On May 7, 2024, the U.S. Department of Homeland Security (DHS) Privacy Office issued its third interim response consisting of 66 pages of records to the plaintiff. Portions of this response are withheld pursuant to FOIA exemptions 5,6, and 7(C).
- In the matter of ***Bloomberg, L.P. v. U.S. Department of Homeland Security (DHS) (24-cv-00596)***, plaintiff filed a FOIA request on October 3, 2023, seeking records pertaining to employer-level records on H-1B lottery and petition results, from lottery season FY2021 (lottery conducted in 2020) to lottery season FY2024 (lottery conducted in 2023). On May 10, 2024, the U.S. Citizenship and Immigration Services (USCIS) released two Excel spreadsheets to the plaintiff.

Freedom of Information Act Exemptions

Exemption 1: classified national defense and foreign relations information

Exemption 2: internal agency personnel rules and practices

Exemption 3: Information that is prohibited from disclosure by another federal law

Exemption 4: trade secrets and other confidential business information

Exemption 5: inter-agency or intra-agency communications that are protected by legal privileges

Exemption 6: information involving matters of personal privacy

Exemption 7: records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, or F) could reasonably be expected to endanger the life or physical safety of any individual

Exemption 8: information relating to the supervision of financial institutions

Exemption 9: geological information on wells