

**Freedom of Information Act Activity for the Weeks of  
December 17, 2020 and December 30, 2020  
DHS Privacy Office  
January 5, 2021  
Weekly Freedom of Information Act Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:

- NSTR

**II. Freedom of Information Act Requests**

- On December 17, 2020, **Charlotte Zoda**, a representative with *MSS Media* in Miami, Florida, requested from U.S. Customs and Border Protection (CBP) solicitation documentation related to a contract awarded to Elevation, Ltd for integrated marketing services to support CBP's Office of Public Affairs. (Case Number CBP-2021-018725)
- On December 17, 2020, **Shannon Glenn**, a representative with **Bracewell, LLP** in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records related to Migrant Protection Protocols from November 1, 2019 through the present. (Case Number CBP-2021-018382)
- On December 17, 2020, **Benjamin Hulac**, a representative with *CQ Roll Call*, in Washington, DC, requested from the United States Secret Service (USSS), briefing materials prepared in 2020 for the incoming administration under the Presidential Transition Act. (Case Number USSS 20210187)
- On December 21, 2020, **Paul Litzher**, a private individual in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) certain records for deceased individual Jeffrey Edward Epstein. (Case Number CBP-2021-019168)
- On December 21, 2020, **Alice Ross**, a representative with *Unearthed News* in London, United Kingdom, requested from U.S. Customs and Border Protection (CBP) communications from January 1, 2019 to the present with representatives of Cargill Inc., on the topic of child labor. (Case Number CBP-2021-019498)
- On December 21, 2020, **John Greenwald**, a representative with **The Black Vault** in Castaic, California, requested from the United States Coast Guard (USCG) a listing of videos uploaded to the USCG's YouTube channel that are marked as unlisted or private. (Case Number USCG 2021-CGFO-00567)
- On December 21, 2020, **Olivia Iverson**, a representative with *WFGX TV* in Pensacola, Florida, requested from the United States Coast Guard (USCG) records concerning a Skanska barge cut loose from the line securing it in Pensacola on December 19, 2020. (Case Number USCG 2020-CGFO-02556)
- On December 21, 2020, **Ken Klippenstein**, a representative with *The Nation* in Washington, DC, requested from the Department of Homeland Security (DHS) Office of

Inspector General (OIG) the report recently completed by Wilmer Hale on the internal audit of the DHS OIG. (Case Number USCG 2021-IGFO-00037)

- On December 21, 2020, **Josh Gerstein**, a representative with *Politico* in Alexandria, Virginia, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) the report on the former leadership of the OIG. (Case Number 2021-IGFO-00038)
- On December 21, 2020, **Abigail McMillan**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office a certain Task Order. (Case Number HQ 2021-HQFO-00330)
- On December 22, 2020, **Dr. Razvan Sibii**, a representative with the *Daily Hampshire Gazette* in Amherst, Massachusetts, requested from U.S. Customs and Border Protection (CBP) personal travel records from January 1, 1995, through the present. (Case Number CBP-2021-019591)
- On December 23, 2020, **Megan Gibson**, a representative with **Niskanen Center** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records related to the Tanton Organizations. (Case Number HQ 2021-HQFO-00052)
- On December 28, 2020, **Sherry L Harvill**, a private individual in Omaha, Nebraska, requested from U.S. Customs and Border Protection (CBP), certain records related to the death of Benjamin Manley on December 16, 2020 in the Border Patrol El Paso Sector. (Case Number CBP-2021-020295)
- On December 29, 2020, **(b)(6)** a private individual in Omaha, Nebraska, requested from U.S. Customs and Border Protection (CBP), certain records related to the death of **(b)(6)** Benjamin Manley. (Case Number CBP-2021-020716)
- On December 29, 2020, **Aaron Hall**, a representative with **Joseph Law Firm PC** in Aurora, Colorado, requested from the Department of Homeland Security (DHS) Privacy Office direct messages sent from January 20, 2017 to September 16, 2019, by or received by the @SpoxDHS Twitter account. (Case Number HQ 2021-HQFO-00339)
- On December 30, 2020, **Claire Harvey**, a representative with **National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office certain records related to Department of Homeland Security-affiliated social media postings. (Case Number HQ 2021-HQFO-00015)

### Late Requests

- On October 29, 2020, **Brody Ford**, a journalist, requested from the United States Coast Guard (USCG) records related to a 1989 search and rescue mission in the South Pacific involving Graham Hughes and his vessel SEA DREAMER. (Case Number USCG 2021-CGFO-00614)

- On December 9, 2020, **Jessica Jagalois**, a representative with *WMC TV* in Memphis, Tennessee, requested from the Transportation Security Administration (TSA) records pertaining to the number of passengers that TSA agents have checked from 2015 to the present at certain airports. (Case Number TSA 2021-TSFO-00101)
- On December 9, 2020, **Matt Zdun**, a representative with *KWTX* in Waco, Texas, requested from the Transportation Security Administration (TSA) certain records regarding lost or damaged items claims at certain airports. (Case Number TSA 2021-TSFO-00103)

### III. Freedom of Information Act Releases

- On December 17, 2020, U.S. Customs and Border Protection (CBP) issued to **Sarah Rafique**, a representative with *ABC 13 Houston (KTRK)* in Houston, Texas, a no records response in regard to her request for the number of human smuggling cases that were prosecuted from January 1, 2015 to December 4, 2020. (Case number CBP-2021-01558)
- On December 17, 2020, the Department of Homeland Security (DHS) released to **Joseph Cox**, a representative with *Motherboard (VICE)* in Somerville, Massachusetts, 15 pages of records relating to a specific award. Portions of this response were withheld pursuant to FOIA Exemptions 4 and 6. (Case Number HQ 2020-HQFO-01660)
- On December 18, 2020, the Department of Homeland Security (DHS) released to **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, 25 pages of records relating to a specific award. Portions of this response were withheld pursuant to FOIA Exemptions 4, 5 and 6. (Case Number HQ 2020-HQFO-01656)
- On December 21, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Sergio Hernandez**, a representative of *CNN* in New York, New York, one Excel spreadsheet of records consisting of agency's FOIA request log from September 1, 2020 to September 30, 2020. Portions of this release were withheld pursuant to FOIA Exemption 6 and 7(C). (Case Number HQ 2021-HQFO-00008)
- On December 21, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Matthew Hoppock**, a representative of *MuckRock News* in Somerville, Massachusetts, three pages of records related to the "Migrant Protection Protocol" or MPP. Portions of this release were withheld pursuant to FOIA Exemption 5, 6, and b7(C). (Case Number HQ 2021-HQFO-00117)
- On December 22, 2020, the U.S. Department of Homeland Security released to **Eric Geller**, a representative from *Politico* in Arlington, Virginia, 19 pages of records resulting from Cybersecurity and Infrastructure Security Agency's "active" and "passive" Crossfeed assessments of election infrastructure. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(E). (Case Number 2021-NPFO-00005)
- On December 23, 2020, U.S. Customs and Border Protection (CBP) released to **Andrew Free**, a representative of *Muckrock*, in Somerville, Massachusetts, 25 pages of correspondence, Significant Incident Reports, and an I-213 Record of Deportable/Inadmissible Alien. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E) (Case Number CBP-2020-050233)

- On December 23, 2020, the United States Coast Guard (USCG) released to **Julia Fair**, a representative with *The Cincinnati Enquirer* in Cincinnati, Ohio, one video and 60 pages of records consisting of investigative reports, checklists, and photographs. This response was released in full. (Case Number USCG 2020-CGFO-02590)
- On December 23, 2020, the United States Coast Guard (USCG) released to **J. Ryan Melogy**, a representative with *Maritime Legal Aid Society*, 183 pages of records consisting of enforcements and court cases. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(A), and 7(C). (Case Number USCG 2020-CGFO-01886)
- On December 23, 2020, from the U.S. Department of Homeland Security (DHS) released to **Mark Burns**, a private individual from Encinitas, California, 103 pages of records from May 1, 2017, to January 5, 2018, relating to certain CPU chip design vulnerabilities. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(E). (Case Number 2018-NPFO-00226)
- On December 28, 2020, U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative with *The Cato Institute* in Washington, DC, one spreadsheet consisting of I-140 petitions. These records were released in full. (Case Number USCIS COW2020000255)
- On December 28, 2020, U.S. Citizenship and Immigration Services (USCIS) released to **Lauren Morel**, a representative with *The Center for Investigative Reporting* in Saint Petersburg, Florida, one Excel spreadsheet consisting of data pertaining to U visa (I-918) petitions from Fiscal Year 2014 to Fiscal Year 2019. These records were released in full. (Case Number USCIS COW2020000186)
- On December 29, 2020, U.S. Customs and Border Protection (CBP) issued to **Sherry Harvill**, an individual in Omaha, Nebraska, a full denial in response to her request for certain records related to the death of Benjamin Manley on December 16, 2020 in the Border Patrol El Paso Sector. These records were withheld pursuant to FOIA Exemption 7(A). (Case number CBP-2021-020295)
- On December 29, 2020, U.S. Customs and Border Protection (CBP) released to **Paul Litzher**, an individual from Arlington, Virginia, three pages consisting of the entry and exit records of deceased individual, Mr. David Hamilton Koch. These records were released in full. (Case Number CBP-2021-018026)
- On December 30, 2020, U.S. Customs and Border Protection (CBP) released to **Brian Vandyke**, an individual in Arlington, Virginia, 272 pages of Jeffrey Edward Epstein's travel records. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-008584)
- On December 30, 2020, U.S. Customs and Border Protection (CBP) released to **Paul Litzher**, an individual in Arlington, Virginia, 272 pages of Jeffrey Edward Epstein's travel records. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2021-019168)
- On December 30, 2020, U.S. Customs and Border Protection (CBP) released to **Dr. Razvan Sibii**, a representative with the *Daily Hampshire Gazette* in Amherst, Massachusetts, nine pages of his personal travel records. Portions of this release were

withheld pursuant to FOA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-019591)

- On December 30, 2020, U.S. Customs and Border Protection (CBP) issued to (b)(6) an individual in Omaha, Nebraska, a full denial in response to her request certain records related to the death of (b)(6) Benjamin Manley. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2021-020716)
- On December 30, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Jimmy Tobias**, a representative of *The Guardian*, in Somerville, Massachusetts, 15 pages of records consisting of memos pertaining to COVID-19. Portions of this release were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number HQ 2021-HQFO-00114)
- On December 30, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative of **American Oversight**, in Washington, DC, 16 pages of communications between Acting Deputy Secretary Ken Cuccinelli, Acting Chief of Staff Chad Mizelle and certain external entities. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number HQ 2020-HQFO-00512)
- On December 30, 2020, the Department of Homeland Security (DHS) Privacy Office released to **John Jamason**, a private individual in West Palm Beach, Florida, three pages of records pertaining to COVID-19. These records were released in full. (Case Number HQ 2020-HQFO-01175)
- On December 30, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, a private individual from Silver Spring, Maryland, 15 pages of records consisting of the most recent 10 notification emails distributed by the National Operations Center from August 16 - 28, 2020. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number HQ 2020-HQFO-01704).
- On December 30, 2020, the Department of Homeland Security (DHS) Privacy Office, released to **Edward Garcia**, a private individual from El Paso, Texas, one page of records consisting of a list of employees infected with the COVID-19 virus within the SIU Division of the United States Border Patrol, El Paso Sector in the last six months. The document was released in its entirety. (Case Number HQ 2020-HQFO-01505)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Asian American Advancing Justice v. United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00411-BAH), plaintiff filed a FOIA

request on December 21, 2018, seeking records and statistical data pertaining to a certain policy memorandum. On December 17, 2020, USCIS released to the plaintiff 519 pages of records.

- In the matter of *American Immigration Council v. U.S. Citizenship and Immigration Services (USCIS), et al.*, (3:20-cv-03266), plaintiff filed a FOIA request on February 5, 2020, seeking records pertaining to the Migrant Protection Protocols. On December 17, 2020, USCIS released to the plaintiff 87 pages of records.
- In the matter of *American Oversight v. United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00774-RC), plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to communications from White House adviser Stephen Miller and his former executive assistant McLaurine Klingler. On December 18, 2020, USCIS released to the plaintiff 19 pages of records.
- In the matter of *American Oversight v. United States Department of Commerce, United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00912), plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for certain officials and anyone who served as White House Liaison. On December 18, 2020, USCIS released to the plaintiff 1,458 pages of records.
- In the matter of *Louise Trauma Center LLC v. United States Department of Homeland Security*, (1:20-cv-01128-TNM), plaintiff filed a FOIA request on July 17, 2019, seeking records pertaining to asylum officer training materials in July 2019. On December 21, 2020, USCIS released to the plaintiff 324 pages of records.
- In the matter of *Kids in Need of Defense v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al.*, (1:20-cv-00944), plaintiff filed a FOIA request on September 12, 2019, seeking certain records pertaining a the interim final rule “Asylum Eligibility and Procedural Modifications”. On December 22, 2020, USCIS released to the plaintiff 52 pages of records.
- In the matter of *Southern Poverty Law Center v U.S. Department of Homeland Security (DHS) et al.*, (1:18-cv-01725-ABJ), plaintiff filed a FOIA request on January 23, 2018, requesting records related to basic ordering agreements between ICE and local authorities or law enforcement agencies. On December 17, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 692 pages of records.
- In the matter of *American Immigration Council, et.al v. USCIS, et. al*; 20-cv-03266-DMR, plaintiff filed a FOIA request on December 21, 2019, requesting documents relating to Migrant Protection Protocols for December 2019 to the present. On December 17, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 227 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking documents about the Alternatives to Detention program from U.S. Immigration and Customs Enforcement. On December 17, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 564pages of records.
- In the matter of *Comunidad Colectiva v U.S. Immigration and Customs Enforcement (ICE)*, (1:20-cv-1256), plaintiff filed a FOIA request on December 17, 2019, requesting data regarding ICE’s activities related to Comunidad Colectiva. On December 21, 2020,

U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 16 pages of records.

- In the matter of *Austin Sanctuary Network v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:20-cv-01686-LJL), plaintiff filed a FOIA request on September 11, 2019, requesting records on immigrants taking “sanctuary” in places of worship or elsewhere. On December 22, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 488 pages of records.
- In the matter of *American Oversight v U.S. Immigration and Customs Enforcement (ICE) et al.*, (0:20-cv-2153), plaintiff filed a FOIA request on September 11, 2019, requesting records on immigrants taking “sanctuary” in places of worship or elsewhere. On December 22, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 50 pages of records.
- In the matter of the *Electronic Frontier Foundation v U.S. Department of Homeland Security (DHS) et al.*, (3:19-cv-07431), plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE’s pilot program on Rapid DNA testing. On December 23, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 426 pages of records.
- In the matter of *Make the Road New York & Center for Constitutional Rights v U.S. Department of Homeland Security (DHS) et al.*, (1:19-cv-04607-BMC), plaintiff filed a FOIA request on June 21, 2018, requesting all records pertaining to a notice of proposed rulemaking titled “Inadmissibility on Public Charge Grounds.” On December 23, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 45 pages of records.
- In the matter of *Americans for Immigrant Justice, Inc. v U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-20920-JEM), plaintiff filed a FOIA request on September 23, 2019, seeking documents related to the mental health services available to immigrants detained in ICE facilities located in Florida. On December 23, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 230 pages of records.
- In the matter of *ACLU of Oregon v. DHS*, 3:18-cv-00247-PK (D. Or.), plaintiff filed a FOIA request on July 14, 2020, requesting signed a settlement agreement whereby ICE agreed to process a new FOIA request for records. On December 23, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 966 pages of records.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. United States Citizenship and Immigration Services (USCIS); United States Department of Homeland Security (DHS)*, (3:20-cv-03000), plaintiff filed a FOIA request on December 10, 2019, seeking records related to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On December 30, 2020, USCIS released to the plaintiff 604 pages of records.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al.*, (0:20-cv-02213), plaintiff filed a FOIA request on March 13, 2020, requesting certain records related to data collected or generated through U.S. Customs and Border Protection’s biometric services and infrastructure. On December 28,

2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 5 pages of records.

- In the matter of the *National Immigrant Justice Center v U.S. Department of Homeland Security (DHS) et al.*, (1:18-cv-04247), plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to facilities housing detained immigrants from 2013 - present. On December 30, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,179 pages of records.
- In the matter of the *National Immigrant Justice Center v Immigration Customs Enforcement (1:19-cv-11131)*, plaintiff filed a FOIA request on December 5, 2019, requesting all records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement ("ICE") and state and/or local facilities. On December 30, 2020, ICE released to the plaintiff 420 pages of records.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:18-cv-01501-KBJ), plaintiff filed a FOIA request on September 15, 2017, requesting records for January 1, 2016 to the present regarding detainees held in segregation. On December 30, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 2 excel spreadsheets.
- In the matter of *Capital Area Immigrants' Rights (CAIR) Coalition v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:20-cv-00327-DLB), plaintiff filed a FOIA request on February 12, 2020, requesting all records pertaining to individuals in ICE custody who have received a determination of release on monetary bond but have not posted bond in Maryland Area of Responsibility. On December 30, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 106 pages of records and 2 Excel spreadsheets
- In the matter of *Stark Link Engineering Equipment Trading v. United States Customs and Border Protection (1:20-cv-01939)*, plaintiff filed a FOIA request on September 25, 2019, seeking the release of records related to the seizure of certain printers exported from the United States. Plaintiff filed suit on July 17, 2020, claiming injunctive relief. On December 18, 2020, CBP released its final response, consisting of 63 pages.
- In the matter of *Democracy Forward Foundation v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking certain records for Katherine Gorka. On December 18, 2020, DHS released 451 pages. (Case Number HQ 2019-HQLI-00007)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 30, 2017, seeking emails from January 21 - July 31, 2017, sent or received by former Secretary John Kelly. On December 21, 2020, DHS Privacy Office released 286 pages. (Case Number HQ 2018-HQLI-00001)
- In the matter of *American Civil Liberties Union Foundation v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 13, 2015, seeking certain records on the DHS Countering Violent Extremism program. On December 21, 2020, DHS released 77 pages. (Case Number HQ 2016-HQLI-00005)
- In the matter of *Muslim Advocates v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2020, seeking certain records related to Presidential Proclamation 9983 on Improving Enhanced Vetting Capabilities and



Processes for Detecting Attempted Entry. On December 23, 2020, DHS released 15 pages. (Case Number HQ 2020-HQLI-00025)

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 11, 2020, seeking certain records related to civil disturbances sparked by the police killing of George Floyd. On December 23, 2020, DHS released 127 pages. (Case Number HQ 2020-HQLI-00038)
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)* plaintiff filed a FOIA request on October 3, 2017, seeking certain records regarding the family separation policy. On December 30, 2020, DHS released 40. (Case Number HQ 2019-HQLI-00018)
- In the matter of *Make the Road New York v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 6, 2019, seeking records related to 'public charge' assessments during the past two decades. On December 31, 2020, DHS released 247 pages. (Case Number HQ 2018-HQLI-00030)
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to the processing and treatment of noncitizen families who arrive at the United States - Mexico border. On December 31, 2020, the Department of Homeland Security (DHS) released 516 pages. (Case Number HQ 2018-HQLI-00036)

## 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

**Freedom of Information Act Activity for the Week of  
December 31, 2020 to January 6, 2021  
DHS Privacy Office  
January 12, 2021  
Weekly Freedom of Information Act Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:

- NSTR

**II. Freedom of Information Act Requests**

- On January 1, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) the transition briefing documents prepared by CBP for the incoming Biden Administration. (Case Number CBP-2021-021217)
- On January 1, 2021, **Ken Klippenstein**, a representative with *The Nation Magazine* in Madison, Wisconsin, requested from U.S. Customs and Border Protection (CBP) a log of congressional correspondence from January 20, 2017 to January 1, 2021. (Case Number CBP-2021-021228)
- On January 1, 2021, **Ken Klippenstein**, a representative with *The Nation Magazine* in Madison, Wisconsin, requested from U.S. Customs and Border Protection (CBP) emails sent from certain CBP officials from May 25 - August 15, 2020. (Case Number CBP-2021-021233)
- On January 1, 2021, **Ken Klippenstein**, a representative with *The Nation* in Washington, DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records related to DHS congressional correspondence logs from January 1, 2017 through January 1, 2021. (Case Number 2021-IGFO-00043)
- On January 4, 2021, **Bennito Kelty**, a representative with the *Tucson Sentinel* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) the number from December 13 and January 15 for the Fiscal Years 2010-2021 of incoming land travelers, privately owned vehicles, and pedestrians processed by CBP. (Case Number CBP-2021-021503)
- On January 4, 2020, **Ken Klippenstein**, a representative with *The Nation* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office emails from May 25 - August 15, 2020, sent by certain DHS officials. (Case Number HQ 2021-HQFO-00087)
- On January 4, 2020, **Robert Baird**, a representative with *The New Yorker* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office correspondence of certain officials related to COVID-19. (Case Number HQ 2021-HQFO-00346)

- On January 4, 2020, **Ken Klippenstein**, a representative with *The Nation* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy office records related to DHS congressional correspondence logs from January 20, 2017, through January 1, 2021. (Case Number HQ 2021-FPFO-00006)
- On January 4, 2021, **Kenneth Klippenstein**, a representative with *The Nation* in Madison, Wisconsin requested from the United States Secret Service (USSS) records related to DHS congressional correspondence logs from January 20, 2017, through January 1, 2021. (USSS 20210237)
- On January 4, 2021, **Nihkel Sus**, a representative with **Citizens for Responsibility and Ethics in Washington** in Washington DC, requested from the United States Secret Service (USSS) records on taxpayer funds expended by the Secret Service in connection with Vice President Mike Pence's trip to Vail, Colorado from December 2020 through January 2021. (Case Number USSS 20210241)
- On January 5, 2021, **Sharon Lerner**, a representative from *The Intercept* requested from U.S. Customs and Border Protection (CBP) records pertaining to U.S. Department of Homeland Security's (DHS) decision to implement chemical agents against protesters in Portland. (Case Number CBP-2021-021623)
- On January 5, 2020, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office transition briefing document(s) prepared by Federal Emergency Management Agency (FEMA) for the incoming Biden Administration. (Case Number HQ 2021-HQFO-00360)
- On January 5, 2021, **Kenneth Klippenstein**, a representative with *The Nation* in Madison, Wisconsin, requested from the United States Secret Service (USSS) records regarding the protocol for when an incumbent President refuses to vacate the White House after inauguration. (Case Number USSS 20210235)
- On January 5, 2021, **Michael Ravnitzky**, an individual in Silver Spring, Maryland, requested from the United States Secret Service (USSS) records about certain public threats against the Vice President and actions taken to address them. (Case Number USSS 20210238)
- On January 5, 2021, **Lisa Rein**, a representative with *The Washington Post* in Washington DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) documents pertaining to the report recently completed by the Wilmer Hale firm on the OIG Office. (Case Number USCG 2021-IGFO-00046)
- On January 6, 2021 **Courtney Bubl e**, a representative with **Government Executive Media Group** in Washington DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) a copy of DHS's inspector general investigative report concerning an investigation conducted by Wilmer Hale. (Case Number USCG 2021-IGFO-0047)

### Late Requests

- On December 5, 2020, **Martin Reggi Jr.**, a private individual in Cicero, Illinois, requested from the Transportation Security Administration (TSA) records concerning the TSA Silent Partner or Quiet Skies list. (Case Number TSA 2021-TSFO-00125)

- December 6, 2020, **Patrick Eddington**, a representative with the **CATO Institute** in Washington, DC, requested from the Transportation Security Administration (TSA) records concerning the TSA Silent Partner and Quiet Skies programs. (Case Number TSA 2021-TSFO-00128)
- On December 22, 2020, **(b)(6)** a representative with the *Daily Hampshire Gazette* in Amherst, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) their own Alien File. (Case Number USCIS COW2020003841)
- On December 30, 2020, **William Lennon**, an independent journalist in Washington, DC, requested from U.S. Customs and Border Protection (CBP), environmental assessments that contain information on surveillance equipment deployed at or near the border from January 1, 2016 to December 30, 2020. (Case Number CBP-2021-020900)

### III. Freedom of Information Act Releases

- On January 4, 2021, U.S. Customs and Border Protection (CBP) issued to **Cameron Clark**, a representative with the **Texas Civil Rights Project** in Houston, Texas, a no records response in regard to his request for records pertaining to preparations for civil unrest due to the General Election on November 3, 2020. (Case Number CBP-2021-001736)
- On January 4, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, one page of records consisting of a Form SF-50 for Cameron Quinn reflecting any change in position or title. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number HQ 2021-HQFO-00072)
- On January 5, 2021, U.S. Customs and Border Protection (CBP) issued to **David Bier**, a representative of the **Cato Institute**, in Washington, DC, a no records response in regard to his request for certain data from a study on child migrant apprehensions. (Case Number CBP-2020-019029)
- On January 5, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Kelly Simon**, a representative from **the American Civil Liberties Union of Oregon** in Portland, Oregon, records from May 25, 2020, through present related to law enforcement agencies and protest activity Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00017)
- On January 6, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative with **Cato Institute** in Washington, DC, one spreadsheet consisting of data pertaining to applicants with employment-based immigrant petitions. These records were released in full. (Case Number USCIS COW2020000073)
- On January 6, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative with **Cato Institute** in Washington, DC, six spreadsheets consisting of data pertaining to the number of service-wide forms for fiscal years 2007 to 2012. These records were released in full. (Case Number USCIS COW2020000184)
- On January 6, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **David Bier**, a representative with **Cato Institute** in Washington, DC, one spreadsheet

consisting of data pertaining to the number of employment-based and family-based petitions without a current priority date. These records were released in full. (Case Number USCIS COW2020000189)

- On January 6, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **Kenneth Bensinger**, a representative with *Buzzfeed News* in Los Angeles, California, 137 pages of records consisting of data pertaining to the number of approved I-140 petitions without a current priority date and the number of individual beneficiaries of approved I-140 petitions without a current priority date. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2020000273)
- On January 6, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **Travis Burt**, an individual in Austin, Texas, one spreadsheet consisting of data pertaining to the number of individuals granted asylum affirmatively by region and country of nationality for 2017. These records were released in full. (Case Number USCIS NRC2018185615)
- On January 6, 2021, the United States Coast Guard (USCG) released to **J. Ryan Meloy**, a representative with the **Maritime Legal Aid Society**, 549 pages of records related to sexual offenses or misconduct and investigations on vessels. Portions of this information was being withheld pursuant to FOIA Exemptions 6, 7(A), and 7(C). (Case Number USCG 2020-CGFO-01886)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed regarding border fencing and related tactical infrastructure. On December 31, 2020, CBP issued 1,215 pages of emails, meeting notes and attachments to the plaintiff.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On November 30, 2020, CBP issued 543 pages of emails, meeting agendas and notes, briefings, and reports to the plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al., (1:19-cv-01901-EGS)* plaintiff filed a FOIA request on April 18, 2019, seeking policy, directives, and training provided to Immigration and Customs Enforcement (ICE) and

U.S. Customs and Border Protection (CBP) in regard to the processing of, medical evaluation and care for, and safety measures to be taken, for pregnant and juvenile detainees. On December 31, 2020, CBP issued 85 pages of emails to the plaintiff.

- In the matter of *Electronic Frontier Foundation v. Department of Homeland Security (DHS) (3:19-cv-7431-JSC)* plaintiff filed a FOIA request on August 14, 2019, seeking records pertaining to Rapid DNA testing. On December 31, 2020, U.S. Customs and Border Protection (CBP) issued 58 pages of emails to the plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al., (1:19-cv-01901-EGS)*, plaintiff filed a FOIA request on April 18, 2019, seeking certain information provided to Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) in regard safety measures for pregnant and juvenile detainees. On January 6, 2021, CBP issued 235 pages of emails to the plaintiff.
- the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al., 19-cv-04533*, plaintiff filed a FOIA request on August 02, 2019, requesting records pertaining to the Institutional Hearing Program. On January 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 450 pages of records.
- In the matter of *American Oversight v U.S. Department of Justice (DOJ) et al., (1:18-cv-002846-CRC)*, plaintiff filed a FOIA request on June 20, 2018, requesting all email communications containing certain terms related to family separation from March 6, 2017 through the date of the search. On January 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 413 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed FOIA requests on August 6, 2018, seeking records related to health care provided to people held under immigration laws in Kenosha County, Wisconsin. On January 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 241 pages and 3 Excels of records.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. USICE, et. al*; plaintiff filed a FOIA request on July 6, 2020, seeking U.S. Immigration and Customs Enforcement (ICE) documents related to the FALCON system. On January 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 504 pages of records.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) et al., (1:20-cv-00652-RC)*, plaintiff filed a FOIA request on November 8, 2019, seeking certain records related to credible fear interview from asylum officers within U.S. Citizenship and Immigration Services (USCIS) to law enforcement agents within U.S. Customs and Border Protection (CBP). On December 31, 2020, USCIS released to the plaintiff 522 pages records.
- In the matter of *Catholic Legal Immigration Network, Inc, et al. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), and United States Department of State (DOS) (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017 to August 12, 2019. On January 6, 2021, USCIS released to the plaintiff 520 pages of records.

- In matter of *Make the Road New York vs. U.S. Department of Homeland Security*, plaintiff filed a FOIA request on May 6, 2019, seeking records on how 'public charge' assessments have been made and implemented in the past two decades. On December 31, 2020, DHS released 247 pages. (Case Number 2018-HQLI-00030)
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 3, 2017, seeking communications between political appointees and Congress regarding the costs associated with the family separation policy. On December 30, 2020, DHS released 40 pages. (Case Number 2019-HQLI-00018)
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States - Mexico border. On December 31, 2020, DHS released 516 pages. (Case Number 2018-HQLI-00036)



## 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

**Freedom of Information Act Activity for the Week of  
January 7 - 13, 2021  
DHS Privacy Office  
January 19, 2021  
Weekly Freedom of Information Act Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:

- NSTR

**II. Freedom of Information Act Requests**

- On January 7, 2021, **Bennito Kelty**, a representative with *Tucson Sentinel* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records related to a controlled turnover conducted on Tuesday, January 5, 2021, involving U.S. Border Patrol and any Mexican law enforcement. (Case Number CBP-2021-022281)
- On January 7, 2021, **Martha Mendoza**, a representative with *Associated Press* in Santa Cruz, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to events in Washington, DC on January 6, 2021. (Case Number CBP-2021-022452)
- On January 7, 2021, **Ann Marie Kernen**, a representative of **Center for Protest Law & Litigation** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the events in Washington, DC on January 6, 2021. (Case Number CBP-2021-022469)
- On January 7, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Los Angeles, California, request from the United States Secret Service (USSS) records mentioning death threats made against Vice President Mike Pence by attorney Lin Wood made via social media on January 1, 2021. (Case Number USSS 20210258)
- On January 7, 2020, **Robert Baird**, a representative with *The New Yorker* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office documents produced by members of the COVID-19 Hoarding and Price Gouging Task Force referring to "best practices" or "effective enforcement measures." (Case Number HQ 2021-HQFO-00394)
- On January 7, 2020, **Angela Wang**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office, records held by DHS regarding the riot in the U.S. Capitol on January 6, 2021. (Case Number HQ 2021-HQFO-00396)
- On January 7, 2020, **Nate Jones**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to events in Washington, DC on January 6, 2021. (Case Number HQ 2021-HQFO-00390)
- On January 7, 2020, **Martha Mendoza**, a representative with the *Associate Press* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy

Office records regarding the #stopthesteal protest and subsequent riot at the U.S. Capitol on January 6, 2021. (Case Number HQ 2021-HQFO-00395)

- On January 7, 2020, **Angela Wang**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office certain records from December 15, 2020 to January 7, 2021, containing keywords generally associated with pro-Trump protests. (Case Number HQ 2021-HQFO-00411)
- On January 8, 2020, **Ann Kernen**, a representative **Center for Protest Law and Litigation** in Washington, DC, requested from the Federal Protective Service (FPS) information regarding the January 6, 2021 events in Washington, DC, and White House communications regarding the events. (Case Number FPS 2021-FPFO-00043)
- On January 8, 2020, **Blake Ellis**, a representative with *CNN* in Denver, Colorado, requested from the Department of Homeland Security (DHS) Privacy Office intelligence briefings and officer safety bulletins regarding Black Lives Matter protests between May 25 – June 15, 2020 as well as the January 6, 2021 protest in Washington, DC. (Case number HQ 2021-HQFO-00369)
- On January 8, 2020, **Sergio Hernandez**, a representative with *CNN* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office certain records sent to or from certain DHS officials from January 6 – 13, 2021, related to discussions about invoking the 25th Amendment of the US Constitution. (Case Number HQ 2021-HQFO-00389)
- On January 8, 2020, **Elise Blake**, a representative with *CNN* in Denver, Colorado, requested from the Federal Protective Service (FPS) intelligence briefings and officer safety bulletins regarding Black Lives Matter protests between May 25 – June 15, 2020 as well as the January 6, 2021 protest in Washington, DC. (Case Number FPS 2021-FPFO-00044)
- On January 11, 2020, **Samantha Manning**, a private individual from Washington, DC, requested from the Federal Protective Service (FPS) correspondence from January 4 - 7, 2021, with keywords generally associated with pro-Trump protests. (Case Number FPS 2021-FPFO-00049)
- On January 11, 2020, **Paul Smith**, a representative with *The Intercept* in Long Island City, New York, requested from the Federal Protective Service (FPS) certain records sent, or received from November 3, 2020 to January 11, 2021 that make mention of any of keywords generally associated with pro-Trump protests. (Case Number FPS 2021-FPFO-00046)
- On January 11, **Jason Leopold**, a representative with *Buzzfeed* in Beverly Hills, California, requested from the Federal Protective Service (FPS) records from November 1, 2020 to January 11, 2021, regarding threats made against the former Cybersecurity and Infrastructure Security Agency (CISA) Director. (Case Number FPS 2021-FPFO-00048)
- On January 11, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Federal Protective Service (FPS) communications from December 31, 2020 to January 7, 2021, regarding events at the U.S. Capitol on January 6, 2021. (Case Number FPS 2021-FPFO-00053)
- On January 11, 2020, **Gregory Korte**, a representative with *Bloomberg News* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications to or from the Secretary or Acting Secretary of Homeland

Security concerning the following subjects: (1) the removal of the President of the United States through resignation, impeachment or disability; and (2) the January 6, 2021 counting of electoral votes by a joint session of Congress, President Trump's speech to supporters at the White House ellipse, and the resulting protests and riots at the U.S. Capitol Building. (Case Number HQ 2021-HQFO-00406)

- On January 11, 2020, **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California requested from the Department of Homeland Security (DHS) Privacy Office records collected by DHS mentioning the planning of protests in Washington, DC on January 6, 2021; and product provided to DHS from the National Capital Region Threat Intelligence Consortium from December 20, 2020 to the present. (Case Number HQ 2021-HQFO-00408)
- On January 11, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from December 31, 2020 to January 7, 2021, sent or received by the certain officials regarding events in Washington D.C. on January 6, 2021. (Case Number HQ 2021-HQFO-00409)
- On January 11, 2020, **Nikhel Sus**, a representative with **Citizenship for Responsibility and Ethics in Washington** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from December 1, 2020 to January 6, 2021, reflecting plans for demonstrations, gatherings, disruptions, attacks, or riots in Washington, D.C. on January 6, 2021. (Case Number HQ 2021-HQFO-00392)
- On January 11, 2020, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications between DHS and representatives of the US Capitol Police from January 1 - 7, 2021. (Case Number HQ 2021-HQFO-00370)
- On January 11, 2020, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records related to security planning ahead of the January 6, 2021 protest at the US Capitol. (Case Number HQ 2021-HQFO-00371)
- On January 11, 2021, **Tanvi Varma**, a representative with *KRGV-TV* in Weslaco, Texas, requested from U.S. Customs and Border Protection (CBP) data regarding the length of time children are detained in the Rio Grande Valley Sector from January 1, 2019 to the present. (Case Number CBP-2021-023099)
- On January 11, 2021, **Sarah Cammarata**, a representative with *POLITICO* in Washington DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) report of investigation related to allegations that a U.S. Coast Guard member was retaliated against for making protected communications under the Military Whistleblower Protect Act, 10 U.S.C. § 1034. (Case Number OIG 2021-IGFO-00051)
- On January 11, 2021, **Ann Kernen**, a representative with the **Center for Protest Law & Litigation Partnership for Civil Justice Fund** in Washington, DC, requested from the United States Secret Service (USSS) certain documents related to advanced preparations with certain law enforcement entities for the January 6, 2021 events in Washington, DC.. (Case Number USSS 20210266)

- On January 11, 2021, **Martha Mendoza**, a representative with the *Associated Press* in Santa Cruz, California, requested from the United States Secret Service (USSS) certain records regarding the events in Washington, DC on January 6, 2021. (Case Number USSS 20210627)
- On January 11, 2021, **Blake Ellis**, a representative with *CNN* in Denver, Colorado, requested from the United States Secret Service (USSS) certain records distributed in advance of Black Lives Matter protests between May 25 – June 15, 2020, as well as those distributed in advance of the planned election-related protest at the Capitol on January 6th, 2021. (Case Number USSS 20210628)
- On January 11, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Los Angeles, California, requested from the United States Secret Service (USSS) certain records collected by US Department of Homeland Security (DHS) and its Component personnel mentioning or referring to the planning of protests in Washington, DC on January 6, 2021. (Case Number USSS 20210270)
- On January 11, 2020, **Max Siegelbaum**, a representative with a news media outlet in Brooklyn, New York, requested from the Department of Homeland Security (DHS) Privacy Office the DHS Secretary's Decision Papers issued on or after January 1, 2017 to the present. (Case Number HQ 2021-HQFO-00374)
- On January 11, 2020, **Nikhel Sus**, a representative with **Citizenship for Responsibility and Ethics in Washington** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from December 1, 2020 to January 6, 2021, reflecting plans and the risks for demonstrations in Washington, D.C. on January 6, 2021. (Case Number HQ 2021-HQFO-00382)
- On January 12, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Federal Protective Service (FPS) call logs for certain DHS officials for January 6, 2021. (Case Number FPS 2021-FPFO-00054)
- On January 12, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office call logs for certain DHS officials for January 6, 2021. (Case Number HQ 2021-HQFO-00410)
- On January 12, 2020, **Karina Titus**, a representative with **Federal Public Defender - District of New Mexico** in Albuquerque, New Mexico, requested from the Department of Homeland Security (DHS) Privacy Office certain records from June 1, 2020, to the present on the decision to deploy federal law enforcement personnel in Albuquerque, New Mexico. (Case Number HQ 2021-HQFO-00381)
- On January 12, 2020, **Paul Smith**, a representative with *The Intercept* in Long Island City, New York, requested from the Department of Homeland Security (DHS) Privacy Office the Special Event Assessment Rating from November 3, 2020, to January 11, 2021, regarding the pro-Trump rally at the U.S. Capitol on January 6, 2021. (Case Number HQ 2021-HQFO-00383)
- On January 12, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the United States Secret Service (USSS) certain records sent or received by certain DHS officials regarding events at the U.S. Capitol on January 6, 2021. (Case Number USSS 20210271)
- On January 12, 2021, **Matt Drange**, a reporter with *Business Insider* in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) records related to

test results of Anduril Industries' artificial intelligence technology conducted in 2017. (Case number CBP-2021-023462)

- On January 12, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California, requested from U.S. Customs and Border Protection (CBP) certain records pertaining to the protests in Washington, DC on January 6, 2021. (Case Number CBP-2021-023586)
- On January 13, 2020 **Joseph Lloyd**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office communications from January 1 - 12, 2021, between DHS and the United State Capitol Police's executive team. (Case Number HQ 2021-HQFO-00412)
- On January 13, 2020, **Michael Evans**, a representative with **National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2001, to the present pertaining to "Special Interest Aliens" in Mexico. (Case Number HQ 2021-HQFO-00397)
- On January 13, 2021, **Joseph Lloyd**, a private individual, requested from the United States Secret Service (USSS) certain records on the storming of the United States Capitol on January 6, 2021. (Case Number 20210277)
- On January 13, 2021, **Victoria Walker**, a representative with **The Points Guy** in New York, New York, requested from the Transportation Security Administration (TSA) throughput data for the top 50 highest passenger trafficked airports in the U.S. for the months of November and December 2019 and November and December 2020. (Case Number TSA 2021-TSFO-00142)
- On January 13, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Los Angeles, California, requested from the Transportation Security Administration (TSA) records related to the January 6, 2021 Capitol protests. (Case Number TSA 2021-TSFO-00146)

### Late Requests

- On May 1, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested certain communications from January 30 - May 6, 2020, between certain Federal Emergency Management Agency (FEMA) officials and the Executive Office of the President. (Case Number HQ 2020-HQFO-01054)
- On September 30, 2020, **John Hawkinson**, a representative with *News Media* in Cambridge, Massachusetts requested from U.S. Immigration and Customs Enforcement (ICE) training materials related to the injunction in *Gilberto Pereira Brito et al. v. William Barr et al.* (415 F. Supp. 3d 25. (Case Number ICE 2020-ICFO-89315)
- On October 15, 2020, **Joseph Cox**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records related to Operation Safe Cracking from January 1, 2016 to present. (Case Number ICE 2021-ICFO-03842)
- On October 17, 2020, **Joseph Cox**, a representative with *Muckrock News* in Somerville, Massachusetts, requested certain records from U.S. Immigration and Customs

Enforcement (ICE) regarding a specific contract award to Vennetel. (Case Number ICE 2021-ICFO-04062)

- On October 17, 2020, **Tribecca**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records on a specific contract award for OPA Hootsuite Licenses. (Case Number ICE 2021-ICFO-04063)
- On October 17, 2020, **Felipe De La Hoz**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records from Fiscal Year (FY) 2017-2020 regarding ICE detainees confirmed pregnant while in custody. (Case Number ICE 2021-ICFO-04064)
- On October 17, 2020, **Felipe De La Hoz**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records on the presentation of false pretenses or identities for enforcement purposes by Enforcement and Removal Operations agents. (Case Number ICE 2021-ICFO-04065)
- On October 17, 2020, **Todd Feathers**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records related to contracts with Skylark Labs. (Case Number ICE 2021-ICFO-04066)
- On October 17, 2020, **Matthew Petti**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) emails sent to or from certain ICE employees regarding their participation in a class called Radical Islam, taught in Los Angeles on June 21, 2016. (Case Number ICE 2021-ICFO-04067)
- On October 17, 2020, **Rose Murray**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) complaints submitted to the U.S. Department of Homeland Security (DHS) from the state of Louisiana from January 1, 2017 to September 24, 2020 regarding detainees. (Case Number ICE 2021-ICFO-04068)
- On October 17, 2020, **Andrew Free**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records relating to a use of force at the La Palma Correctional Center between January - April 2020. (Case Number ICE 2021-ICFO-04069)
- On October 17, 2020, **Andrew Free**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records from January 20, 2017 to the present regarding medical treatment on and informed consent by civilly detained immigrants at ICDC. (Case Number ICE 2021-ICFO-04070)
- On October 28, 2020, **CJ Ciaramella**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) internal processing notes and communications regarding a FOIA request for records related to the deployment of personnel to Portland. (Case Number ICE 2021-ICFO-06550)

- On October 28, 2020, **Felipe Hoz**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records on the deployment of ICE personnel in roles supporting the Federal Protective Service. (Case Number ICE 2021-ICFO-06551)
- On October 28, 2020, **Anna Merlan**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records on Operation Underground Railroad. Case Number ICE 2021-ICFO-06552)
- On October 28, 2020, **Heather-Lynne Van Wilde**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records from October 19 - 20, 2020, of detention and holding cells at the Portland ICE detention facility. (Case Number ICE 2021-ICFO-06688)
- On November 06, 2020, **Anthony Lauzon**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) documents related to the Sentinel Events Initiative. (Case Number ICE 2021-ICFO-08907)
- On November 12, 2020, **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to transition materials that were prepared by component officials for President-Elect Joseph Biden and Vice President-Elect Kamala Harris and their administration. (Case Number ICE 2021-ICFO-19457)
- On November 13, 2020, **Tim Marchman**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) certain records documenting a meeting between Homeland Security Investigations staff and an organization called Operation Underground Railroad in Colombia in 2014. (Case Number ICE 2021-ICFO-17891)
- On November 30, 2020, **John Hawkinson**, a representative with *News Media* in Cambridge, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Office of Personnel Management ("OPM") approval of ICE's request to be designated as a "security/sensitive" agency for FOIA purposes. (Case Number ICE 2021-ICFO-18651)
- On December 13, 2020, **Tim Marchman**, a representative with *MuckRock News* in Somerville, Massachusetts, requested certain records from U.S. Immigration and Customs Enforcement (ICE) between January 1, 2014 to the present on "Operation Underground Railroad". (Case Number ICE 2021-ICFO-17898)
- On December 18, 2020, **James Ferguson**, a representative with *Media News* in Harrington, Delaware, requested from U.S. Immigration and Customs Enforcement (ICE) documents from January 8, 2002, to January 10, 2020, related to a specific vehicle. (Case Number ICE 2021-ICFO-18691)
- On December 31, 2020, **Norman Oder**, a representative with *Atlantic Yards/Pacific Park Report* in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to two EB-5 investment projects in Brooklyn, New York. (Case Number USCIS COW2021000026)



- On January 6, 2021, **Angela Wang**, a representative with *MuckRock News*, in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP), certain emails between specific Border Patrol Agents and officials at the Department of Health and Human Services and the Centers for Disease Control and Prevention sent from May 15, 2020, to January 5, 2021. (Case Number CBP-2021-022178)
- On January 6, 2021, **Matthew Petti**, a representative with *MuckRock News*, in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) certain records pertaining to contracts entered into by U.S. Customs and Border Protection with outside vendors for the Autonomous Surveillance Towers (AST) system from January 20, 2017 to the present. (CBP-2021-022179)
- On January 11, 2021, **Paul Smith**, a representative with *First Look Media* in Long Island City, New York, requested from U.S. Immigration and Customs Enforcement (ICE) certain records from November 3, 2020, to January 11, 2021 related to pro-Trump events. (Case Number ICE 2021-ICFO-19438)

### III. Freedom of Information Act Releases

- On January 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 22 pages of records pertaining to closing the southern border with Mexico in response to the coronavirus. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2020-HQFO-00729)
- On January 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Aram Roston**, a representative with *Reuters* in Washington, DC, 69 pages of records pertaining to a contract with OSANG Healthcare Co.. Portions of this response were withheld pursuant to FOIA Exemptions 4 and 6. (Case Number HQ 2020-HQFO-01150)
- On January 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Jonathan Grose**, a representative with *MuckRock News* in Somerville, Massachusetts, 16 pages of records regarding the labeling of the group "antifa" as a terrorist organization. Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2020-HQFO-01300)
- On January 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Aram Roston**, a representative with *Reuters* in Washington, DC, 13 pages of records pertaining to an April 23, 2020, contract between the Federal Emergency Management Agency's (FEMA) Incident Support Section and PARKDALE ADVANCED MATERIALS. Portions of this response were withheld pursuant to FOIA Exemptions 4 and 6. (Case Number 2020-HQFO-01310)
- On January 8, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Austin Evers**, a representative from **American Oversight** in Washington, DC, six pages of records regarding use of force guidelines. Portions of this response were withheld pursuant to FOIA Exemptions 6, 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00041)

- On January 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Daniel R. Lozier**, a representative with **Eastern Shipbuilding Group** in Panama City, Florida, four pages of records consisting of correspondence from the United States Coast Guard on behalf of the DHS Secretary to four members of Congress. Portions of this response were withheld pursuant to FOIA Exemption 6. (Case Number 2021-HQFO-00223)
- On January 11, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **James Stout**, a private individual, 92 pages of emails from July 1 - 15, 2020 containing the terms "Triple Canopy" or "Constelius." Portions of this response were withheld pursuant to FOIA Exemptions 4, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00037)
- On January 11, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Michael Tan**, a representative with **American Civil Liberties Union Immigrants' Rights Project** in Atlanta, Georgia, seven excel worksheets relating to detainees and COVID 19. Portions of this response were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number 2020-HQFO-01185)
- On January 11, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Robert Connelly**, a representative of **MuckRock News** in Cambridge, Massachusetts, 201 pages of records related to the contract between the Federal Protective Service and Paragon (Security) Systems. Portions of this release were withheld pursuant to FOIA Exemption 4, 6, and 7 (E). (Case Number HQ 2020-HQFO-00790)
- On January 12, 2021, U.S. Customs and Border Protection (CBP) released to **Brad Heath**, a representative with **Thomson Reuters** in Washington, DC, two pages of complaints and investigations from CBP's Office of Professional Responsibility. Portions of this release were withheld pursuant to FOIA Exemptions 2, 6, 7(A), 7(C) and 7(E). (Case number CBP-2020-001367)
- On January 12, 2021, U.S. Customs and Border Protection (CBP) released to **Jimmy Tobias**, a representative with **MuckRock News** in Somerville, Massachusetts, 16 pages of emails between U.S. Border Patrol and Department of Interior staff concerning the immigrant rights group, No More Deaths. Portions of this release were withheld pursuant to FOIA 5, 6, 7(C), 7(E) (Case Number CBP-2019-084719)
- On January 12, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Mark Albrechtsen**, a private individual in Plainfield, Indiana, one page pertaining to all past and current Field Level Supervision Exhibit submitted by Triple Canopy Inc. Portions of this release were withheld pursuant to FOIA Exemption 7(E). (Case Number HQ 2021-HQFO-00235)
- On January 12, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Todd Bensman**, a representative with **Center for Immigration Studies** in Cedar Park, Texas, one excel worksheet reflecting "hospital transports" of apprehended illegal aliens within 25 miles of the international United States-Mexico border between February 1 - July 15, 2020; and data from January 1 - July 15, 2020, on the number of

Border Patrol agents quarantined for exposure to Covid-19. This information was released in full. (Case Number 2020-HQFO-01425)

- On January 12, 2021, the United States Secret Service (USSS) released to **Brian O'Donovan**, a representative with *RTE News* in Washington, DC, 12 pages of travel records pertaining to former President Donald Trump's visit to Ireland in November 2018. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20181448)
- On January 12, 2021, the United States Secret Service (USSS) released to **Curt Devine**, a producer with *CNN* in Washington, DC, 141 pages of invoices and contracts pertaining to payments to or expenses involving Trump National Golf Club in Bedminster, New Jersey. Portions of the release were withheld under FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number USSS 20190174)
- On January 12, 2021, the United States Secret Service (USSS) released to **Curt Devine**, a representative with *CNN* in Washington, DC, four pages of travel records pertaining to expenses at the Trump International Hotel in Washington DC between September 2016 and the present. Records for this request were released in full. (Case Number USSS 20190295)
- On January 12, 2021, the United States Secret Service (USSS) released to **Curt Devine**, a representative with *CNN* in Washington, DC, four pages of travel records pertaining to expenses paid by USSS or its personnel to the Trump International Hotel in Washington D.C. from February 1, 2018 to the present. Records for this request were released in full. (Case Number USSS 20191249)
- On January 13, 2021, the United States Secret Service (USSS) released to **Joseph Lloyd**, a private individual, protection records pertaining to a June 9, 2016 meeting at Trump Tower in New York City. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20190171)
- On January 13, 2021, the United States Secret Service (USSS) released to **Jonathan Jones**, a representative with *ProPublica* in Berkeley, California, 317 pages of travel records pertaining to the use of U.S. Government funds to provide security and/or other services to Donald J. Trump and his family for all trips to Mar-a-Lago, Florida and Bedminster, New Jersey between January 2017 and December 11, 2018. Portions of the release were withheld under FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number USSS 20190263)
- On January 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kel McClanahan**, a representative with **National Security Counselors** in Rockville, Maryland, 18 pages of records received or sent on December 27, 2011, by a DHS employee in response to a specific email request to the FOIA email box. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(E). (Case Number 2020-HQFO-01759)

#### IV. Freedom of Information Act Appeals

- NSTR

## V. Freedom of Information Act Appeals Releases

- NSTR

## VI. Litigation

- In the matter of *Matthew L. Hoppock v. United States Citizenship and Immigration Services (USCIS) et al.*, (1:20-cv-00316-RCL), plaintiff filed a FOIA request on July 16, 2018, seeking records consisting of information regarding the email accounts of certain USCIS officials using the search terms related to denaturalization. On January 7, 2021, USCIS released to the plaintiff 193 pages of records.
- In the matter of *Make the Road New York v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-04607), plaintiff filed a FOIA request on July 2, 2018, seeking records pertaining to all U.S. Citizenship and Immigration Services (USCIS) communications and analyses related to the public charge regulation. On January 8, 2020, USCIS released to the plaintiff 338 pages of records and five excel spreadsheets.
- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al.*, (20-cv-11777), plaintiff filed a FOIA request on January 28, 2019, seeking records pertaining to drafting of the “public charge” regulation provision of the Immigration and Nationality Act. On January 11, 2020, USCIS released to the plaintiff 525 pages of records.
- In the matter of *International Refugee Assistance Project, Inc. v. United States Citizenship and Immigration Services (USCIS) and United States Department of State (DOS) et al.*, (1:19-cv-08905-JGK), plaintiff filed a FOIA request on May 30, 2019, seeking records pertaining to most recent versions of Refugee, Asylum, and International Operations (RAIO) Directorate Combined Training Course. On January 11, 2021, USCIS released to the plaintiff 481 pages of records.
- In the matter of *ACLU-NH v. U.S. Customs and Border Protection (CBP)* (1:19-cv-00977-LM), the plaintiff filed a FOIA request on March 25, 2019 seeking the release of records related to non-checkpoint patrol operations in the State of New Hampshire from January 1, 2017 to the present. On January 12, 2021, CBP released 195 pages of Border Patrol arrest records in New Hampshire during roving patrol operations.
- In the matter of *ACLU of Oregon v. DHS, 3:18-cv-00247-PK (D. Or.)*, plaintiff filed a FOIA request on July 14, 2020, requesting signed a settlement agreement whereby ICE agreed to process a new FOIA request for records. On January 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 808 pages of records.
- In the matter of *Babar Javed Butt v. Department of State, et al.; (19-cv-1019 JEB)*, plaintiff filed a FOIA request on July 28, 2017, seeking all records pertaining to Babar Javed Butt. On January 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 432 pages of records.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification and the release of the minor from the U.S. Department of Homeland

Security (“DHS”) custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On January 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 529 pages of records.

- In the matter of the *Jeandre Fouche v. U.S. Immigration and Customs Enforcement et al.*; (1:20-cv-02384), plaintiff filed a FOIA request on August 28, 2020, requesting records concerning Jeandre Fouche. On January 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 43 pages of records.
- In the matter of *The University of Washington et al. v U.S. Department of Homeland Security (DHS) et al.*, (2:18-cv-01396-BAT), plaintiff filed a FOIA request on September 18, 2017, seeking documents relevant to the human rights impact of federal immigration enforcement in Washington State. On January 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 861 pages of records.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al.*, (1:19-cv-01817-RCL), plaintiff filed a FOIA request on February 8, 2019, requesting all records, including medical, pertaining to Roxsana Hernandez and Mergensana Amar. On January 8, 2021, U.S. Immigration and Custom Enforcement (ICE) released to the plaintiff 504 pages of records.
- In the matter of *Diocesan Migrant & Refugee Services, Inc. v U.S. Immigration and Customs Enforcement (ICE)*, (3:19-cv-00236-FM), plaintiff filed a FOIA request on July 1, 2019, requesting records pertaining to Migrant Protection Protocols. On January 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,823 pages of records.
- In the matter of *American Oversight v. DHS et al.*, (1:20-cv-02018-BAH), plaintiff filed a FOIA request on March 20, 2020, requesting copies of the “Healthcare and Security Compliance Analysis” reports completed by or for ICE Office of Professional Responsibility as part of the detainee death reviews for specific individuals who died in custody. On January 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 501 pages of records.
- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:18-cv-01531), plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the U.S.-Mexico border. On January 12, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 130 pages of records.
- In the matter of *Jason Leopold & Buzzfeed v U.S. Department of Homeland Security (DHS) et al.*, (1:19-cv-03028-DLF), plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On January 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 745 pages of records.
- In the matter of *Hannah Rapple and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-00280-DLC), plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On January 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 745 pages of records.

- In the **matter of NPR v. U.S. Department of Homeland Security (DHS)**, plaintiff filed a FOIA request on March 11, 2020, seeking communications to and from certain officials from December 1, 2019 to January 31, 2020, containing certain Coronavirus-related words and phrases. On January 7, 2021, DHS released 397 pages. (Case Number 2020-HQLI-00022)

## **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

**Freedom of Information Act (FOIA) Activity for the Weeks of  
January 14 and January 20, 2021  
DHS Privacy Office  
January 25, 2021  
Weekly Freedom of Information Act Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:

- On January 18, 2020, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Room under the airport category entitled “TSA Throughput Data December 27, 2020 to January 2, 2021” (752 pages).

**II. Freedom of Information Act Requests**

- On January 14, 2021, **Teo Armus**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from February 26 - March 3, 2020, to and from certain officials regarding the number of Americans tested for COVID-19. (Case Number HQ 2021-HQFO-00415)
- On January 15, 2021, **Lauren Gardner**, a representative with *POLITICO* in Arlington, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records related to CBP’s assertion of FOIA Exemption 7(A) to deny disclosure of documents in connection with Iranian Americans and "detentions/interrogations" at Ports of Entry. (Case Number HQ 2021-HQFO-00425)
- On January 15, 2021, **Michael Evans**, a representative with the **National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) intelligence products from January 1, 2009 to the present pertaining to attempted entries by Special Interest Aliens. (Case Number CBP-2021-024390)
- On January 15, 2021, **Andrea Cohen**, a private individual in Carlsbad, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to the Biometric Entry-Exit Program’s air exit facial recognition capability testing from May 20 - June 13, 2019. (Case Number CBP-2021-024661)
- On January 15, 2021, **Andrea Cohen**, a private individual in Carlsbad, California, requested from U.S. Customs and Border Protection (CBP) documents and communication from January 1, 2018 to January 15, 2021, between Vision-Box Systems, Inc. and two other companies. (Case number CBP-2021-024663)
- On January 15, 2021, **Nate Jones**, a representative with *The Washington Post* in Washington, DC, requested from the United States Secret Service (USSS) records about the “unpleasant mess” created by a Secret Service supervisor at the Obama Secret Service Command Center in Washington, DC. (Case Number USSS 20210305)



- On January 15, 2021, **Nate Jones**, a representative with *The Washington Post* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records related to large public gatherings in Washington, DC from January 1 -, 31, 2021, including the Presidential Inauguration. (Case Number HQ 2021-HQFO-00417)
- On January 19, 2021, **Patrick Eddington**, a representative with **Cato Institute** in Annandale, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office, records related to the questioning or detention of persons of Iranian/Persian or Lebanese heritage between January 1, 2020 and the date of the request. (Case Number HQ 2021-HQFO-00438)
- On January 19, 2021, **Nathaniel Serslev**, a representative with **Americans for Public Trust** in Alexandria, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records from November 1, 2013 to November 1, 2016, exchanged between DHS and the Office of Senator Patrick Leahy. (Case Number HQ 2021-HQFO-00429)
- On January 19, 2021, **Nate Jones**, a representative with *The Washington Post* in Washington, DC, requested from the United States Secret Service (USSS) records on security planning for the January 6, 2021 “Save America” Event on the U.S. National Mall. (Case Number USSS 20210313)
- On January 19, 2021, **Emma Foehringer Merchant**, a representative with **Green Tech Media** in San Francisco, California, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) documents pertaining to the coordination of electric construction and rebuilding materials in Puerto Rico by the Federal Emergency Management Agency (FEMA). (Case Number OIG 2021-IGFO-00059)
- On January 19, 2021, **Ann Kernan**, a representative with **Center for Protest Law and Litigation** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office information regarding the January 6, 2021 events in Washington, DC. (Case Number HQ 2021-HQFO-00424)
- On January 20, 2021, **Christian Wihtol**, a representative with the media in Eugene, Oregon, requested from the Department of Homeland Security (DHS) Privacy Office records from August 1, 2020 to January 10, 2021, pertaining to the amount of COVID-19 assistance funds that Federal Emergency Management Agency (FEMA) has approved for each hospital in Oregon and Washington. (Case Number HQ 2021-HQFO-00430)

### Late Requests

- NSTR

### III. Freedom of Information Act Releases

- On January 14, 2021, U.S. Customs and Border Protection (CBP) released to **Sean Dunagan**, a representative of **Judicial Watch** in Fort Collins, Colorado, one page showing the number of fraudulent family units identified from July 31, 2018 to the

present. Portions of this release were withheld pursuant to FOIA Exemption 7(E). (Case number CBP-2019-076356)

- On January 14, 2021, U.S. Customs and Border Protection (CBP) released to **Geneva Sands**, a representative with *CNN* in Washington, DC, 107 pages of correspondence with former Secretary of State of Kansas Kris Kobach. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number CBP-2020-036154)
- On January 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kate Melloy Goettel**, a representative with the **National Immigrant Justice Center** in Chicago, Illinois, 10 pages of Immigration and Customs Enforcement (ICE) records regarding enforcement actions against sponsors of an unaccompanied alien child. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(C). (Case Number 2019-HQFO-01177)
- On January 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Johanna Albaugh**, a representative with **Restore Public Trust** in Washington, DC, 19 pages of emails sent to or from former Acting DHS Secretary Chad Wolf mentioning Congressman Bennie Thompson. Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2020-HQFO-00239)
- On January 15, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Adolfo Flores**, a representative with *BuzzFeed News*, and **Russ Kick**, an individual from Tucson, Arizona, 82 pages of records sent or received by former DHS Secretary John F. Kelly. Portions of these releases were withheld under FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Numbers 2017-HQFO-00952 and 2017-HQFO-00993)
- On January 15, 2021, the Department of Homeland Security (DHS) Privacy Office released to **George Johnson**, a representative with *MuckRock News* in Somerville, Massachusetts, a four-page DHS report from May 1, 2020, which states that Chinese leaders “intentionally concealed the severity” of the pandemic from the world. Portions of this response are withheld pursuant to FOIA Exemptions 3 and 7(E). (Case Number HQ 2020-HQFO-01065)
- On January 15, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Ashlyn Webb**, a representative of *WMAZ-TV* in Macon, Georgia, nine pages of communication pertaining to open hospitals being set up in Georgia. Portions of this release will be withheld pursuant to FOIA Exemptions 5 and 6. (Case Number HQ 2020-HQFO-00892)
- On January 15, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kelly Simon**, a representative of **American Civil Liberties Union – Oregon** in Portland, Oregon, 10 pages of records regarding the use of deadly force by DHS law enforcement officers. These records were released in full. (Case Number HQ 2021-HQFO-00353)
- On January 19, 2021, the Transportation Security Administration (TSA) released to **Erica Jorgensen**, a representative with *WNBC* in New York, New York, 933 pages of records pertaining to complaints filed with TSA at the Philadelphia Airport from July 1,

2014 to July 1, 2017. Portions of the release were withheld pursuant to FOIA Exemption 3. (Case Number TSA 2017-TSFO-00327)

- On January 19, 2021, the Department of Homeland Security (DHS) Federal Protective Service (FPS) released to **Joseph Pepe**, a representative from **the New York City Law Department** in New York, New York, 241 pages consisting of FPS records related to the deployment of employees to certain cities to protect federal properties. Portions of this response were withheld pursuant to FOIA Exemptions 4, 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number FPS 2021-FPFO-00010)
- On January 19, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Rose Murray**, a representative of the **Southern Poverty Law Center in Louisiana** in New Orleans, Louisiana, 51 pages of records from January 1, 2017 to September 24, 2020, consisting of complaints related to ICE detainees from the state of Louisiana. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number HQ 2021-HQFO-00038)
- On January 19, 2021, the United States Secret Service (USSS) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, one page of emails pertaining to COVID-19 screening of federal officers responding to protests following the May 25, 2020, police killing of George Floyd.. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20200750)
- On January 19, 2021, the United States Secret Service (USSS) released to **Reid Antonacchio**, a private individual in Fort Lauderdale, Florida, ten pages of records pertaining to the number of individuals screened at the campaign rally for former President Donald J. Trump in Tulsa, Oklahoma on June 20, 2020. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20200798)
- On January 19, 2021, the United States Secret Service (USSS) released to **Jason Newman**, a representative with **Rolling Stone** in New York, New York, 27 pages of records pertaining to an investigation of comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210156)
- On January 19, 2021, the United States Secret Service (USSS) released to **Emily Crose**, a private individual, 27 pages of records related to investigations into comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210157)
- On January 19, 2021, the United States Secret Service (USSS) released to **James LaPorta**, a private individual in Washington, DC, 27 pages of records related to investigations of comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210158)
- On January 19, 2021, the United States Secret Service (USSS) released to **Jason Leopold**, a representative with **BuzzFeed News** in Washington, DC, 27 pages of records related to investigations of comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210159)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- On January 19, 2021, the Federal Emergency Management Agency (FEMA) issued the first interim response to **Rebecca Hersher**, a representative with *National Public Radio*, in Washington, DC, covering 64 pages of records. The records were released in full. (Case Number FEMA 2020-FEAP-00018)

#### VI. Litigation

- In the matter of *Open Society Justice Initiative v. Department of Homeland Security (DHS) et al., (1:20-cv-00706-RC)*, plaintiff filed a FOIA request on December 26, 2018, seeking records pertaining to implementation of civil and criminal denaturalization procedures in the United States. On January 15, 2021, U.S. Citizenship and Immigration Services (USCIS) released to the plaintiff 463 pages of records and seven spreadsheets.
- In the matter of *American Oversight v. Department of Justice (DOJ), Department of Homeland Security (DHS), U.S. Customs and Border Patrol (CBP), U.S. Immigration and Customs Enforcement (ICE), United States Citizenship and Immigration Services (USCIS) et al., (1:18-cv-02846)*, plaintiff filed a FOIA request on June 20, 2018, seeking all email communications for L. Francis Cissna and Jennifer P. Higgins related to the family separation policy. On January 15, 2021, USCIS released to the plaintiff 819 pages of records.
- In the matter of *Louise Trauma Center LLC v. United States Department of Homeland Security, (1:20-cv-01128-TNM)*, plaintiff filed a FOIA request on July 17, 2019, seeking records pertaining to the training of new asylum officers in July 2019. On January 19, 2021, USCIS released to the plaintiff 2,925 pages of records.
- In the matter of *Asian American Advancing Justice v. United States Citizenship and Immigration Services (USCIS) et al., (1:19-cv-00411-BAH)*, plaintiff filed a FOIA request on December 21, 2018, seeking records and statistical data pertaining to a new policy memorandum 602-0050.1, Revised Guidance for the Referral of Cases and Issuance of Notices to Appear (NTAs) in Cases Involving Inadmissible and Removable Aliens. On January 19, 2021, USCIS released 167 pages of records.
- In the matter of *American Immigration Council, et.al v. USCIS, et. al; 20-cv-03266-DMR*, plaintiff filed a FOIA request on December 21, 2019, requesting documents relating guidance to U.S. Department of Homeland Security (DHS) employees on Migrant Protection Protocols for the period of December 2019 to the present. On January 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 124 pages of records.
- In the matter of *Justice Action Center v. ICE et. al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to Federal Government policies regarding the re-calendar of Deferred Action for Childhood Arrivals recipients for removal proceedings. On January 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 168 pages of records.

- In the matter of *Texas Civil Right Project, et al. v. ICE et al.*, *1:20-cv-02389-CJN*, plaintiff filed a FOIA request on August 27, 2020, requesting any records describing ICE's role in the Title 42 expulsion program. On January 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 29 pages of records.
- In the matter of *Immigrant Defense Project and Center for Constitutional Rights v DHS, et al.*; *1:20-cv-10625*, plaintiff filed a FOIA request on December 16, 2020, seeking all records from different time periods of DHS and ICE policies relating to Operation Palladium. On January 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 198 pages of records.
- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al.*, *(3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requested records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On January 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 746 pages of records.
- In the matter of *Southern Poverty Law Center v U.S. Department of Homeland Security (DHS) et al.*, *(1:18-cv-01725-ABJ)*, plaintiff filed a FOIA request on January 23, 2018, requesting records related to basic ordering agreements between ICE and local authorities or law enforcement agencies. On January 15, 2020, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 528 pages of records.
- In the matter of *Gilberto Chaverra v Immigration and U.S. Immigration Customs Enforcement (ICE) et al.*, *(1:18-cv-00289-JEB)*, plaintiff filed a FOIA request on June 1, 2017, requesting all records, including medical, pertaining to Mr. Jeancarlo Alfonso Jimenez Joseph. On January 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 461 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v U.S. Immigration and Customs Enforcement (ICE) et al.* *(1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records concerning the United States' treatment of Mexican journalist Emilio Gutierrez-Soto and two other individuals. On January 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 184 supplemental pages of records.
- In the matter of *Make the Road New York & Center for Constitutional Rights v U.S. Department of Homeland Security (DHS) et al.*, *(1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting all records pertaining to a notice of proposed rulemaking titled "Inadmissibility on Public Charge Grounds." On January 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 34 pages of records.
- In the matter of *Michael James Novatka v. U. S. Customs and Border Protection (CBP)* *(1:20-cv-00459)*, the plaintiff filed a FOIA request on September 25, 2019 seeking the release of records related to a certain seizure of currency and assigned Fines, Penalties and Forfeiture case. On January 14, 2021, CBP issued 12 pages to the plaintiff.
- In the matter of *American Oversight v. U.S. Department Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking calendars for certain DHS

officials since January 20, 2017. On January 14, 2021, DHS released 317 pages to the plaintiff. (Case Number 2019-HQLI-00013)

- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 27, 2018, seeking emails sent and received by USCIS Ombudsman Julie Kirchner. On January 15, 2021, DHS released 242 pages to the plaintiff. (Case Number 2018-HQLI-00033)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking emails from January 1 – June 22, 2018 sent or received by former DHS Secretary Kirstjen Nielsen related to immigration. On January 15, 2021, seeking 44 pages to the plaintiff. (Case Number 2018-HQLI-00039)
- In the matter of *Democracy Forward Foundation v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking certain records for Katherine Gorka. On January 19, 2021, DHS released 420 pages to the plaintiff. (Case Number HQ 2019-HQLI-00007)
- In matter of *Brennan Center for Justice at New York University School of Law v. U.S. Department of Homeland Security (DHS)*, plaintiff a FOIA request on November 5, 2018, seeking records described in a Request for Records Disposition Authority submitted by ICE to the National Archives and Records Administration in January 2017. On January 14, 2021, DHS released 101 pages to the plaintiff. (Case Number 2020-HQLI-00014)
- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking certain records pertaining to domestic terrorism in the United States. On January 15, 2021, DHS released 245 pages to the plaintiff. (Case Number 2019-HQLI-00027)

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
January 21 - 27, 2021  
DHS Privacy Office  
February 2, 2021  
Weekly Freedom of Information Act Report**

- I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:
- On January 25, 2020, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Room under the Airport category entitled “TSA Throughput Data January 3 - 9, 2021” (752 pages).
  - On January 27, 2020, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Reading Room under the Reports/FOIA Logs/Policy Documents category entitled “FOIA Log FY20 Q3 and Q4” (17 pages).
  - On January 13, 2021, the Department of Homeland Security (DHS) Office of Inspector General (OIG) posted to its FOIA Reading Room Records Concerning Report of Independent Investigation, Allegations of Misconduct (108 pages).

**II. Freedom of Information Act Requests**

- On January 19, 2021, **Meg Anderson**, a representative with *National Public Radio* in Washington, DC, requested from the United States Coast Guard (USCG) records from July 1, 2020 to the present on newcomer orientations from the USCG Academy. (Case Number USCG 2021-CGFO-00691)
- On January 20, 2021, **Russell Farris**, a private individual in Austin, Texas, requested from the Department of Homeland Security (DHS) Privacy Office contracts from January 1 - 9, 2021, that Federal Emergency Management Agency (FEMA) has with certain nurse staffing agencies to supply nurses to hospitals for the COVID-19 Pandemic. (Case Number HQ 2021-HQFO-00432)
- On January 21, 2021, **Jason Leopold**, a representative with *Buzzfeed News*, in Los Angeles, California, requested from the Federal Protective Service records referring to the planning of protests in Washington, DC on January 6, 2021. (Case Number FPS 2021-PPFO-00062)
- On January 21, 2021, **John Greenwald**, a representative with **The Black Vault, Inc.** in Castaic, California, requested from the United States Secret Service (USSS) documents related to the request by former President Donald Trump to have the U.S. Secret Service provide protection to certain members of his family. (Case Number USSS 20210319)
- On January 21, 2021, **Nikhel Sus**, a representative with **Citizens for Responsibility and Ethnics in Washington** in Washington, DC, requested from the United States Secret Service (USSS) records from December 1, 2020, to January 6, 2021, related to events in Washington, DC on January 6, 2021. (Case Number USSS 20210320)
- On January 21, 2021, **Kenneth Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from the United States Secret Service (USSS) certain



records related to the Save America Rally on January 6, 2021. (Case Number USSS 20210332)

- On January 21, 2021, **Brandon Gilbrech**, a representative with *Morningstar Entertainment* in Burbank, California, requested from U.S. Customs and Border Protection (CBP) footage of an Unidentified Flying Object (UFO) captured by CBP cameras near Aguadilla Airport in April 2013. (Case Number CBP-2021-025950)
- On January 21, 2021, **Rachael Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the FOIA log from January 1, 2020, to the present. (Case Number HQ 2021-HQFO-00440)
- On January 21, 2021, **Christopher Weaver**, a representative with *The Wall Street Journal* in New York City, New York requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records concerning certain individuals who died in ICE custody. (Case Number 2021-IGFO-00062)
- On January 21, 2021, **Nikhel Sus**, a representative with **Citizens for Responsibility and Ethnics in Washington** in Washington, DC, requested from the Federal Protective Service certain records from December 1, 2020, to January 6, 2021 on plans for events in Washington, D.C. on January 6, 2021. (Case Number FPS 2021-FPFO-00060)
- On January 22, 2021, **Lisa Palter**, a representative with **McCown & Evans LLP** in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) correspondence sent to or from a specific CBP email box containing the certain keywords related to professional sports from July 1, 2020 to the present. (Case Number CBP-2021-026379)
- On January 22, 2021, **Joel Seidman**, a representative with *NBC News*, requested from the United States Coast Guard (USCG) certain records from the Russian Ministry of Defense to the U.S. commercial fishing fleet in 2020. (Case Number USCG 2021-CGFO-00696)
- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Washington, DC, requested from the United States Coast Guard (USCG) the FOIA Logs from January 1, 2017 to January 23, 2021. (Case Number USCG 2021-CGFO-00697)
- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Washington, DC, requested from the United States Coast Guard (USCG) a log of all Mandatory Declassification Review requests from January 1, 2017, to January 23, 2021. (Case Number USCG 2021-CGFO-00698)
- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) FOIA requests received by CBP from January 1, 2017 to January 23, 2021. (Case Number CBP-2021-026452)
- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records showing the Mandatory Declassification Review requests received by CBP from January 1, 2017 to January 23, 2021. (Case Number CBP-2021-026454)

- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records showing the Mandatory Declassification Review requests received from January 1, 2017 to January 23, 2021. (Case Number 2021-IGFO-00064)
- On January 23, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) FOIA requests received from January 1, 2017 to January 23, 2021. (Case Number 2021-IGFO-00065)
- On January 25, 2021, **Austin Kocher**, a representative with **Transactional Records Access Clearinghouse/Syracuse** in Syracuse, New York, requested from the Department Homeland Security (DHS) Privacy Office certain records related to the Flow Dataset referenced in the Fiscal Year 2020 Enforcement Lifecycle Report. (Case Number HQ 2021-HQFO-00451)
- On January 25, 2021, **Brantley Drake**, a representative with **American Civil Liberties Union of Texas** in Houston, Texas, requested from the Department of Homeland Security (DHS) Privacy Office records from January 20, 2021 to the present concerning the “Sanctuary for Americans First Enactment (SAFE) Agreement,” with Alabama. (Case Number HQ 2021-HQFO-00444)
- On January 25, 2020, **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested certain records regarding the Save America Rally on January 6, 2021 in Washington, DC. (Case Number HQ 2021-HQFO-00452)
- On January 25, 2021, **Sean Dunagagn**, a representative with **Judicial Watch** in Washington, DC, requested from the Department Homeland Security (DHS) Privacy Office records from November 1, 2020, to January 26, 2021, concerning meetings with the Biden transition team. (Case Number HQ 2021-HQFO-00455)
- On January 25, 2021, **Andrew Ramos-Flynn**, a representative with **Leadership Connect** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the current list of DHS appointees. (Case Number HQ 2021-HQFO-00449)
- On January 25, 2021, **Ryan Morgan**, a representative with *American Military News* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office certain law enforcement records related to the deployment of machine guns during the Presidential Inauguration security mission from January 6 - 22, 2021. (Case Number HQ 2021-HQFO-00450)
- On January 25, 2021, **Jeremy Schwartz**, a representative with *ProPublica* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) documentation from January 1, 2017, to the present produced by Gulf South Research regarding any environmental impacts caused by the Southwest Border wall. (Case Number CBP-2021-026806)
- On January 25, 2021, **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from the Transportation Security Administration Security (TSA)

FOIA logs from January 1, 2017 to January 23, 2021. (Case Number TSA 2021-TSFO-00169)

- On January 25, 2021, **Wills Robinson**, a representative with *Mail Online* in New York, New York, requested from the United States Coast Guard (USCG) records from 2017 to the present related to patrolling Mar-a-Lago and the Trump International Golf Club in West Palm Beach, Florida. (Case Number USCG 2021-CGFO-00699)
- On January 25, 2021, **Angela Wang**, a representative with *Insider, Inc.* in New York, New York, requested from the United States Secret Service (USSS) records held by Department of Homeland Security (DHS) regarding the pro-Trump riots in the U.S. Capitol on January 6, 2021. (Case Number USSS 20210336)
- On January 25, 2021, **Angela Wang**, a representative with Insider, Inc. in New York, New York,, requested from the Federal Protective Service records held by Department of Homeland Security regarding the pro-Trump riots in the U.S. Capitol on January 6, 2021. (Case Number FPS 2021-FPFO-00065)
- On January 26, 2021, **Lauren Harper**, a representative with **National Security Archive** in Washington, DC, requested from the United States Secret Service (USSS) records regarding the January 6, 2021, emergency alert to Secret Service personnel. (Case Number USSS 20210347)
- On January 26, 2021, **Bennito Lucino Kelty**, a representative with the *Tucson Sentinel* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) certain records related to former Border Patrol Agent Jose Garibay. (Case Number CBP-2021-027269)
- On January 27, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Federal Protective Service communications between the Department of Homeland Security and representatives of the US Capitol Police from January 1 - 7, 2021. (Case Number FPS 2021-FPFO-00068)
- On January 27, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Federal Protective Service documentation from January 1 - 10, 2021 related to security planning for the January 6, 2021 protest at the US Capitol. (Case Number FPS 2021-FPFO-00070)
- On January 27, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office correspondence with Representative Mike Gallagher from January 3, 2017, to January 26, 2021. (Case Number HQ 2021-HQFO-00459)
- On January 27, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office correspondence from January 3, 2017, to January 26, 2021, between the Secretary of Homeland Security and certain officials from the Office of U.S. Representative Mike Gallagher. (Case Number HQ 2021-HQFO-00460)
- On January 27, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office correspondence from January 3, 2017, to January 26, 2021, between the

Deputy Secretary of Homeland Security and certain officials from the Office of U.S. Representative Mike Gallagher. (Case Number HQ 2021-HQFO-00461)

- On January 27, 2021, **Samantha Manning**, a representative with **Cox Media Group** in Washington, DC, requested from the United States Secret Service (USSS) certain correspondence from January 4 - 7, 2021, between Department of Homeland Security (DHS) officials and the Federal Bureau of Investigation (FBI) and the DC Metropolitan Police Department involved with the security planning for the January 6, 2021 protests in Washington, DC.. (Case Number USSS 20210349)
- On January 27, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the United States Secret Service (USSS) communications from January 1 - 7, 2021 between the Department of Homeland Security and representatives of the US Capitol Police. (Case Number USSS 20210354)
- On January 27, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the United States Secret Service (USSS) DHS documentation from January 1 - 10, 2021 related to security planning for the January 6, 2021 protest at the US Capitol. (Case Number USSS 20210356)

#### Late Requests

- On November 23, 2020, **Angelika Albaladejo**, a representative with **The Marshall Project** in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement (ICE) records from the monthly meetings held between ICE, and the Departments of State and Homeland Security regarding countries that lack cooperation in accepting their nationals ordered removed from the United States. (Case Number ICE 2021- ICFO-21254)
- On November 30, 2020, **Lila Hassan**, a representative with *PBS FRONTLINE* in Astoria, New York, requested certain records from U.S. Immigration and Customs Enforcement (ICE) from January 2017, to November 2020 with keywords related to "Immigration Nation." (Case Number ICE 2021-ICFO-21177)
- On January 6, 2021, **Camille Fassett**, a representative with *The Associated Press* in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) records from July 1, 2017 to the date this request is processed showing the types and quantities of seized assets. (Case Number ICE 2021-ICFO-21823)
- On January 11, 2021, **Samantha Manning**, an private individual from Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office correspondence from January 4 - 7, 2021, between DHS officials involved with the security planning for the January 6, 2021 protests in Washington, DC and US Capitol Police, the Federal Bureau of Investigation and the D.C. Metropolitan Police Department. (Case Number HQ 2021-HQFO-00456)
- On January 13, 2021, **Matthew Hoppock**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) all publications of "USCIS Today" that were sent to USCIS employees between June 11 - 13, 2018. (Case Number USCIS COW2021000158)

- On January 13, 2021, **Matthew Hoppock**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) a memo called "Media Response to Query" with the issue "Opening of the HFE Office" dated June 12, 2018. (Case Number USCIS COW2021000159)
- On January 13, 2021, **Matthew Hoppock**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to a presentation called "ERO Presentation on Fingerprints" given on June 13, 2018. (Case Number USCIS COW2021000161)
- On January 15, 2021, **Ella Cleveland**, a representative with the **Louise Trauma Center** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) emails from July 1, 2020, to the present sent from Asylum Headquarters to the Arlington Asylum Office. (Case Number USCIS COW2021000209)
- On January 15, 2021, **Ella Cleveland**, a representative with the **Louise Trauma Center** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) certain records that track and evaluate the performance of FOIA employees. (Case Number USCIS COW2021000211)
- On January 15, 2021, **Ella Cleveland**, a representative with the **Louise Trauma Center** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) records that track and evaluate the performance of asylum officers at the Arlington Asylum Office. (Case Number USCIS COW2021000212)

### III. Freedom of Information Act Releases

- On January 21, 2021, the United States Secret Service (USSS) released to **Kathryn Watson**, a representative with **CBS News**, 50 pages of records pertaining to the Secret Service protection for former President Trump's family during his visit to the United Kingdom, Ireland and France in June 2019. Portions of the release were withheld under FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number USSS 20190818)
- On January 22, 2021, the Department of Homeland Security (DHS) will release to **Doug Ticker**, an individual from Washington, DC, three pages of records pertaining to communications between Chad Wolf and the Federal Protective Service regarding the May 31, 2018 demonstration outside the home of Lora Ries, Chief of Staff, USCIS. Portions of this response are withheld pursuant to FOIA Exemptions 5, 6 and 7(C). (Case Number 2020-HQFO-00064)
- On January 22, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative of **American Oversight** in Washington, DC, two pages of records pertaining to a contract with Marriott International. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number HQ 2020-HQFO-01832)
- On January 23, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative of **American Oversight** in Washington DC, 11 pages of emails sent by Cameron Quinn to email addresses ending in heritage.org. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number HQ 2021-HQFO-00071)

- On January 25, 2021, U.S. Customs and Border Protection (CBP) issued to **Brandon Gilbrech**, a producer with *Morningstar Entertainment* in Burbank, California, a full denial in response to his request seeking footage of the Unidentified Flying Object (UFO) captured by CBP cameras near Aguadilla Airport in April 2013. These records were withheld pursuant to FOIA Exemption 7(E). (Case number CBP-2021-025950)
- On January 25, 2021, the United States Coast Guard (USCG) released to **Heather Crawford**, a representative with *First Coast News* in Jacksonville, Florida, 401 pages of records concerning the search for two individuals on August 16, 2019. These records were released in full. (Case Number USCG 2020-CGFO-02419)
- On January 25, 2021, the United States Coast Guard (USCG) released to **Will Houston**, a representative of the media, 267 pages of records concerning the November 23, 2018 ferry collision with the San Francisco Ferry Building terminal. These records were released in full. (Case Number USCG 2020-CGFO-02595)
- On January 26, 2021, the U.S. Department of Homeland Security (DHS) released to **Macolm Byrnes**, a representative from **George Washington University Library** in Washington DC, four pages of records pertaining to Cybersecurity & Infrastructure Security Agency (CISA) reports relating to distributed denial-of-service attacks against the DNS provider "Dyn" on October 21, 2016. Portions of this response were withheld pursuant to FOIA Exemption 7(E). (FOIA request 2018-NPFO-00320)
- On January 26, 2021, the Department of Homeland Security (DHS) released to **Michelle Hackman**, a representative with *The Wall Street Journal* in Washington, DC, 70 pages of records from June 28 - July 17, 2020, sent or received by employees of the Office of the DHS Secretary containing certain keywords related to "Operation Diligent Valor". Portions of this response were withheld pursuant to FOIA exemptions 5, 6 7(C) and 7(E). (Case Number 2020-HQFO-01515)
- On January 27, 2021, FEMA released to Kirsten Crow, a representative with *The Caller-Times* in Corpus Christi, Texas, two Excel spreadsheets with records on reported disaster assistance fraud or complaints in Texas between Aug. 1, 2017 and April 2, 2019. Portions of this response were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2019-FEFO-00429)

#### IV. Freedom of Information Act Appeals

- On January 11, 2021, **Rebecca Sharpless** an attorney from **University of Miami School of Law Immigration Clinic** in Miami, Florida, appealed the agency's final no records determination. (Appeals Case Number 2019-IGAP-00009, Case Number 2021-IGFO-00009)

#### V. Freedom of Information Act Appeals Releases

- **NSTR**

## VI. Litigation

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 11, 2020, seeking certain records related to protests sparked by the police killing of George Floyd. On January 25, 2020, DHS released 12 pages. (Case Number 2020-HQLI-00038)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 30, 2017, seeking emails dated from January 21 - , July 31, 2017, sent or received by former DHS Secretary John Kelly. On January 27, 2021, DHS Privacy Office released 155 pages. (Case Number 2018-HQLI-00001)
- In the matter of the *American Immigration Council v. DHS (18-cv-01390-RDM)*, the plaintiff filed a FOIA request on December 23, 2016, seeking certain records related to metering and/or asylum. Plaintiff filed suit on June 14, 2018 claiming injunctive relief. On January 22, 2021, CBP released its tenth interim response, consisting of 127 pages of records to the plaintiff.
- In the matter of the *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) et al., (3:19-cv-07431)*, plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE's pilot program on Rapid DNA testing. On January 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 529 pages of records.
- In the matter of *American Oversight v. U.S. Immigration and Customs Enforcement (ICE) et al., (0:20-cv-2153)*, plaintiff filed a FOIA request on September 11, 2019, requesting records pertaining to immigrants taking "sanctuary" in places of worship or elsewhere. On January 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 49 pages of records.

## 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





pertaining to law enforcement training that occurred from January 1- February 1, 2021. (Case Number CBP-2021-030772)

- On February 8, 2021, **Ryan Morgan**, a representative with *American Military News*, requested from the United States Secret Service (USSS) records regarding the deployment of machine guns during the Presidential Inauguration security mission between January 6 - 22, 2021. (Case Number USSS 20210409)
- On February 8, 2021, **Matt Drange**, a representative with *Business Insider* in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) correspondence with CBP from the email domain: @replicahq.com from October 1, 2021, through the present. (Case Number CBP-2021-031473)
- On February 8, 2021, **J. Ader**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records related to the design of Challenge Coins. (Case Number CBP-2021-031480)
- On February 8, 2021, **Charles DeCosta**, a representative with the **Kitsap County Republican Party** in Seabeck, Washington, requested from U.S. Citizenship and Immigration Services (USCIS) a list of names and addresses of legal non-US citizens living in Washington State from 2020-2021. (Case Number USCIS COW2021000527)
- On February 8, 2021, **David Londo**, a representative with the **Air Marshal National Council** in Plymouth, Massachusetts, requested from the Transportation Security Administration Security (TSA) emails from or addressed to the federal air marshal director pertaining to congressional inquiries and investigations from October 1, 2020 - February 4, 2021. (Case Number TSA 2021-TSFO-00210)
- On February 8, 2021, **James Laverty**, a representative with **Washington and Lee University** in Rye, New York, requested from the Transportation Security Administration Security (TSA) records pertaining to throughput data for the 25 largest airports in the country from January 1, 2020 - February 8, 2021. (Case Number TSA 2021-TSFO-00214)
- On February 9, 2021, **Geoff Ziezulewicz**, a representative with *Navy Times* in Tysons, Virginia, requested records from the United States Coast Guard (USCG) regarding investigations into a certain lieutenant. (Case Number USCG 2021-CGFO-00740)
- On February 9, 2021, **Jeremy Borden**, an individual in Durham, North Carolina, requested communications such as emails from the U.S. Department of Homeland Security (DHS) Privacy Office from January 1, 2020 – February 9, 2021, from Apple lobbyists whose email domains often end in @apple.com. (Case Number HQ 2021-HQFO-00509)
- On February 10, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the United States Secret Service (USSS) emails from January 6 - 7, 2021, from the deputy assistant director for Congressional Affairs in the USSS Office of Government and Public Affairs regarding the event at the U.S. Capitol on January 6, 2021. (Case Number USSS 20210436)
- On February 10, 2021, **Bob Cusack**, a representative with *The Hill* in Washington, DC, requested enforcement statistics from the Transportation Security Administration Security (TSA) regarding the requirement for individuals to wear a mask at TSA airport-

screening checkpoints and throughout the commercial and public transportation systems. (Case Number TSA 2021-TSFO-00216)

- On February 10, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from January 21 – February 11, 2021, regarding the withdrawal from consideration of proposed rule related to the Student and Exchange visitors program and agreements with Confucius Institutes and Classrooms.. (Case Number HQ 2021-HQFO-00520)

### Late Requests

- On January 24, 2021, **Michael Ravnitzky**, an individual in Silver Spring, Maryland, requested from the United States Coast Guard (USCG) emails from the USCG Office of Governmental and Public Affairs from January 6 - 7, 2021, regarding the event at the U.S. Capitol on January 6, 2021. (Case Number USCG 2021-CGFO-00748)
- On January 28, 2021, **Matthew Tayler**, an individual in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) performance reviews and exit interview documents from January 1, 2017 - January 31, 2021, regarding an employee at USCIS. (Case Number USCIS COW2021000378)
- On February 3, 2021, **Matthew Tayler**, an individual in Somerville, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) performance reviews and exit interview documents from January 1, 2017 - January 31, 2021, regarding an employee at USCIS. (Case Number USCIS COW2021000454)
- On February 3, 2021, **Timothy Steller**, a representative with *Arizona Daily Star* in Tucson, Arizona, requested records from U.S. Customs and Border Protection (CBP) regarding the decision to fly the American flag at half-staff at the Interstate 19 checkpoint in the Tucson sector. (Case Number CBP-2021-030034)
- On February 3, 2021, **Nicole I. Lopez**, a representative with *El Paso Matters* in El Paso, Texas, requested records from U.S. Customs and Border Protection (CBP) regarding the number of firearms seized in El Paso County. (Case Number CBP-2021-030086)

### III. Freedom of Information Act Releases

- On February 8, 2021, the Department of Homeland Security (DHS) released to **Teo Armus**, a representative with *The Washington Post* in Washington, DC, three pages of records that the Center for Disease Control (CDC) referred to DHS regarding communications from February 26 - March 3, 2020, regarding the number of Americans tested for COVID-19. Portions of this response were withheld pursuant to FOIA Exemption 6. (Case Number HQ 2021-HQFO-00415)

### IV. Freedom of Information Act Appeals

- NSTR

## V. Freedom of Information Act Appeals Releases

- NSTR

## VI. Litigation

- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al.*, 19-cv-04533, plaintiff filed a FOIA request on August 2, 2019, requesting records regarding certain program's practices involving the Institutional Hearing Program. On February 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 290 pages of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Department of Homeland Security (DHS) et al.* (1:18-cv-04247), plaintiff filed a FOIA request on June 19, 2018, requesting records regarding facilities housing detained immigrants from 2013-present. On February 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,038 pages of records.
- In the matter of *Justice Action Center v. ICE et al.* (2:20-cv-06982), plaintiff filed a FOIA request on June 19, 2018, requesting records regarding the Federal Government's policies on the re-calendar of Deferred Action for Childhood Arrivals recipients for removal proceedings. On February 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 187 pages and one Excel spreadsheet of records.
- In the matter of *Emily Ryo v. U.S. Department of Homeland Security (DHS) et al.* (1:20-cv-01166), plaintiff filed a FOIA request on October 11, 2017, requesting anonymized data on every person arrested or detained during immigration and criminal law-enforcement operations conducted by ICE and U.S. Customs and Border Protection (CBP) from October 1, 2012 to present. On February 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 14 pages and three Excel spreadsheets.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. USICS, et al.*, plaintiff filed a FOIA request on July 6, 2020, seeking various requests regarding specific ICE documents related to the FALCON system. On February 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 539 pages of records.
- In the matter of *Texas Civil Right Project, et al. v. ICE et al.*, 1:20-cv-02389-CJN, plaintiff filed a FOIA request on August 27, 2020, requesting records describing ICE's role into various asylum programs. On February 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 115 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al.* (1:19-cv-03028-DLF), plaintiff filed a FOIA request on July 2, 2019, seeking all records regarding multiple individuals who died in ICE custody. On February 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 571 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al.* (1:20-cv-00280-DLC), plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records on multiple individuals who died in

ICE custody. On February 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 571 pages of records.

- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requesting records regarding the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On February 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 414 pages of records.
- In the matter of *Grassroots Leadership v. United States Citizenship and Immigration Services (USCIS) (1:19-cv-00530-RP)*, plaintiff filed a FOIA request on February 5, 2019, seeking records regarding fee-waiver policies applicable to the United States Citizenship and Immigration Services (USCIS) Violence Against Women Act, T, and U humanitarian program dating to January 1, 2017. On February 5, 2021, USCIS released to the plaintiff two spreadsheets and 342 pages of records.
- In the matter of *Catholic Legal Immigration Network, Inc, et al. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), and United States Department of State (DOS) (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records regarding temporary protected status from January 20, 2017 - August 12, 2019. On February 5, 2021, USCIS released to the plaintiff 442 pages of records.
- In the matter of *Make the Road New York v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al., (1:19-cv-04607)*, plaintiff filed a FOIA request on July 2, 2018, seeking records regarding all United States Citizenship and Immigration Services (USCIS) communications and analyses pertaining to the public-charge regulation. On February 10, 2021, USCIS released to the plaintiff 228 pages of records.
- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al., (20-cv-11777)*, plaintiff filed a FOIA request on January 28, 2019, seeking records regarding the drafting of the public-charge regulation provision of the *Immigration and Nationality Act*. On February 10, 2020, USCIS released to the plaintiff 669 pages of records.
- In the matter of *Arnold & Porter Kaye Scholer, LLP v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 5, 2017, seeking records from January 27, 2017 to present regarding the implementation of the waiver provisions of Executive Order 13780 by DHS, the Department of State, or any component agency of the federal government. On February 5, 2021, DHS released 282 pages. (Case Number 2018-HQLI-00006)
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 19, 2020, seeking records regarding the numbers of detainees testing positive for COVID-19 and placed in solitary confinement or in hospitals. On February 10, 2021, DHS released three pages. (Case Number HQ 2020-HQLI-00021)

## **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

**Freedom of Information Act (FOIA) Activity for the Week of  
January 28 - February 3, 2021  
DHS Privacy Office  
February 8, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- On February 1, 2021, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Reading Room under the Airport category entitled “TSA Throughput Data January 10 - 16, 2021” (716 pages).
- On February 3, 2021, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Reading Room under the Reports/FOIA Logs/Policy Documents category entitled “FOIA Log FY21 Q1” (9 pages).

**II. Freedom of Information Act Requests**

- On January 21, 2021, **Kenneth Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from U.S. Citizenship and Immigration Services (USCIS) FOIA logs from January 1, 2017, to January 23, 2021 (Case Number USCIS COW2021000309)
- On January 21, 2021, **Kenneth Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, requested from U.S. Citizenship and Immigration Services (USCIS) records from January 1, 2017, to January 23, 2021, showing descriptions of Mandatory Declassification Review requests received. (Case Number USCIS COW2021000310)
- On January 24, 2021, **Evan Minsker** a representative with *Pitchfork* in Menomonie, Wisconsin, requested from U.S. Citizenship and Immigration Services (USCIS) the Alien File for the late Daniel Dumile. (Case Number USCIS COW2021000311)
- On January 25, 2021, **Julia Gelatt** a representative with **Migration Policy Institute** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) records from Fiscal Year 2018 to the present pertaining to data for green card holders. (Case Number USCIS COW2021000332)
- On January 25, 2021, **Julia Gelatt**, a representative with **Migration Policy Institute** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) data pertaining to green card holders from Fiscal Year 1995 to the present. (Case Number USCIS COW2021000333)
- On January 25, 2021, **Jered Ede**, a representative with **Project Veritas** in Mamaroneck, New York, requested from the Transportation Security Administration Security (TSA) records pertaining to the revocation of Global Entry for (b)(6) (Case Number TSA 2021-TSFO-00197)
- On January 28, 2021, **Kristin Steve**, a representative with *CBS News* in Brooklyn, New York, requested from the United States Coast Guard (USCG) the budget for the USCG’s

Family Advocacy Program for Fiscal Years 2016 through 2021. (Case Number USCG 2021-CGFO-00711)

- On January 28, 2021, **Anna Matthews**, a representative with *The Wall Street Journal* in South Pasadena, California, requested from the Department of Homeland Security (DHS) Privacy Office correspondence sent by or received by certain officials at the National Center for Emerging and Zoonotic Infectious Diseases related to COVID-19. (Case Number HQ 2021-HQFO-00470)
- On January 28, 2021, **Candice Choi**, a representative with *Associated Press* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office emails from January 1, 2020, to January 29, 2021, at the Centers for Disease Control and Prevention pertaining to COVID-19 cases in the United States. (Case Number HQ 2021-HQFO-00471)
- On January 28, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2021, to the present pertaining to the National Terrorism Advisory System bulletin issued on January 27, 2021. (Case Number HQ 2021-HQFO-00468)
- On January 28, 2021, **Angela Wang** a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) correspondence from May 15, 2020, to January 31, 2021, with state and local health departments regarding the rollout of the COVID-19 vaccine. (Case Number ICE 2021-ICFO-23414)
- On January 29, 2021, **Joseph Lloyd**, a private individual, requested from the United States Secret Service (USSS) communications from January 1 - 12, 2021, with the United State Capitol Police's executive team. (Case Number USSS 20210372)
- On January 29, 2021, **Joseph Lloyd**, a private individual, requested from the Federal Protective Service communications from January 12 - 29, 2021, with the United State Capitol Police's executive team. (Case Number HQ 2021-FPFO-00072)
- On February 1, 2021, **Al Lado**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) communications regarding the death of or the investigation of the death of Anthony Jones. (Case Number 2021-IGFO-00070)
- On February 1, 2021, **Manuel Galdamez**, a representative with **University of Arizona** in Phoenix, Arizona, requested records from the Federal Protective Service on the number of arrests made by the Protecting American Communities Task Force from July 1, 2020, to January 29, 2021. (Case Number FPS 2021-FPFO-00073)
- On February 2, 2021, **Manuel Galdamez**, a representative with the **University of Arizona** in Phoenix, Arizona, requested from the Department of Homeland Security (DHS) Privacy Office data from July 1, 2020, to January 29, 2021, on the number of arrests made by the Protecting American Communities Task Force. (Case Number HQ 2021-HQFO-00485)
- On February 2, 2021, **John Ryan**, a representative with *KUOW Radio Station* in Seattle Washington, requested from U.S. Customs and Border Protection (CBP) certain records



related to a train derailment in Custer, Washington on December 22, 2020. (Case number CBP-2021-029631)

- On February 1, 2021, **Al Lado** a representative with *MuckRock News* in Somerville, Massachusetts, requested certain records from U.S. Immigration and Customs Enforcement (ICE) regarding the review of the death of Anthony Jones, a.k.a. Henry Missick. (Case Number ICE 2021-ICFO-24148)
- On February 1, 2021, **Al Lado** a representative with *MuckRock News* in Somerville, Massachusetts, requested certain records from U.S. Immigration and Customs Enforcement (ICE) regarding the Adams County Detention Center. (Case Number ICE 2021-ICFO-24149)
- On February 1, 2021, **Al Lado**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) Congressional correspondence regarding the investigation of the death of Anthony Jones. (Case Number ICE 2021-ICFO-24150)

### Late Requests

- On December 7, 2020, **Bobbi-Jeanne Misick**, a representative with *New Orleans Public Radio* in New Orleans, Louisiana, requested from U.S. Immigration and Customs Enforcement (ICE) various records pertaining to Cameroonian detainees. (Case Number ICE 2021-ICFO-22839)
- On December 8, 2020, **Madeline Crowell**, a representative with *The New York Times Magazine* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) all video footage from December 1, 2019 to May 1, 2020 related to force feeding of a certain detainee at the Lasalle Corrections Center in Jena, Louisiana. (Case Number ICE 2021-ICFO-24730)
- On January 19, 2021, **Martha Mendoza**, a representative with *The Associated Press* in Santa Cruz, California, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding a law enforcement operation on the 500 block of Windham Street, Santa Cruz, California on or around Feb. 15, 2019. (Case Number ICE 2021-ICFO-21207)
- On January 20, 2021, **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, requested certain records related to a contract between Mission Support Dallas and Venntel from January 1, 2017 to the present. (Case Number ICE 2021-ICFO-21413)
- On January 21, 2021, **Jason Parker** a representative with the news media in Rossville, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) a list of chemical agents that have been deployed in the U.S. for protests at or near ICE facilities from January 1, 2020 to January 21, 2021. (Case Number ICE 2021-ICFO-21693)
- On January 27, 2021, **Felipe Hoz** a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) documents related to cases or tips referred by the Victims Of Immigration Crime Engagement office between April 27, 2017, and January 19, 2021. (Case Number ICE 2021-ICFO-23060)

### III. Freedom of Information Act Releases

- On January 28, 2021, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Rebecca Smith**, a representative from *The Wall Street Journal* in New York, New York, two pages of correspondence regarding a series of webinars titled, "Awareness Briefing: Russian Activity Against Critical Infrastructure" from July and August 2018. Portions of this response were withheld pursuant to FOIA Exemption 6. (Case Number 2018-NPFO-00596)
- On January 29, 2021, the Federal Emergency Management Administration (FEMA) released to **Brandon Wissbaum**, a representative with *WECT News* in Wilmington, North Carolina, three Excel Spreadsheets of Individual and Household programs data for North Carolina and South Carolina following Hurricane Florence. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2019-FEFO-00353)
- On February 2, 2021, the Transportation Security Administration (TSA) released to **Ed Gallek**, a representative with *FOX 8* in Cleveland, Ohio, a no records response in regard to his request for information on a security incident at Hopkins Airport. (Case Number TSA 2020-TSFO-00613)
- On February 3, 2021, the Federal Emergency Management Administration (FEMA) released to **Brett Yates**, a representative with *The Red Hook Star-Review* in Brooklyn, New York, 23 pages of correspondence with the New York State Division of Homeland Security & Emergency Services (NYS DHSES) pertaining to the Red Hook Integrated Flood Protection System. Portions of this response were withheld pursuant to FOIA Exemption 5. (Case Number 2020-FEFO-00219)
- On February 3, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Irvin McCullough**, a representative with **Government Accountability Project** in Washington, DC, four pages of communication to/from either Assistant Secretary Christine Ciccone. Portions of this response are withheld pursuant to FOIA Exemption 6. (Case Number 2019-HQFO-00116)
- On February 3, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Nick Bauer**, a representative with the **Democratic National Committee** in Washington, DC, 31 pages of records including key words associated with protests and Black Lives Matter. Portions of this response were withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C) and 7(E). (Case Number 2020-HQFO-01430)

#### IV. Freedom of Information Act Appeals

- NTSR

#### V. Freedom of Information Act Appeals Releases

- NTSR

#### VI. Litigation

- In the matter of *American Civil Liberties Union Foundation v. U.S. Department of Homeland Security (DHS) Privacy Office*, plaintiff requested certain records regarding

Countering Violent Extremism. On January 28, 2020, DHS released 143 pages. (Case Number 2016-HQLI-00005)

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 3, 2017, seeking communications between political appointees and Congress regarding the costs associated with the family separation policy. On January 29, 2021, DHS released nine pages. (Case Number 2019-HQLI-00018)
- In the matter of *NPR v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 11, 2020, seeking COVID-19-related communications between certain officials from December 1, 2019 to January 31, 2020. On January 29, 2021, DHS released 191 pages. (Case Number 2020-HQLI-00022)
- In the matter of *Make the Road New York v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 6, 2019, seeking records related to current proposed changes and historical data on how 'public charge' assessments have been made and implemented in the past two decades. On February 1, 2020, DHS released 311 pages.
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States - Mexico border. On February 1, 2021, DHS released 590 pages of records. (Case Number 2018-HQLI-00036)
- In the matter of *ACLU of Maine Foundation v. United States Citizenship and Immigration Services (USCIS) et al., (2:20-cv-00422-JA)*, the plaintiff filed a FOIA request on August 5, 2019, seeking information pertaining to asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On January 29, 2021, USCIS released to the plaintiff 623 pages of records.
- In the matter of *American Oversight v. United States Department of Homeland Security (DHS) et al., (1:20-cv-00652-RC)*, the plaintiff filed a FOIA request on November 8, 2019, seeking records regarding the transfer of responsibility for credible fear interview from USCIS to CBP. On January 29, 2021, USCIS will release to the plaintiff 1,098 pages records.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. United States Citizenship and Immigration Services (USCIS); United States Department of Homeland Security (DHS) et al., (3:20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records related to the adjudication of Adjustment of Status for U Nonimmigrants. On January 29, 2021, USCIS released to the plaintiff 531 pages of records.
- In the matter of *American Oversight v. United States Department of Commerce, United States Citizenship and Immigration Services (USCIS) et al., (1:19-cv-00912)*, plaintiff filed a FOIA request on October 17, 2018, seeking calendar entries for certain White House Liaisons. On February 2, 2021, USCIS released to the plaintiff 1,465 pages of records.

- In the matter of the *ACLU, et al. v. DHS, et al. (20-cv-02213-NRB)*, plaintiff filed a FOIA request on January 9, 2020, seeking information about the government's use of facial recognition. Plaintiff filed suit on March 13, 2020, claiming injunctive relief. On February 1, 2021, CBP released its eighth interim response, consisting of 83 pages of records to the plaintiff.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)*, plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: *Border Security and Immigration Enforcement Improvements* concerning the construction of a physical wall on the southern border of the United States. Plaintiff filed suit on July 17, 2017, claiming injunctive relief. On January 29, 2021, CBP issued its thirty-seventh interim release consisting of 560 pages of records.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)*, plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On January 29, 2021, CBP released its twentieth interim release consisting of 1,207 pages of records.
- In the matter of *The Human Rights Defense Center et al., v U.S. Department of Homeland Security (DHS) et al., (2:18-cv-01141-TSZ)*, plaintiff filed a FOIA request on March 20, 2018, requesting records regarding litigation against ICE and its employees since January 1, 2010. On January 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1 pages of records.
- In the matter of *Americans for Immigrant Justice, Inc. v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-20920-JEM)*, plaintiff filed a FOIA request on September 23, 2019, seeking documents related to the mental health services available to immigrants detained in ICE facilities in Florida. On January 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 232 pages of records.
- In the matter of *Austin Sanctuary Network v U.S. Immigration and Customs Enforcement (ICE) et al., (1:20-cv-01686-LJL)*, plaintiff filed a FOIA request on September 11, 2019, requesting certain records on individuals taking "sanctuary" in places of worship or elsewhere. On January 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 757 pages of records.
- In the matter of *Fitzsimmons, Nunn & Plukas, LLP v. Immigration and Customs Enforcement; 6:20-cv-07009*, plaintiff filed a FOIA request on September 11, 2019, requesting records relating to contract/service agreements for custodial and related services provided to the Buffalo Federal Detention Facility. On January 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 113 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed FOIA requests on August 6, 2018 seeking certain records related to health care provided to people held under immigration laws in Kenosha County, Wisconsin. On January 29, 2021 U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 431 pages of records.

- In the matter of the *National Immigrant Justice Center v Immigration Customs Enforcement (1:19-cv-11131)*, plaintiff filed a FOIA request on December 5, 2019, requesting all records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement ("ICE") and state and/or local facilities. On January 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 406 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking documents about the Alternatives to Detention program from U.S. Immigration and Customs Enforcement. On January 29, 2021, ICE released to the plaintiff 539 pages of records.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records since January 1, 2016, of all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation. On February 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 10 excel spreadsheets.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification. On February 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 351 pages of records.
- In the matter of *Cristian Aguasvivas v. ICE, No. 20-02822*, plaintiff filed a FOIA request on March 10, 2020, requesting certain records concerning the potential removal of Cristian Aguasvivas from the United States. On February 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 19 pages of records.
- In the matter of *NOVO Legal, LLC. v U.S. Immigration and Customs Enforcement (ICE) et al., (20-cv-00038 SKC)*, plaintiff filed a FOIA request on May 17, 2018, requesting all records pertaining to any contract(s) and/or agreement(s) between DHS, ICE, and The GEO Group, Inc. between 2015 and the present. On February 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff seven pages of records.
- On December 1, 2020, **Kelli L. Sager**, attorney for the *Los Angeles Times*, filed suit against the DHS Office of Inspector General (OIG) alleging constructive denial for three FOIA requests submitted for various records related investigations at dedicated Enforcement and Removal Operations facilities from January 1, 2015 to July 21, 2020. (Litigation Number 2021-IGLI-00001, Initial Case Numbers 2020-IGFO-00153, 2020-IGFO-00154, 2020-IGFO-00175).

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
February 11-17, 2021  
DHS Privacy Office  
February 22, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes the general public uses more user-friendly, particularly web-based and Freedom of Information Act related items:

- February 16, 2021, the Transportation Security Administration (TSA) posted a PDF document to the TSA FOIA Reading Room under the airport category titled “TSA Throughput Data January 24 - 30, 2021” (709 pages).

**II. Freedom of Information Act Requests**

- From February 11-12, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Los Angeles, California, requested documents from the Federal Protective Services (FPS) regarding the deployment of personnel from the Department of Homeland Security (DHS) to Portland, Oregon, and Chicago, Illinois. (Case Number FPS 2021-FPFO-00092) and (Case Number HQ 2021-HQFO-00554)
- On February 12, 2021, **Manoj Govindaiah**, a representative with **Refugee and Immigrant Center for Education and Legal Services (RAICES)**, in San Antonio, Texas, requested records regarding the Cuban Adjustment Act “dry-foot/wet-foot policy” from United States Citizenship and Immigration Services (USCIS) (Case Number USCIS COW2021000587) and (Case Number HQ 2021-HQFO-00525)
- On February 12, 2021, **Aaron Simansky**, a private individual in Elon, North Carolina, requested documents from the United States Secret Service (USSS) regarding investigations into John Edmund Mulaney. (Case Number USSS 20210450)
- On February 13, 2021, **Dr. Adam Kehoe**, a member of the media in Boston, Massachusetts, requested documents from the United States Coast Guard (USCG) regarding the LEIDB/Pathfinder Coast Guard Message systems. (Case Number USCG 2021-CGFO-00753)
- On February 13, 2021, **Dr. Adam Kehoe**, a member of the media in Boston, Massachusetts, requested from the United States Coast Guard (USCG), entries in the LEIDB/Pathfinder system with keywords related to Paul Hamilton during July 2019. (Case Number USCG 2021-CGFO-00754)
- On February 15, 2021, **Aaron Lackowski**, an individual in Burlington, Vermont, requested documents regarding a certain Blanket Purchase Agreement awarded to Deloitte by U.S. Customs and Border Protection (CBP). (Case number CBP-2021-033532)
- On February 15, 2021, **Robert Bragaw**, an individual in Huntington Beach, California, requested documents related to certain CBP contracts. (Case Number CBP-2021-033533)

- On February 15, 2021, **Aaron Lackowski**, an individual in Burlington, Vermont, requested documents regarding a certain Blanket Purchase Agreement awarded to Deloitte by U.S. Customs and Border Protection (CBP) on February 3, 2021. (Case Number CBP-2021-033550)
- On February 16, 2021, **Joshua P. Edwards**, an individual in Danville, Kentucky, requested documents regarding the shooting of Tiano Meton in Sierra Blanca, Texas, on January 22, 2015, from U.S. Customs and Border Protection (CBP). (Case Number CBP-2021-033920)
- On February 16, 2021, **Jolina M Manley**, an individual in Omaha, Nebraska, requested documents regarding the shooting of Benjamin Manley in Las Cruces, New Mexico, on December 16, 2020, from U.S. Customs and Border Protection (CBP). (Case Number CBP-2021-033981)
- On February 16, 2021, **Hollis Kegg**, an individual in New York City, New York, requested from U.S. Customs and Border Protection (CBP) training materials regarding the handling of currency and monetary instruments reports. (Case number CBP-2021-034066)
- On February 16, 2021, **Derek Martin**, a representative with **Accountable.US** in Washington, DC, requested reports from the DHS Privacy Office regarding political appointees who transferred from non-political permanent positions within the agency since November 1, 2016. (Case Number HQ 2021-HQFO-00528)
- On February 16, 2021, **Ian Stephens**, a representative with **LucretiaReport.com** in Colony, Texas, requested from the DHS Privacy Office records regarding inappropriate workplace behavior by former Secretary Chad Wolf or Deputy Secretary Kenneth Cuccinelli before, during, or after their tenures. (Case Number HQ 2021-HQFO-00530)
- On February 16, 2021, **Kori Rumore**, a representative with the **Chicago Tribune** in Evanston, Illinois, requested from the Transportation Security Administration Security (TSA) daily passenger throughput data for O'Hare and Midway airports from 2018 to the present. (Case Number TSA 2021-TSFO-00223)
- On February 16, 2021, **Darya Marchenkova**, a representative with **Al Jazeera International** in Washington, DC, requested DHS's Office of Inspector General (OIG) complaints from January 1, 2018 to the present related to the Irwin County Detention Center in Ocilla, Georgia. (Case Number 2021-IGFO-00083)
- On February 17, 2021, **Mark Walker**, a representative with the **New York Times** in Washington, DC, requested from the TSA records regarding the implementation and enforcement of the requirement that airline passengers over two traveling to or connecting through the United States show proof of a negative COVID-19 test. (Case Number TSA 2021-TSFO-00232)
- On February 17, 2021, **Robin Bravender**, a representative with **Business Insider** in Washington, DC, requested from the DHS Privacy Office talking points from January 6 – 20, 2021, on the January 6, 2021 events at the U.S. Capitol. (Case Number HQ 2021-HQFO-00544)
- On February 17, 2021, **Michael Ravnitzky**, an individual in Silver Spring, MD, requested emails dated January 6 - 7, 2021 from the DHS Privacy Office containing key



words on the events at the U.S. Capitol on January 6, 2021. (Case Number HQ 2021-HQFO-00558)

### Late Requests

- On December 17, 2020, **Katelyn Polantz**, a representative with **CNN** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) documents regarding protests in Washington, DC. (Case Number ICE 2021-ICFO-26583)
- On February 9, 2021, **Chantal Da Silva**, a representative with *The Independent and Forbes Media*, requested data from ICE on deportation flights conducted since January 20, 2021. (Case Number ICE 2021-ICFO-26586)

### III. Freedom of Information Act Releases

- On February 11, 2021, U.S. Customs and Border Protection (CBP) released to **Nicole Lopez**, a representative with *El Paso Matters* in El Paso, Texas, one page of statistics regarding arms trafficking and/or seizures within the El Paso field office during Fiscal Years 2019-2021. Portions of this release were withheld pursuant to FOIA Exemption 7(E). (Case Number CBP-2021-030086)
- On February 12, 2021, the Federal Emergency Management Agency (FEMA) provided a final response to **Andrew Free**, a representative with *MuckRock News* in Somerville, Massachusetts, releasing 52 pages pertaining to emails sent to OIGAuditsFollowup@oig.dhs.gov. Portions of this release were withheld pursuant to FOIA Exemption 4, 5, and 6. (Case Number 2020-FEFO-00668)
- On February 12, 2021, the United States Coast Guard (USCG) released to **Joel Seidman**, with *NBC News*, in a New York, New York, one page and one audio file recording by Russian MOD to United States commercial fishing fleet vessels operating in the Bering Sea. These records were released in full. (Case Number USCG 2021-CGFO-00696)
- On February 16, 2021, Federal Emergency Management Agency (FEMA) provided an interim response to April Ehrlich, a representative with *Jefferson Public Radio* in Ashland, Oregon, one spreadsheet regarding declaration DR-4562. These records were released in full. (Case Number 2021-FEFO-00186)
- On February 16, 2021, the Department of Homeland Security (DHS) Privacy Office released to **(b)(6)**, a private individual in Leesburg, Virginia, 10 pages of records regarding a certain Anti-Harassment Unit Fact-Finding Report. Portions of this release were withheld pursuant to FOIA Exemption 6, and 7(C). (Case Number HQ 2020-HQFO-01735)
- On February 16, 2021, the Transportation Security Administration (TSA) released to **Selena Garza**, a representative with *SBG-TV* in San Antonio, Texas, 187 pages of records regarding reports at the San Antonio Airport involving possession of CBD or marijuana between January 2017 to October 2019. Portions of the release were withheld pursuant to FOIA Exemptions 3 and 6(Case Number TSA 2020-TSFO-00012)
- On February 16, 2021, the Transportation Security Administration (TSA) issued **James Scott**, a representative with *ABC 7 News* in Arlington, VA, a full denial in response to his request for a copy of a written report from the Federal Air Marshal(s) regarding a

passenger they detained onboard a flight from Brussels to Dulles on October 27, 2019. These records were withheld pursuant to FOIA Exemptions 3 and 6. (Case Number TSA 2020-TSFO-00049)

- On February 17, 2021, U.S. Customs and Border Protection (CBP) released to **Martha Bellisle**, a representative with *The Associated Press* in Seattle, Washington, one page of statistics regarding unintentional discharges of CBP firearms by on-duty officers or agents discharged from 2012 to the present. This record was released in full. (Case number CBP-2020-002082)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 29, 2020, regarding the decision memoranda or orders, under the Defense Production Act or any other legal authorities, about the rerouting methods to take control or possession of equipment. On February 11, 2021, DHS released 10 pages. (Case Number HQ 2021-HQLI-00010)
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking calendar entries for a number of individuals, including calendars maintained on behalf of anyone who served as White House Liaison since January 20, 2017. On February 16, 2021, DHS released 355 pages. (Case Number 2019-HQLI-00013)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking emails sent or received by former Secretary of Homeland Security Kirstjen Nielsen from January 1 – June 22, 2018 related to immigration. On February 12, 2021, DHS released 56 pages. (Case Number HQ 2018-HQLI-00039)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 27, 2018, seeking emails sent and received by former USCIS Ombudsman Julie Kirchner. On February 12, 2021, DHS released 171 pages. (Case Number HQ 2018-HQLI-00033)
- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking certain records pertaining to domestic terrorism in the United States. On February 12, 2021, DHS released 100 pages. (Case Number 2019-HQLI-00027)
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. DHS et al. (1:19-cv-3438-CJN)*, plaintiff filed a FOIA request on May 31, 2019, seeking documents relating to the screening, inspection or processing of unaccompanied non-

citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 15, 2019, claiming injunctive relief. On February 12, 2021, CBP released its fifth interim response, consisting of 326 pages of records to the plaintiff.

- In the matter of *Alianza Nacional de Campesinas et al v. HHS, et al (2:20-CV-8463-VAP-AGR)*, plaintiff filed a FOIA request on February 25, 2019, seeking information pertaining to the Tornillo detention facility located in Tornillo, Texas. Plaintiff filed suit against HHS on September 16, 2020, and an amended suit to include CBP on October 7, 2020, claiming inadequate search. On February 17, 2021, CBP released its first interim response, consisting of 154 pages of records to the plaintiff.
- In the matter of *Southern Poverty Law Center v U.S. Department of Homeland Security (DHS) et al., (1:18-cv-01725-ABJ)*, plaintiff filed a FOIA request on January 23, 2018, requesting records related to ordering agreements between ICE and local authorities or law enforcement agencies. On February 12, 2021, ICE released to the plaintiff 261 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records concerning the United States' treatment of Mexican journalist Emilio Gutierrez-Soto, his son, Oscar Emilio Gutierrez-Soto, and their attorney, Eduardo Beckett. On February 12, 2021, ICE released to the plaintiff 288 supplemental pages of records.
- In the matter of *Make the Road New York & Center for Constitutional Rights v U.S. Department of Homeland Security (DHS) et al., (1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting all records pertaining to a notice of proposed rulemaking titled "Inadmissibility on Public Charge Grounds." On February 12, 2021, ICE released to the plaintiff 16 pages of records.
- In the matter of *Jestan Sands v. DHS et al; (1:20-cv-02679-JEB)*, plaintiff filed a FOIA request on March 19, 2020, requesting various records pertaining to Jestan Sands regarding meetings with several Homeland Security Investigations agents that took place from June 2016 to February 2017 about Peter J. Nygard and his businesses. On February 12, 2021, ICE released to the plaintiff 298 pages and 2 Excel Spreadsheets of records.
- In the matter of *American Oversight v. DHS et al., (1:20-cv-02018-BAH)*, plaintiff filed a FOIA request on March 20, 2020, requesting copies of certain reports completed by or for ICE Office of Professional Responsibility as part of the detainee death reviews for certain individuals. On February 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 504 pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of facial recognition software. On February 16, 2021, ICE released to the plaintiff 244 pages of records.
- In the matter of *Gilberto Chaverra v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:18-cv-00289-JEB)*, plaintiff filed a FOIA request on June 1, 2017, requesting all records pertaining to Jeancarlo Alfonso Jimenez Joseph. On

February 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 406 pages of records.

- In the matter of *International Refugee Assistance Project, Inc. v. United States Citizenship and Immigration Services (USCIS) and United States Department of State (DOS) et al.*, (1:19-cv-08905-JGK), plaintiff filed a FOIA request on May 30, 2019, seeking records pertaining to the Refugee, Asylum, and International Operations Directorate Combined Training Course. On February 11, 2021, USCIS released to the plaintiff 295 pages of records.
- In the matter of *Bautista v. Cuccinelli, et al.* (1:20-cv-00339), plaintiff filed a FOIA request on April 10, 2020, seeking all agency guidance on the processing of U-Visas. On February 12, 2020, USCIS released to the plaintiff 158 pages and two Excel spreadsheets of records.
- In the matter of *American Oversight v. Department of Justice (DOJ), Department of Homeland Security (DHS), U.S. Customs and Border Patrol (CBP), U.S. Immigration and Customs Enforcement (ICE), United States Citizenship and Immigration Services (USCIS) et al.* (1:18-cv-02846), plaintiff filed a FOIA request on June 20, 2018, seeking records for all email communications for L. Francis Cissna and Jennifer P. Higgins related to the American Academy of Pediatrics and Prosecution Initiative. On February 12, 2021, USCIS released to the plaintiff 40 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
February 18- 24, 2021  
DHS Privacy Office  
March 1, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes the general public uses more user-friendly, particularly web-based and Freedom of Information Act related items:

- February 22, 2021, the Transportation Security Administration (TSA) posted a PDF document to the TSA Freedom of Information Act Reading Room under the Airport category titled “TSA Throughput Data January 31, 2021 to February 6, 2021” (708 pages).

**II. Freedom of Information Act Requests**

- On February 18, 2021, **T. McElwee**, an individual with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) travel history and secondary-screening records regarding Rush Hudson Limbaugh III. (Case Number CBP-2021-034519)
- On February 19, 2021, **Katelyn Barcellos**, a representative with the *St. Albans Messenger* in St. Albans, Vermont, requested from U.S. Citizenship and Immigration Services (USCIS) emails from Acting Associate Director Connie Nolan of the Vermont Service Center in St. Albans, Vermont, and staff on Wednesday, February 17, 2021, to determine status to assess fees. (Case Number USCIS COW2021000690)
- On February 19, 2021, **Daniel River**, a representative with *WLRN* in Miami, Florida, requested from the United States Coast Guard (USCG) a database that lists the number of USCG interdictions of migrants per fiscal year. (Case Number USCG 2021-CGFO-00758)
- On February 22, 2021, **Curt Devine**, a representative for *CNN* in Washington, DC, requested from the United States Secret Service (USSS) Protective Threat Management System case-abstract documents involving incidents that occurred at the U.S. Capitol from January 5, 2021 or January 6, 2021, in Washington DC. (Case Number USSS 20210479)
- On February 22, 2021, **Jess A. Felix**, an individual with the **5<sup>th</sup> Element** in Sonora, Mexico, requested from U.S. Customs and Border Protection (CBP) reports and statistical data regarding asylum claims by undocumented migrants coming from Mexico and Central America during January 2017 to January 2021. (Case Number CBP- 2021-035317)
- On February 22, 2021, **William P. VanRooyen**, an individual in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) photos of President Trump’s final visit to the border wall in January 2021. (Case Number CBP- 2021- 035397)

- On February 22, 2021, **Jacob Fenton**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office memorandums from the Department of Homeland Security (DHS) to the Federal Aviation Administration (FAA) documenting the coordination required for DHS to deploy counter unmanned aircraft system technology within the United States from January 1, 2018. (Case Number HQ 2021-HQFO-00581)
- On February 23, 2021, **Freddy Martinez**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office documents from August 1, 2019 - February 22, 2021, showing the number of less-than-lethal munitions, chemical agents, and re-supplies DHS used in Portland Oregon. (Case Number HQ 2021-HQFO-00579)
- On February 24, 2021, **David Kerner**, a representative with *The Atlantic* in South Chatham, Massachusetts, requested from the Department of Homeland Security (DHS) Office of Inspector General records regarding Saudi government efforts to aid Saudi citizens charged with crimes in the United States. (Case Number 2021-IGFO-00089)

### Late Requests

- On February 9, 2021, **J. Ader**, a representative with *MuckRock News* from Somerville, Massachusetts requested from U.S. Immigration and Customs Enforcement (ICE) records regarding the design of challenge coins. (Case Number ICE 2021-ICFO-26059)
- On February 12, 2021, **Manoj Govindaiah**, a representative with the **News Media** from San Antonio, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records from January 20, 2012, to February 12, 202, regarding processing of Cuban migrants and the Cuban Adjustment Act. (Case Number ICE 2021-ICFO-26912)
- On February 13, 2021, **Adam Kehoe**, a member of the media in Boston, Massachusetts, requested from the United States Coast Guard (USCG) records regarding a July 14<sup>th</sup> and July 15<sup>th</sup> incident involving an unmanned aerial system and the USS KIDD and BASS STRAIT. (Case Number USCG 2021-CGFO-00764)
- On February 16, 2021, **Alexander Devoid**, a representative with the *Arizona Daily Star* in Hendersonville, North Carolina, requested from U.S. Citizenship and Immigration Services (USCIS) records regarding the Humanitarian Adjudication for Victims Enterprise Nationwide system. (Case Number USCIS COW2021000640)
- On February 17, 2021, **Ella Cleveland**, a representative with the **Louise Trauma Center** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) a copy of the “Credible Fear Procedures Manual.” (Case Number USCIS COW2021000652)
- On February 22, 2021, **Darya Marchenkova**, a representative with the *Associate and Digital News* from Austin, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) claims Irwin County Hospital in Ocilla, Georgia, made from January 18, 2018, to present to the Veterans Affairs Financial Services Center requesting reimbursement for medical services rendered to patients in ICE custody at the Irwin County Detention Center. (Case Number ICE 2021-ICFO-30429)

### III. Freedom of Information Act Releases

- On February 18, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Blake Sobczak**, a representative from *EE News* in Washington DC, 40 pages of emails from a certain official relating to the cyberattacks in the Ukraine in December of 2015. Portions of this response are being withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2016-NPFO-00297)
- On February 18, 2020, the Department of Homeland Security (DHS) Privacy Office released to **Joshua Phillips**, an individual in New York, New York, 40 pages of records from April 1, 2020, to May 1, 2020, from DHS senior leadership briefings regarding the “COVID-19 Task Force. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(E). (Case Number 2020-HQFO-01118)
- On February 18, 2021, Federal Emergency Management Agency (FEMA) released to **Rachel Leven**, a representative with **Center for Public Integrity** in Washington, DC, 23 pages regarding the latest disaster workforce review executed for/by FEMA. The records were released in full. (Case Number 2019-FEFO-00497)
- On February 19, 2021, Federal Emergency Management Agency (FEMA) released to **Timothy Cama**, a representative with *The Hill* in Washington, DC, 227 pages of emails to or from 25 listed FEMA personnel that mention or concern curtailing or ending response operations for wildfires in California or President Trump's Jan. 9, 2019 tweet implying the same. Portions of this response was withheld pursuant to 6 and 5. (Case Number 2019-FEFO-00283)
- On February 19, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Joseph Oslund**, an individual from Madison, Wisconsin, 65 pages of emails and text messages between Acting Secretary Chad Wolf and U.S. Senator Ron Johnson sent or received from May 25- June 7, 2020, as well as briefing material for a phone call between the two that occurred on or about June 1, 2020. Portions of this response were withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C) and 7(E). (Case Number 2020-HQFO-01453)
- On February 22, 2021, Federal Emergency Management Agency (FEMA) released to **Austen Erblat**, a representative of *Sun Sentinel* in Deerfield Beach, Florida, covering 62 pages of communications regarding Super Bowls XLI, XLIV, and LIV in Miami Gardens, Florida, and Super Bowl LIII in Atlanta, Georgia. Portions of this release were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number FEMA 2020-FEFO-00227)
- On February 23, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Manuel Galdamez**, a representative with the *University of Arizona*, two pages of Protecting American Communities Task Force arrests FPS conducted. These records were released in full. (Case Number FPS 2021-FPFO-00073)
- On February 24, 2021, Federal Emergency Management Agency (FEMA) released to **Alex Kreidler**, a private individual, 125 pages consisting of four reports related to FEMA's Logistics Supply Chain Management System's validation and Verification testing. The records are released in full. (Case Number 2020-FECS-00005)



#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- On February 24, 2021, U.S. Customs and Border Protection (CBP) released to **Tim Marchman**, a representative with *MuckRock News* in Somerville, Massachusetts, one page of seizure statistics of misoprostol and mifepristone from March 1, 2018. (Case Number CBP-2019-084694)

#### VI. Litigation

- In the matter of *Democracy Forward v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking records regarding Katherine Gorka, including communications pertaining to the Countering Violent Extremism program and Sebastian Gorka or Stephen Miller. On February 19, 2021, DHS released 497 pages. (Case Number HQ 2019-HQLI-00007)
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 9, 2020, seeking documents regarding the acquisition, processing, retention, or dissemination of data collected or generated through U.S. Customs and Border Protection's biometric services and infrastructure. On February 22, 2021, DHS released 57 pages. (Case Number 2021-HQLC-00011)
- In the matter of *Huawei Technologies CO. LTD v. ICE; 1:20-cv-03155*, plaintiff filed a FOIA request on October 30, 2020, requesting all records/communications regarding Huawei Technologies. On February 18, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 23 pages of records.
- In the matter of the *Brennan Center for Justice v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-00427-JNF)*, plaintiff filed a FOIA request on November 5, 2018, requesting records regarding the Data Analysis System. On February 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 16 pages of records.
- In the matter of *American Oversight v Immigration and U.S. Immigration Custom Enforcement (ICE) et al., (1:19-cv-01817-RCL)*, plaintiff filed a FOIA request on February 8, 2019, requesting all records pertaining to Roxsana Hernandez and Mergensana Amar. On February 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 504 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking documents regarding the Alternatives to Detection (ATD) program from U.S. Immigration and Customs Enforcement (ICE). On February 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 504 pages of records.

- In the matter of *American Oversight v U.S. Immigration and Customs Enforcement (ICE) et al.*, (0:20-cv-2153), plaintiff filed a FOIA request on September 11, 2019, requesting records regarding fines or penalties imposed on individuals, including immigrants, taking “sanctuary” in places of worship or elsewhere. On February 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 15 pages of records.
- In the matter of *Asian American Advancing Justice v. United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00411-BAH), plaintiff filed a FOIA request on December 21, 2018, seeking records and statistical data regarding the new Policy Memorandum PM-602-0050.1. On February 18, 2021, USCIS released 206 pages of records.
- In the matter of *American Oversight v. U.S. Citizenship and Immigration Services, et al.*, (1:19-cv-03421-CJN), plaintiff filed a FOIA request on August 27, 2019, seeking records from June 1, 2019, to present email communications of John Zadrozny, including communications with Stephen.miller@who.eop.gov, Robert.gabriel@who.eop.gov, or any other email addresses Stephen Miller and Robert Gabriel Jr. used; anyone in the White House assisting Stephen Miller; and all email communications between John Zadrozny and Ken Cuccinelli, Andrew Veprek or Gene Hamilton. On February 22, 2021, USCIS released to the plaintiff 16 pages of records.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS and United States Department of Homeland Security (DHS), et al.*, (1:20- cv-02348), plaintiff filed a FOIA request on November 13, 2019, seeking records regarding training instructions of Supervisory Asylum Officers/SAOs from January 1, 2019. On February 22, 2021, USCIS released to the plaintiff six Excel workbooks, and 380 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
February 25 to March 3, 2021  
DHS Privacy Office  
March 8, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes the general public uses more user-friendly, particularly web-based and Freedom of Information Act related items:

- March 1, 2021, the Transportation Security Administration (TSA) posted a PDF document to the TSA Freedom of Information Act Reading Room under the Airport category titled “TSA Throughput Data February 7, 2021, to February 13, 2021.” (731 pages)

**II. Freedom of Information Act Requests**

- On February 26, 2021, **Jennifer Franklin**, a representative of **Americans for Public Trust** in Alexandria, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office emails from January 13, 2021, to January 22, 2021, between a certain member of the Biden Agency Review Team and certain officials related to the White House’s immigration-related priorities. (Case Number HQ 2021-HQFO-00592)
- On February 26, 2021, **Jennifer Franklin**, a representative with **Americans for Public Trust** in Alexandria, Virginia, requested records from January 1, 2021, to February 26, 2021, related to Karen Olick’s employment as chief of staff at the Department of Homeland Security. (Case Number HQ 2021-HQFO-00594)
- On February 26, 2021, **Sam Knight**, a representative with *The District Sentinel and Means TV* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records of Science and Technology assessments of Countering Violent Extremism (CVE) programs produced in March 2020, referenced in the Government Accountability Office’s February 2021 report titled “COUNTERING VIOLENT EXTREMISM DHS Needs to Improve Grants Management and Data Collection (GAO-21-216).” (Case Number HQ 2021-HQFO-00615)
- On February 26, 2021, **Sam Knight**, a representative with *The District Sentinel and Means TV* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office certain records related to the Office for Targeted Violence and Terrorism Prevention (OTVTP) and the Government Accountability Office. (Case Number HQ 2021-HQFO-00616)
- On February 27, 2021, **Alexander Devoid**, a representative with *Arizona Daily Star* in Henderson, North Carolina, requested from U.S. Citizenship and Immigration Services (USCIS) manuals, schema and/or codebook for database(s) or system(s) that currently hold and/or catalogue applications for U or T visas. (Case Number USCIS COW2021000794)

- On March 1, 2021, **Sarah Davila-Ruhaak**, a representative with **International Human Rights Clinic** in Chicago, Illinois, requested from the Department of Homeland Security (DHS) Privacy Office protest-related material; data on police shootings in Chicago, Illinois, from May 2020 to August 2020; and email communications between the DHS and the Chicago Police Department regarding the enforcement of police misconduct laws. (Case Number HQ 2021-HQFO-00620)
- On March 2, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from January 29, 2020, to January 20, 2021, between certain DHS officials and certain entities containing the phrase "Stephen Miller." (Case Number HQ 2021-HQFO-00613)
- On March 2, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested communications from September 1, 2019, to August 31, 2020, between certain DHS officials and certain individuals identified with We Build the Wall. (Case Number HQ 2021-HQFO-00612)
- On March 2, 2021, **Caroline Haskins**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2018 to March 2, 2021, regarding contracts, memorandums of understanding, purchase orders, invoices, and receipts related to "Venntel." (Case Number HQ 2021-HQFO-00608)
- On March 2, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from February 1, 2020 to January 20, 2021, between certain members of DHS leadership and the Federation for American Immigration Reform Immigration Reform Law Institute, NumbersUSA, and The Remembrance Project. (Case Number HQ 2021-HQFO-00619)
- On March 2, 2021, **Carol Thompson**, a representative with **CBS News** in Chicago, Illinois, requested from the Transportation Security Administration Security (TSA) reports of covert tests conducted at airports in 2020 and 2021 and memos about Marilyn Hartman and the serial stowaway from 2014 to 2019. (Case Number TSA 2021-TSFO-00276)
- On March 2, 2021, **Emilie Eaton**, a representative with the **San Antonio Express-News** in San Antonio, Texas, requested from the Transportation Security Administration Security (TSA) records about the secondary screening of **(b)(6)** on June 26, 2020 at the San Antonio International Airport. (Case Number TSA 2021-TSFO-00277)
- On March 2, 2021, **David Bossie**, a representative **Citizens United** in Washington, DC, requested from the Department of Homelands Security (DHS) Privacy Office documents from January 20, 2021 to March 2, 2021, from certain DHS officials containing Immigration-and-Customs-Enforcement-related terms. (Case Number HQ 2021-HQFO-00609)
- On March 2, 2021, **Jason Leopold**, a representative from **Buzzfeed News** in Los Angeles, California, requested from the Department of Homeland Security (DHS) Privacy Office communications sent to the secretary of Homeland Security or any official

in the Office of the Secretary from January 1, 2018 to December 31, 2018, by Ambassador to the United Nations Nikki Haley seeking assistance from DHS to expedite a visa for her husband's business partner and any related items. (Case Number HQ 2021-HQFO-00622)

- On March 3, 2021, **Jacob Fenton**, a representative with *MuckRock News*, in Somerville, Massachusetts, requested memorandums from the Federal Protective Service to the Federal Aviation Administration documenting the coordination DHS required to deploy counter unmanned aircraft system technology (c-UAS) within the United States from January 1, 2018 to present. (Case Number HQ 2021-FPFO-00098)
- On March 3, 2021, **Quinn, Michael**, a representative with *MuckRock News* in Somerville, Massachusetts, requested incident reports/briefings involving the Mark O. Hatfield U.S. Courthouse from May 1, 2020 to present. (Case Number 2021-FPFO-00100)

### Late Requests

- On January 4, 2021, **Lila Hassan**, a representative with *Frontline PBS News* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) ages of arrested individuals of the critical incident weapons discharges for Fiscal Years FY) 2016 to February (FY) 2020. (Case Number ICE 2021-ICFO-30448)
- On January 4, 2021, **Nicole Einbinder**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records involving certain private prison operators regarding the COVID-19 pandemic. (Case Number ICE 2021-ICFO-30522)
- On January 4, 2021, **Geoffrey Ziezulewicz**, a representative with *MilitaryTimes.com* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) investigations records involving U.S. service members trafficking/transporting illegal aliens in the United States from January 1, 2015, to present. (Case Number ICE 2021-ICFO-30579)
- On February 16, 2021, **Darya Marchenkova**, a representative with *Al Jazeera English News Media* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) medical grievances detainees submitted at the Irwin County Detention Center in Ocilla, Georgia, from January 1, 2018, to present. (Case Number ICE 2021-ICFO-28304)
- On February 22, 2021, **Claire Harvey**, a representative with the **National Security Archive** in Washington, DC, requested from the Transportation Security Administration Security (TSA) records from January 6, 2021, to the present that mention the head of the Federal Bureau of Investigation's Washington Field Office. (Case Number TSA 2021-TSFO-00270)
- On February 23, 2021, **Ian Stevenson**, a freelance journalist, in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) a dataset that links H-2A Form I-129 approvals with the approved case numbers from the Department of Labor for Fiscal Year 2018 through the present with specific job titles. (Case Number USCIS COW2021000723)
- On February 24, 2021, **Andrew Becker**, a representative with **Center for Investigative Reporting** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection

(CBP) records regarding employees arrested, charged, convicted/sentenced on corruption-related charges from March 1, 2003, through the present. (Case number CBP-2021-036491)

### III. Freedom of Information Act Releases

- On February 25, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Sergio Hernandez**, a representative of *CNN* in New York, 25 pages of records consisting of the year-to-date FOIA request log. Portions of this release were withheld pursuant to FOIA Exemption 6, 7(C), and 7(E). (Case Number HQ 2021-HQFO-00368)
- On February 25, 2021, the Transportation Security Administration (TSA) released to **John Power**, a representative with the *South China Morning Post* in Causeway Bay, Hong Kong, 142 pages of communications regarding ways to control the spread of Covid-19. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number TSA 2020-TSFO-00240)
- On February 26, 2021, U.S. Customs and Border Protection (CBP) released to **Josie Albertson-Grove**, a representative with the *Union Leader* in Manchester, New Hampshire, one spreadsheet depicting border apprehensions and encounters in the Swanton Sector between September 15, 2019, and February 29, 2020. Portions of this release was withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number CBP-2020-038809)
- On February 26, 2021, U.S. Customs and Border Protection (CBP) issued to **Tom R. Jones**, a representative with *KNSD* in San Diego, California, a no-records determination regarding his request for a dataset showing the date, time, gender, and age of all undocumented minor children brought to shelters in San Diego County from February 1 to March 30, 2020. (Case number CBP-2020-045975)
- On February 26, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Nicholas L. Anastasi**, a representative with **Foley Hoag LLP** in Boston, Massachusetts, 11 pages regarding an incident at an ICE facility. Portions of this response was withheld pursuant to FOIA Exemption 5. (Case Number 2020-HQFO-01156)
- On March 1, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Blake Ellis**, a representative for *CNN* in Denver, Colorado, 120 pages various records related to the protests in Washington, DC on January 6, 2021. Portions of this response was withheld pursuant to FOIA Exemptions 5, 6, 7C, 7(E), and 7(F). (Case Number FPS 2021-FPFO-00044)
- On March 2, 2021, U.S. Customs and Border Protection (CBP) issued to **Brad Heath**, a representative with *Reuters* in Falls Church, Virginia, a full denial of records regarding investigations into whether CBP employees participated in the Capitol Breach on January 6, 2021. These records were withheld pursuant to FOIA Exemption 7(A). (Case number CBP-2021-030593)
- On March 2, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Freddy Martinez**, a representative for *Open The Government*

*c/o MuckRock News* in Somerville, Massachusetts, 63 pages consisting of emails and safety data sheets related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 4,5, 6, 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00095)

- On March 2, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Nathaniel Serslev**, a representative of **Americans for Public Trust** in Alexandria, Virginia, one page of correspondence exchanged between the Department of Homeland Security, the Office of Legislative Affairs, the Office of the Secretary, and the Office of Senator Patrick Leahy. Portions of this release was withheld pursuant to FOIA Exemption 7(E). (Case Number HQ 2021-HQFO-00429)
- On March 2, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Paul Smith**, a representative with *The Intercept* in Long Island City, New York, 141 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response was withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(C), and 7(F). (Case Number 2021-FPFO-00046)
- On March 2, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Nate Jones**, a representative with *The Washington Post* in Washington, DC, 28 pages of safety and information bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00055)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, 22 pages consisting of the FPS FOIA Fiscal Year 2021 FOIA Log. Portions of this response were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2021-FPFO-00081)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Ann Kernen**, a representative from the **Center for Protest Law and Litigation** in Washington, DC, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00043)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Samantha Manning**, a representative from *Cox Media Group in Washington, DC*, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00049)
- On March 3, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Sophia Hall**, a representative with **Lawyers for Civil Rights** in Boston, Massachusetts, six pages of records containing the word "Chinese virus." Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2020-HQFO-00883)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Angela Wang**, a representative from *Insider, Inc. c/o*



*MuckRock News* in Somerville, Massachusetts, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00065)

- On March 3, 2021, the Department of Homeland Security (DHS) Federal Protective Service (FPS) released to **Martha Mendoza**, a representative from *The Associated Press* in Santa Cruz, California, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E) and 7(F). (Case Number 2021-FPFO-00058)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Robin Bravender**, a representative from *Business Insider* in Washington, DC, 34 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00070)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Jason Leopold**, a representative from *BuzzFeed News* in Beverly Hills, California, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00062)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) will release to **Nikehl Sus**, a representative from the **Citizens for Responsibility and Ethics** in Washington, DC, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00060)
- On March 3, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Austin Evers**, a representative from **American Oversight** in Washington, DC, 81 pages of intelligence and safety bulletins related to the protests in Washington, DC on January 6, 2021. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E), and 7(F). (Case Number 2021-FPFO-00053)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP)* (4:17-cv-05273-KAW) plaintiff filed a FOIA request on November 19, 2016, seeking

records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On February 26, 2021, CBP released 1,218 pages of emails, meeting notes and attachments.

- In the matter of the ***Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)*** plaintiff filed a FOIA request on March 15, 2017, seeking all records produced after the January 25, 2017, Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On February 26, 2021, CBP issued 532 pages of emails, meeting agendas and notes, briefings, and reports.
- In the matter of the ***International Refugee Assistance Project, and the Refugee and Immigrant Center for Education and Legal Services v. CBP (20-cv-03202-GBD)***, plaintiff submitted a complaint on April 23, 2020, seeking release of records regarding the intended beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa (SIV) programs. On February 28, 2021, U.S. Customs and Border Protection (CBP) issued 150 pages of secondary inspection records.
- In the matter of ***Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS and United States Department of Homeland Security (DHS), et al., (1:20-cv-02348)***, plaintiff filed a FOIA request on October 18, 2019, seeking records pertaining to "training, instructions and guidance of Supervisory Asylum Officers/SAO's, from January 1, 2019, to the date you begin this request." On February 25, 2021, USCIS released to the plaintiff 383 pages of records.
- In the matter of ***Muslim Advocates v. United States Department of State(DOS); United States Department of Homeland Security (DHS); United States Customs and Border Protection (CBP); United States Citizenship and Immigration Services (USCIS), et al., (1:18-cv-01546)***, plaintiff filed a FOIA request on February 6, 2018, seeking any policies resulting from presidential proclamation 9645, from September 24, 2017, clarifying EO 13780. On February 26, 2021, USCIS released to the plaintiff 108 pages of records.
- In the matter of ***ACLU of Maine Foundation v. United States Citizenship and Immigration Services (USCIS), et al.,(2:20-cv-00422)***, plaintiff filed a FOIA request on August 5, 2019, seeking information pertaining to approvals, referrals, and denials of affirmative asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On February 26, 2021, USCIS released to the plaintiff 832 pages of records.
- In the matter of ***American Oversight v. Department of Homeland Security (DHS) et al. (1:20-cv-00652)***, plaintiff filed a FOIA request on November 8, 2019, seeking any final policies, procedures, protocols, instructions or guidance regarding the transfer of responsibility for credible fear interview from asylum officers within USCIS to law enforcement agents within CBP. On February 26, 2021, USCIS released to the plaintiff 957 pages of records.
- In the matter of ***Immigration Center for Women and Children, ASISTA Immigration Assistance, Inc. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), et al., (3:20-cv-03000)***, plaintiff filed a FOIA request on December 10, 2019, seeking records that relate to the

discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On February 26, 2021, USCIS released to the plaintiff 540 pages of records.

- In the matter of *American Oversight v. United States Department of Commerce, United States Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00912), plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for L Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and anyone who served as White House Liaison. On February 26, 2021, USCIS released to the plaintiff 1,460 pages of records.
- In the matter of *Justice Action Center v. U.S. Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE) and U.S. Department of Justice (DOJ), et al.*, (2:20-CV-06982), plaintiff filed a FOIA request on January 30, 2020, seeking Deferred Action for Childhood Arrivals program records including policies, guidance, correspondence, emails, reports and data. On March 1, 2021, USCIS released to the plaintiff 104 pages of records.
- In the matter of *Make the Road New York v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 6, 2019, seeking records related to current proposed changes and historical data on how public charge assessments have been made and implemented in the past two decades. On February 26, 2020, released 356 pages. (Case Number 2019-HQLI-00030)
- In the matter of *American Oversight vs. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 3, 2017, seeking records reflecting communications between political appointees and Congress, including congressional committees or staff, regarding the costs associated with the family separation policy, the evaluation, assessment, or analysis of currently available appropriations that could be used to fund the policy, and any constraints. On March 1, 2021, DHS released 300 pages. (Case Number 2019-HQFO-00010)
- In the matter of *Buzzfeed News vs. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA release on July 30, 2017, seeking emails dated January 21, 2017, through July 31, 2017, sent or received by former Secretary John Kelly. On February 26, 2021, DHS released 218 pages. (Case Number 2018-HQLI-00001)
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 22, 2020, seeking communications and documents related to COVID-19 in immigration-detention facilities. On February 26, 2021, DHS released 403 pages. (2021-HQLI-00006 2021-ICLI-00008)
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States-Mexico border. On February 26th, 2021, DHS released 383 pages. (Case Number 2018-HQLI-00036)
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff a FOIA request on March 19, 2020, seeking records pertaining to policies,

communications, and guidance surrounding the COVID-19 response. On February 27, 2021, DHS released 291 pages of records. (Case Number 2020-HQLI-00030)

- In the matter of the *Electronic Frontier Foundation v U.S. Department of Homeland Security (DHS) et al.*, (3:19-cv-07431), plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE’s pilot program on Rapid DNA testing. On February 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 416 pages of records.
- In the matter of the *National Immigrant Justice Center v U.S. Department of Homeland Security (DHS) et al.*, (1:18-cv-04247), plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to relating to facilities housing detained immigrants from 2013 to present. On February 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 488 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al.*, (1:19-cv-12564), plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On February 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 732 pages of records.
- In the matter of *Diocesan Migrant & Refugee Services, Inc. v U.S. Immigration and Customs Enforcement (ICE)*, (3:19-cv-00236-FM), plaintiff filed a FOIA request on July 1, 2019, requesting records pertaining to Migrant Protection Protocols. On February 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,002 pages of records.
- In the matter of *Austin Sanctuary Network v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:20-cv-01686-LJL), plaintiff filed a FOIA request on September 11, 2019, requesting records pertaining to policies, procedures, guidelines, and instructions regarding fines or penalties imposed on individuals, including immigrants taking “sanctuary” in places of worship or elsewhere. On February 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 95 pages of records.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification and the release of the minor from the U.S. Department of Homeland Security (“DHS”) custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On February 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 106 pages of records.
- In the matter of *Los Angeles Times Communications LLC v. DHS et al 2:20-cv-10911-SVW*, plaintiff filed a FOIA request on June 29, 2020, requesting any investigative guidebook(s) and/or handbook(s) for ICE’s Office of Professional Responsibility (OPR) and records related to misconduct cases reported and investigations. On February 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 131 pages of records.
- In the matter of the *National Immigrant Justice Center v U.S. Department of Homeland Security (DHS) et al.*, (1:18-cv-04247), plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to relating to facilities housing detained immigrants from

2013-present. On March 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,067 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
March 4 - 10, 2021  
DHS Privacy Office  
March 15, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and Freedom of Information Act related items:

- NSTR

**II. Freedom of Information Act Requests**

- On March 3, 2021, **Bryan Overstreet**, a representative with *WLOC-TV* in Asheville, North Carolina, requested from the Transportation Security Administration Security (TSA) any documented incidents of Representative Madison Cawthorn trying to board a plane at Asheville Regional Airport with a firearm on February 13, 2021. (Case Number TSA 2021-TSFO-00284)
- On March 3, 2021, **Christina Carrega**, a representative with *CNN*, requested from the Department of Homeland Security (DHS) Privacy Office correspondence referring to the events that occurred at the U.S. Capitol and exchanges with fusion centers, joint terrorism task forces, any cop.gov email addresses between January 1, 2021, through the date the search for records is conducted, and legal correspondence referring to the breach from January 1, 2021 to March 5, 2021. (Case Number FPS 2021-FPFO-00101)
- On March 4, 2021, **Anna Flagg**, a representative with **The Marshall Project** in New York, New York, requested from U.S. Customs and Border Protection (CBP) statistical data of children held in holding centers from January 20, 2017 to present. (Case number CBP-2021-039142)
- On March 4, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) statistical data of COVID vaccinations administered to undocumented immigrants from November 1, 2020 to present. (Case number CBP-2021-039143)
- On March 4, 2021, **Malcolm Byrne**, a representative with **The George Washington University** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the Operation Ababil DDoS attacks in 2012 against the U.S. financial sector and the DHS response to this incident. (Case Number HQ 2021-HQFO-00634)
- On March 5, 2021, **Sam Knight**, a representative with *The District Sentinel* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records containing DHS Form 3095 submitted by recipients of Countering Violent Extremism (CVE) grants from January 1, 2017 to March 5, 2021. (Case Number HQ 2021-HQFO-00631)

- On March 5, 2021, **David Bossie**, a representative with **Citizens United** in Washington, DC, requested records from the Department of Homeland Security (DHS) Privacy Office from senior-level leadership regarding vaccinations, the border wall, and undocumented immigrants from January 20, 2021 to March 5, 2021. (Case Number HQ 2021-HQFO-00630)
- On March 5, 2021, **David Mora**, a reporter with **VICE News** in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) aerial-surveillance footage collected by CBP drones and/or drones operated by private parties contracted by CBP flying over various locations in Texas and Mexico from January 22-23, 2021. (Case number CBP-2021-039587)
- On March 5, 2021, **Eshani Pandya**, an attorney with **American Immigration Council** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the current version as well as a list of all CBP databases using the CBP Corporate Data Dictionary. (Case number CBP-2021-039688)
- On March 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office correspondence between November 4 2020, to January 20, 2021, from certain former agency officials. (Case Number HQ 2021-HQFO-00632)
- On March 8, 2021, **Stephen Bolin**, a private individual in Reno, Nevada, requested from the Department of Homeland Security (DHS) Privacy Office a copy of certain documents noted on Secretary Nielsen's 2018 calendar for Friday, March 16.. (Case Number HQ 2021-HQFO-00647)
- On March 8, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office any independent autopsies supplied to DHS or ICE, including those by county or state medical examiners, for specific individuals who died in ICE custody from April 10, 2018 to March 10, 2021. (Case Number HQ 2021-HQFO-00650)
- On March 8, 2021, **Mia Rosini**, a student with **Princeton University** in Gladwyne, Pennsylvania, requested from U.S. Customs and Border Protection (CBP) data related to the detention of children at ports of entry from January 1, 2000 to December 31, 2020. (Case number CBP-2021-040497)
- On March 8, 2021, **Timothy Dickinson**, a representative with **Rolling Stone Magazine** in Portland, Oregon, requested from the Transportation Security Administration Security (TSA) the civil investigation pertaining to the Horizon Air event at Seattle-Tacoma International Airport in 2018. (Case Number TSA 2021-TSFO-00285)
- On March 9, 2021, **Aaron Lackowski**, a private individual in Burlington, Vermont, requested from U.S. Customs and Border Protection (CBP) a copy all documents associated with a contract awarded to Axon Enterprise on September 23, 2020. (Case number CBP-2021-040713)
- On March 9, 2021, **KeI McClanahan**, a representative of National Security Counselors in Rockville, Maryland, requested from U.S. Citizenship and Immigration Services (USCIS) emails sent or received by any employee or contractor of the USCIS FOIA



Office or USCIS Office of General Counsel dated February 16, 2021 referring to his organization. (Case Number USCIS COW2021000647)

- On March 9, 2021, **Katy Smyser**, a representative with **NBC5** in Chicago, Illinois, requested from the Transportation Security Administration (TSA) security incidents of weapons discovered through security screenings at O'Hare International Airport and Midway International Airport from January 1, 2019 to present. (Case Number TSA 2021-TSFO-00289)

### Late Requests

- On August 3, 2019, **Jacqueline Watson**, an attorney with **Walker, Gates, Vela, PLLC** in Austin, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) the alien file for the late Ian Fraser Kilmister, former singer and bassist of the British rock band, Motorhead. (Case Number USCIS COW2019501023)
- On November 26, 2020, **Dharmendra Singhal**, a representative with **The Article Fourteen Project** in Towaco, New Jersey, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding illnesses and deaths of residents at federal ICE facilities from January 2012 to December 2020. (Case Number ICE 2021-ICFO-32069).
- On January 7, 2021, **Martha Mendoza**, a representative with the **Associated Press** in Santa Cruz, California, requested from U.S. Immigration and Customs Enforcement (ICE) records recorded at or near the U.S. Capitol and other federal buildings on January 6, 2021. (Case Number ICE 2021-ICFO-32077).
- On January 7, 2021, **Satnam Singh Chahal**, a representative with **North American Punjabi Association** in Milpitas, California, requested from U.S. Immigration and Customs Enforcement (ICE) the number of people of Indian origin deported or in prison from fiscal years 2015 to 2020. (Case Number ICE 2021-ICFO-32152).
- On February 22, 2021, **Andrew Becker**, a representative with **Borderdom Productions** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) records related to Operation Las Brisas from January 1, 1993 to December 31, 2008. (Case Number ICE 2021-ICFO-30030)
- On February 22, 2021, **Andrew Becker**, a representative with **Borderdom Productions** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) all records pertaining to Arlo Corporaciones from July 1, 2006 to December 31, 2010. (Case Number ICE 2021-ICFO-30037)
- On February 22, 2021, **Andrew Becker**, a representative with **Borderdom Productions** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) all correspondence regarding the investigation of CBPO Fernando Arango, including emails, memoranda, notes, etc. reviewed, sent, and received by certain government officials from November 17, 2003 to February 22, 2021. (Case Number ICE 2021-ICFO-30043)
- On March 1, 2021, **Bennett Cyphers**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records that Experian Information Solutions Inc. provided in conjunction with a certain procurement identifier. (Case Number ICE 2021-ICFO-31239).

- On March 1, 2021, **Christopher Cann**, a media representative with *Fresh Take Florida*, a publication of the University of Florida in Gainesville, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) a log of all people in Florida who were flagged as ineligible for employment through the E-Verify system since January 1, 2021. (Case Number USCIS COW2021000803)
- On March 1, 2021, **Christopher Cann**, a media representative with *Fresh Take Florida*, a publication of the University of Florida in Gainesville, Florida, requested from the United States Citizenship and Immigration Services (USCIS) a list of all contractors in Florida that have used the E-Verify system since January 1, 2021. (Case Number USCIS COW2021000805)
- On March 1, 2021, **Christopher Cann**, a media representative with *Fresh Take Florida*, a publication of the University of Florida in Gainesville, Florida, requested from the United States Citizenship and Immigration Services (USCIS) a log of every contractor and subcontractor who used the E-Verify system from January 1, 2021 to present. (Case Number USCIS COW2021000807)
- On March 2, 2021, **Caroline Haskins**, a representative with *BuzzFeed News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) contracts, memorandums of understanding, purchase orders, invoices, and receipts related to “Venntel” from January 1, 2018 to present. (Case Number ICE 2021-ICFO-31460)
- On March 2, 2021, **Caroline Haskins**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) various records that mention a certain procurement instrument identifier or the solicitation number for contracts from January 1, 2020 to present. (Case Number ICE 2021-ICFO-31461).

### III. Freedom of Information Act Releases

- On March 4, 2021, U.S. Customs and Border Protection (CBP) released to **Alexander Devoid**, a journalist with *The Arizona Republic* in Phoenix, Arizona, 179 pages regarding cooperative national security and counterterrorism efforts along the United States' borders. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2017-075415)
- On March 4, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Angelika Albaladejo**, a representative with **The Marshall Project** in Los Angeles, California, 767 pages of records pertaining to [REDACTED (b)(6) REDACTED]. Portions of the release were withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C), and 7(E). (Case Number USCIS NRC2019619968)
- On March 4, 2021, U.S. Immigration and Customs Enforcement (ICE) will release to **Jie Zou**, a representative with *The Los Angeles Times* in Los Angeles, California, all ICE Office of Professional Responsibility investigation closing reports related to assault, sexual abuse, or harassment allegations at dedicated Enforcement and Removal Operations facilities. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2021-ICAP-00027)
- On March 4, 2021, Federal Emergency Management Administration (FEMA) released to **Hart Wood**, a representative with **American Oversight** in Washington, DC, 54 pages

relating to the decision to deploy federal law-enforcement officers in response to protests. The release was made in full. (Case Number 2021-FEFO-00256)

- On March 4, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Alec Ferretti**, an individual in New York, New York, 138 pages of records consisting of documents of the late David Bowie. Portions of the release were withheld pursuant to FOIA Exemption 6, 7(C), and 7(E). (Case Number USCIS NRC2020166573)
- On March 4, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Matthew T. Jones**, an individual in Washington, DC, 222 pages of records regarding records and communications regarding Dr. Yanping Chen's immigration and citizenship applications. This is the first rolling release of records for this request. Portions of the release were withheld pursuant to Privacy Act Exemptions (a)(j)(2) and (a)(k)(2) and FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS NRC2019003558)
- On March 8, 2021, U.S. Customs and Border Protection (CBP) released to **Geneva Sands**, a reporter with *CNN*, in Washington, DC, 317 pages of email correspondence and associated attachments between attorney Kris Kobach and officials at CBP. Portions of this release have been withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case number CBP-2020-036154)
- On March 9, 2021, U.S. Customs and Border Protection (CBP) issued to **Parker Asmann**, a reporter with *InSight Crime* in Washington, DC, a no-records determination in response to his request for records regarding training of Mexican state police forces in Tamaulipas between January 1, 2017 and February 1, 2021. (Case number CBP-2021-030772)
- On March 10, 2021, **William Marshall**, a representative for **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) all records of communications between USSS officials responsible for protection at the White House regarding the Biden family dogs from November 3, 2020 to March 10, 2021. (Case Number USSS 20210500)
- On March 8, 2021, the Transportation Security Administration (TSA) released to **Ken Klippenstein**, a representative with *The Intercept* in Washington, DC, 161 pages of FOIA request descriptions received from January 1, 2017 to January 23, 2021. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number TSA 2021-TSFO-00169)
- On March 9, 2021, U.S. Citizenship and Immigration Services (USCIS), released to **Xiao Qian Mu**, an attorney with the **Law Offices of Sarah Xiao Qian** in San Jose, California, 1,204 pages of records consisting of documents from the alien file of **(b)(6)** **(b)(6)**. Portions of the release are withheld pursuant to FOIA Exemptions 6 and 7(C), and 7(E). (Case Number USCIS NRC2019562750)
- On March 9, 2021, the Transportation Security Administration (TSA) released to **Douglas Johnson**, a representative with the **Scientific Coalition for UAP Studies** in Adelphi, Maryland, 17 pages pertaining to an incursion of drones within the base parameter surrounding the Palo Verde nuclear-generating station in Arizona. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number TSA 2020-TSFO-00461)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Catholic Legal Immigration Network, Inc. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), and United States Department of State (DOS) et al. (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to temporary protected status from January 20, 2017, through August 12, 2019. On March 8, 2021, USCIS released to the plaintiff 265 pages of records.
- In the matter of *American Civil Liberties Union v. DHS, U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE) (1:20-cv-10083)*, plaintiff filed a FOIA request on February 10, 2020, seeking records of contracts, memoranda of understanding, letters of commitment, license, subscription agreements, and other agreements with vendors regarding government access to or receipt of data from commercial databases containing cellphone location information. On March 4, 2021, CBP released its first interim release consisting of 169 pages of presentations, briefs, and other documents.
- In the matter of *Justice and Diversity Center of the Bar Association of San Francisco v. DHS et al. (19-cv-04533)*, plaintiff filed a FOIA request on August 02, 2019, requesting records pertaining to certain program's administration, policies, and practices involving the Institutional Hearing Program. On March 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 37 pages of records.
- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On March 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 27 pages of records.
- In the matter of *Texas Civil Right Project, et al. v. ICE et al. (1:20-cv-02389-CJN)*, plaintiff filed a FOIA request on August 27, 2020, requesting any records describing ICE's role in certain expulsion programs. On March 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 53 pages of records.
- In the matter of *Americans for Immigrant Justice, Inc. v U.S. Department of Homeland Security (DHS) et al. (1:20-cv-20920-JEM)*, plaintiff filed a FOIA request on September 23, 2019, seeking documents related to the mental-health services available to immigrants detained in ICE facilities located in Florida. On March 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 297 pages of records.

- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requested records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On March 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 455 pages of records.
- In the matter of *Jason Leopold and BuzzFeed v U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On March 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 380 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On March 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 380 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of**  
**March 8-14, 2021**  
**DHS Privacy Office**  
**March 19, 2021**  
**Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On April 8, 2021, **Jacqui Goddard**, a representative with *The Times in London* in London, United Kingdom, requested from the United States Coast Guard (USCG) records relating to the search for an individual in the US Virgin Islands. (Case Number USCG 2021-CGFO-01096)
- On April 8, 2021, **Reagan Williams**, representative with *The Production Hive* in Knoxville, Tennessee, requested from the United States Coast Guard (USCG) records of the homicide investigation of an individual around May 2017. (Case Number USCG 2021-CGFO-01064)
- On April 8, 2021, **Rebecca Smith**, a representative with *The Wall Street Journal* in San Francisco, California, requested from the United States Coast Guard (USCG) records regarding the 2020-COVID-related cruise ship events that resulted in penalty cases. (Case Number USCG 2021-CGFO-01067).
- On April 9, 2021, **Harrison Cramer**, a representative with the *National Journal* in Washington, DC, requested from the Transportation Security Administration Security (TSA) records pertaining to screening policies at certain U.S. airports during Covid-19. (Case Number TSA 2021-TSCO-00016)
- On April 9, 2021, **Joseph Lloyd**, a private individual, requested from the United States Secret Service (USSS) records related to the visits of Prince Philip, Duke of Edinburgh, to the United States in calendar years 1957 to 2007. (Case Number USSS 20210556)
- On April 12, 2021, **Claire Harvey**, a representative with **The National Security Archive** in Washington, DC, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records regarding the July 27, 2010, meeting between President Obama, Secretary of Homeland Security Janet Napolitano, and Secretary of Defense Robert Gates. (Case Number DHS 2021-HQFO-00782)
- On April 12, 2021, **Bethany Yarger**, a representative with **FOIA Professional Services** in Mobile, Alabama, requested from the U.S. Department of Homeland Security (DHS) Privacy Office solicitation documents for a request for proposal awarded to Insight Technology Solutions Inc. by the Office of the Under Secretary for Management. (Case Number DHS 2021-HQFO-00776)

- On April 12, 2021, **Jose Castaneda**, a representative with *The News Journal* in New Castle, Delaware, requested from U.S. Citizenship and Immigration Services (USCIS) the data on biometrics at the Application Support Center in Dover, Delaware. (Case Number USCIS COW2020001398)
- On April 12, 2021, **Cyrus Farivar**, a representative with *NBC News* in Oakland, California, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records that were sent to the American Civil Liberties Union (ACLU) regarding the government's use of artificial intelligence systems. (Case Number DHS 2021-HQFO-00780).
- On April 12, 2021, **Erik Sandoval**, a representative with *WKMG-TV* in Orlando, Florida, requested from U.S. Customs and Border Protection (CBP) records of specified congressional figures from September 1, 2018 to September 30, 2019. (Case number CBP-2021-051992)
- On April 12, 2021, **Jean Guerrero**, a private individual in La Mesa, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to offenders of reentry after removal along the southwest border from April 1, 2011 to the present. (Case number CBP-2021-052288)
- On April 12, 2021, **Jean Guerrero**, a private individual in La Mesa, California, requested from U.S. Customs and Border Protection (CBP) records citing alleged white supremacy and/or racism within border patrol from January 1, 2010 to December 31, 2021. (Case number CBP-2021-052289)
- On April 13, 2021, **David Bier**, a representative with **Cato Institute** in Alexandria, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records referenced in section 1(c) of Presidential Proclamation 9645 that was submitted to- the president by the secretary of Homeland Security on July 9, 2017. (Case Number DHS 2021-HQFO-00783)
- On April 13, 2021, **Olivia Lynch-Kelly**, a representative with *Knickerbockerglory TV* in London, United Kingdom, requested from the United States Coast Guard (USCG) records relating to an individual who was murdered by her husband on July 25, 2017, aboard the Emerald Princess on an Alaskan Cruise. (Case Number USCG 2021-CGFO-01095)
- On April 13, 2021, **Kristin Steve**, a producer with *CBS News* in Brooklyn, New York, requested from the United States Coast Guard (USCG) records involving a fatality entered into the United States Coast Guard Family Advocacy Program central registry between January 1, 2015 and March 11, 2021. (Case Number USCG 2021-CGFO-01093)
- On April 13, 2021, **Kristin Steve**, a producer with *CBS News* in Brooklyn, New York, requested from the United States Coast Guard (USCG) records sent to the United States Coast Guard Investigative Service (CGIS) for the offense "Domestic violence" on the basis of Article 128b between June 1, 2018 and January 26, 2021. (Case Number USCG 2021-CGFO-01094)
- On April 13, 2021, **David Bier**, an attorney with **CATO Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) statistical data



pertaining to admissions under the 8 USC 1182 (d)(5)(A) parole authority from FY2014 to FY2020. (Case number CBP-2021-052438)

### Late requests

- On April 5, 2021, **Morgan Weibel**, a representative with **The Tahirih Justice Center** in San Bruno, California, requested from U.S. Citizenship and Immigration Services (USCIS) records dated on or after January 1, 2017, relating to the priority system LIFO (last-in-first-out) and FIFO (first-in-first-out) for scheduling affirmative asylum interviews and pending applications. (Case Number USCIS COW2021001286)
- On April 5, 2021, **David J. Bier**, a representative with **The Cato Institute** in Alexandria, Virginia, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to I-589 asylum applications for FY 2008 through the present. (Case Number USCIS COW2021001308)
- On April 7, 2021, **Benjamin Sisney**, a representative with **American Center for Law and Justice** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) records between Secretary Alejandro Mayorkas and certain staff members pertaining to the events at the southern border. (Case Number USCIS COW2021001320)
- On April 7, 2021, **Carl Schreck**, a media representative with **Radio Free Europe/Radio Liberty** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records for the late: (b)(6) (Case Number USCIS COW2021001325)
- On April 7, 2021, **Mike Levine**, a reporter with **ABC News** in Chevy Chase, Maryland, requested from U.S. Customs and Border Protection (CBP) records between April 3, 2021, and April 7, 2021, pertaining to a press release titled "Two Yemeni Men Arrested by Border Patrol Identified on the FBI's Terrorism Watch List." (Case number CBP-2021-050292)
- On April 7, 2021, **Gadi Schwartz**, a reporter with **NBC News** in Universal City, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to an unidentifiable flying object tracked by a government aircraft near Rafael Hernandez airport in Aguadilla, Puerto Rico, in April of 2013. (Case number CBP-2021-050356)
- On April 14, 2021, **Richard Lyon**, a reporter with **FOX News** in Lake Mary, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to the search of the private jet of a congressional figure in 2018. (Case number CBP-2021-052761)
- On February 22, 2021, **Patrick Michels** a representative with **The Center for Investigative Reporting** in Emeryville, California, requested from U.S. Immigration and Customs Enforcement (ICE) records of FOIA requests the agency received from January 1, 2019 to the present related to the coronavirus. (Case Number ICE 2021-ICFO-33681).
- On March 30, 2021, **Mary Helen Goodloe-Murphy**, a representative with **The Coastland Times** in Manteo, North Carolina, requested from the United States Coast

Guard (USCG) records related to degraded inlets that would impede USCG-rescue capability. (Case Number USCG 2021-CGFO-01066)

### III. Freedom of Information Act Releases

- On April 8, 2021, the Transportation Security Administration (TSA) released to **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California, 168 pages of records referring to the incidents that occurred at the U.S. Capitol on the January 6, 2021. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number TSA 2021-TSFO-00146)
- On April 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, nine pages of communications between various DHS staff, including Chad Wolf, Ken Cuccinelli and John Gountanis, and any employee of the White House Executive Office of the President. Portions of this response were withheld pursuant to FOIA exemptions 5, 6 7(C) and 7(E). (Case Number 2020-HQFO-01464)
- On April 9, 2021, the Transportation Security Administration (TSA) released to **Patrick Mannion**, a representative with *MuckRock News* in Somerville, Massachusetts, 117 pages of records pertaining to meetings of the joint American Federation of Government Employees (AFGE)-TSA Uniform Committee. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number TSA 2017-TSFO-00070)
- On April 9, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Carrie Levine**, a representative with **Center of Public Integrity** in Washington, DC, eight pages of records regarding a transcript between officials and employees of the Cybersecurity and Infrastructure Security Agency (CISA) and state election officials regarding preparations for conducting the November 2020 general election. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2020-HQFO-01228)
- On April 9, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, eight pages of records related to election security or integrity and foreign interference. Portions of this response were withheld pursuant to FOIA Exemption 5 and 6. (Case Number 2018-HQFO-00750)
- On April 9, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 12 pages of records regarding the July 16, 2020, meeting between Acting Secretary Chad Wolf and the Portland Police Association. Portions of this response were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number 2020-HQFO-01498)
- On April 9, 2021, the Federal Emergency Agency (FEMA) released to **Adam Mahoney**, a representative of **Grist Publication** in Chicago, Illinois, an Excel spreadsheet consisting of reimbursement requests by city and country departments submitted to FEMA for emergency services related to COVID housing for homeless persons. The records were released in full. (Case Number 2021-FEFO-00305)
- On April 9, 2021, U.S. Customs and Border Protection (CBP) released to **Daniel Van Schooten**, a representative with **Project On Government Oversight** in Washington,

DC, 3,806 pages of records pertaining to the construction of the U.S.-Mexico border wall. Portions of this release were withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C) and 7(E). (Case number CBP-2017-044543)

- On April 9, 2021, U.S. Customs and Border Protection (CBP) released to **David Gotfredson**, a reporter with *KFMB CBS News 8* in San Diego, California, records listing individuals detained in "short-term" holding cells in certain California locations from January 1, 2019 to June 30, 2019. Portions of this release were withheld pursuant to FOIA Exemption 7(E). (Case number CBP-2019-066329)
- On April 12, 2021, the Transportation Security Administration (TSA) released to **Bob Cusack**, a representative with *The Hill* in Washington, DC, a no-records response in regard to his request for the overall statistics across the country on fines issued for violating the new mask mandate at airport screening checkpoints and public transportation systems. (Case Number TSA 2021-TSFO-00216)
- On April 12, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Husain Abdulla**, a representative with **Americans for Democracy & Human Rights in Bahrain** in Mobile, Alabama, seven pages of records relating to Secretary Kelly's 2017 meeting with Lieutenant General Rashid bin Abdullah Al Khalifa. Portions of this response were withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number 2020-HQFO-01275)
- On April 12, 2021, U.S. Customs and Border Protection (CBP) released to **Kit Norton**, a reporter with the *Vermont Digger* in Thetford, Vermont, a three-page memo pertaining to CBP Wastewater Initiative Priorities. Portions of this release were withheld pursuant to FOIA Exemption 7(E). (Case number CBP-2019-059913)
- On April 13, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Tony Perrottet**, a representative with *Smithsonian Magazine* in New York, New York, 2,144 pages of records consisting of documents from the alien file of the late Herman Frederick Marks. Portions of the release were withheld pursuant to FOIA Exemptions 3, 6, 7(C), and 7(E). (Case Number USCIS COW2020001049)
- On April 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Carlos Gamez**, a private individual from Lakeland, Florida, 11 pages of records sent to and from the Director of cybersecurity that relates to Russian involvement in the 2016 election. Portions of this response are being withheld pursuant to FOIA Exemption 6. (Case Number HQ 2018-NPFO-000329)
- On April 13, 2021, U.S. Customs and Border Protection (CBP) released to **Andrew Free**, a representative with *MuckRock News*, in Somerville, Massachusetts, a full denial regarding his request for documents pertaining to "active" Withhold Release Notifications. These records were withheld in full pursuant to FOIA Exemption 7(A). (Case number CBP-2021-037722)
- On April 14, 2021, U.S. Customs and Border Protection (CBP) released to **Robert Bergland**, a private individual in Saint Joseph, Missouri, video footage collected during the Predator drone flyover of the protests in Minneapolis, Minnesota, following the death of George Floyd on May 29, 2020. The video was released in full. (Case number CBP-2020-059007)

- On April 14, 2021, U. S. Customs and Border Protection (CBP) released to **Timothy Steller**, a reporter with the *Arizona Daily Star*, in Tucson, Arizona, 37 pages of records regarding flying the American flag at half-staff at the Nogales Station and I-19 checkpoint from November 1, 2020 to January 31, 2021. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case number CBP-2021-030034)
- On April 14, 2021, U.S. Customs and Border Protection (CBP) released to **Shirsho Dasgupta**, a representative with the *McClatchy DC Bureau*, in Washington, DC, 159 pages of records listing the arrests of CBP personnel from 2010 to 2018. Portions of this release have been withheld pursuant to FOIA exemptions 2, and 7(E). (Case number CBP-2019-072461)
- On April 14, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, a private individual in Brooklyn, New York, 39 pages of records consisting of documents from the alien file of the late Wayde Bowles. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2021001019).
- On April 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Robert Shultz**, a representative with **Republican National Committee** in Washington, DC, four pages of records of certain senior-level DHS officials that include coronavirus-related terms in email exchanges. These records were released in full. (Case Number 2020-HQFO-00775)
- On April 15, 2021, the United States Coast Guard (USCG) released to **Meg Anderson**, a representative with *National Public Radio Inc.*, 112 pages of records consisting of instructions used in USCG Academy orientations. These records were withheld in part pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00691)
- On April 15, 2021, the United States Coast Guard (USCG) released to **John Greenewald, Jr.**, a representative of **The Black Vault Inc.** in Castaic, California, two pages of records consisting of a listing of the USCG's YouTube channel's videos marked unlisted or private. These records were withheld in part pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00567)
- On April 15, 2021, the United States Coast Guard (USCG) released to **Michael Ravnitsky**, an individual of Silver Spring, Maryland, two pages of records consisting of a listing of the USCG's YouTube channel's videos marked unlisted or private. These records were withheld in part pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00600)

**Late Releases:**

- On February 11, 2021, **Adam Mahoney**, a representative of **Grist Publication** in Chicago, Illinois, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the reimbursement requests from cities and counties participating in the program to house homeless people in hotels as instructed by

President Joe Biden. The records were released in full. (Case Number 2021-FEFO-00305)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

#### VI. Litigation

- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS and United States Department of Homeland Security (DHS) et al., (1:20-cv-02348)*, plaintiff filed a FOIA request on April 29, 2020, seeking records pertaining to field staff training and records used to train and re-train asylum officers at Newark Asylum Office. On April 9, 2021, USCIS will release to the plaintiff 840 pages of records.
- In the matter of *Catholic Legal Immigration Network, Inc, et al. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), and United States Department of State (DOS) et al., (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to temporary protected status from January 20, 2017, to August 12, 2019. On April 12, 2021, USCIS released to the plaintiff 402 pages of records.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA (“IIUSA”) v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850)*, plaintiff filed a FOIA request on March 11, 2020, seeking records consisting of copies of all form I-924As filed by EB-5 regional centers pursuant to program requirements for FY 2019. On April 12, 2021, USCIS released to the plaintiff 547 pages of records.
- In the matter of *American Oversight v. DHS et al., (1:20-cv-02018-BAH)*, plaintiff filed a FOIA request on March 20, 2020, requesting copies of the “Healthcare and Security Compliance Analysis” reports completed by or for ICE Office of Professional Responsibility for individuals who died in custody. On April 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 357 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed FOIA requests on August 6, 2018 seeking records associated with Kenosha County, WI, for health care provided to people held under immigration laws. On April 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 500 pages of records.
- In the matter of *William B. Ball. .v U.S. Department of Homeland Security (DHS) et al., (1:19-cv-01230-JEB)*, plaintiff filed a FOIA request on April 26, 2019, seeking records that classify charged offenses not exempted by law. On April 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 154 pages of records.
- In the matter of the *Brennan Center for Justice v. U.S. Department of Homeland Security (DHS) et al., (1:20-cv-00427-JNF)*, plaintiff filed a FOIA request on November 5, 2018, requesting records pertaining to the Data Analysis System. On

April 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 243 pages of records.

- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On April 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 747 pages of records.
- In the matter of *Hannah Rapple and NBC Universal Media .v U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On April 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 747 pages of records.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-02553-TJK)*, plaintiff filed a FOIA request on September 11, 2020, seeking all communications from June 2, 2020, relating to a decision to deploy federal agents to Portland, OR; Chicago, IL; and other cities/states. On April 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 45 pages of records.
- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requesting records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On April 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of *Make the Road New York & Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) et al., (1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting all records pertaining to a notice of proposed rulemaking titled “Inadmissibility on Public Charge Grounds.” On April 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 15 pages of records.
- In the matter of *Huawei Technologies CO. LTD v. ICE; 20-cv-03155*, plaintiff filed a FOIA request on October 30, 2020, requesting all records regarding Huawei Technologies. On April 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 40 pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of Clearview artificial intelligence technology and ICE's use of facial-recognition software. On April 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 418 pages of records.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking calendars for anyone who served as White House liaison since January 20, 2017. On April 14, 2021, the DHS Privacy Office released to the plaintiff 382 pages of records. (Case Number 2019-HQLI-00013)

- In the matter of *Sidley Austin LLP v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 16, 2018, seeking records related to the investigation or prosecution of Huawei or Meng Wanzhou relating to the United States-China trade relationship or 5G technology or competition. On April 13, 2021, the DHS Privacy Office released to the plaintiff 58 pages of records. (Case Number (2021-HQLI-00002))

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
March 11-17, 2021  
DHS Privacy Office  
March 22, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On March 11, 2021, **David Bier**, a representative with the **Cato Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) recidivist statistics data related to Title 42 expulsions of unaccompanied children. (Case Number CBP-2021-041421)
- On March 11, 2021, **T. McElwee**, a representative with **Muckrock News** in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) travel records of deceased individual Israel Greenwald. (Case Number CBP-2021-041824)
- On March 11, 2021, **Manoj Govindaiah**, a representative with **The Refugee and Immigrant Center for Education and Legal Services** in San Antonio, Texas, requested from the Department of Homeland Security (DHS) Privacy Office emails from January 20, 2012 to March 16, 2021, between any non-profit organization regarding the decision to rescind the “wet-foot/dry-foot policy.” (Case Number HQ 2021-HQFO-00655)
- On March 11, 2021, **Mariam Eversley**, a representative with **Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from January 20, 2017 to March 11, 2021, regarding interference in agency-hiring processes for career officials received by Department of Homeland Security email address [compliance@hq.dhs.gov](mailto:compliance@hq.dhs.gov) from Homeland Security employees. (Case Number HQ 2021-HQFO-00668)
- On March 11, 2021, **Keegan Hamilton**, a representative with **VICE** in Berkley, California, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2016 to March 1, 2021, regarding kidnappings of undocumented immigrants and/or other such persons collected by DHS and subsidiary agencies. (Case Number HQ 2021-HQFO-00653)
- On March 11, 2021, **Gregory Wallace**, a representative with **CNN** in Washington, DC, requested from the Transportation Security Administration Security (TSA) reports of travelers who did not comply with Centers for Disease Control and Prevention’s face-mask-wearing mandate. (Case Number TSA 2021-TSFO-00310)
- On March 12, 2021, **Amira Subaey**, a representative with **Muslim Justice League** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS)

- Privacy Office grant applications for projects selected under the Targeted Violence and Terrorism Prevention grant program in 2020. (Case Number HQ 2021-HQFO-00667)
- On March 14, 2021, **Mark Gleenblatt**, a representative with **Scripps Washington Bureau** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) data detailing discipline cases from January 1, 2015 to present relating to CBP employees. (Case Number CBP-2021-042249)
  - On March 14, 2021, **Krista Oehlke**, a representative of the **American Civil Liberties Union of Massachusetts**, in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Title 42 of the Public Health Service Act beginning in March 2020 to the present including communications between CBP, the EOP, the Centers for Disease Control and Prevention, and its effect on individuals seeking asylum. (Case Number CBP-2021-042298)
  - On March 14, 2021, **Mark Gleenblatt**, a representative with **Scripps Washington Bureau**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) data related to CBP employees arrested on criminal charges from Fiscal Year 2018 to present. (Case number CBP-2021-042325)
  - On March 15, 2021, **Jennifer Franklin**, a representative with **Americans for Public Trust** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from February 1, 2021 to March 17, 2021, regarding Secretary Mayorkas' schedule. (Case Number HQ 2021-HQFO-00670)
  - On March 15, 2021, **Brady Welch**, a representative with *Vice Media* in Brooklyn, New York, requested from the Transportation Security Administration Security (TSA) image material during the 2018 Horizon/Richard Russell investigation. (Case Number TSA 2021-TSFO-00309)
  - On March 16, 2021, **Larry J. McDonald**, a representative with *Conservative Wrap* in Wilsonville, Oregon, requested from U.S. Customs and Border Protection (CBP) the number of individuals released into the interior of the United States from January 20, 2021 to present. (Case Number CBP-2021-042770)
  - On March 16, 2021, **Diana N. Jones**, a representative with *Law360* in New York, New York, requested from U.S. Customs and Border Protection (CBP) former and current policies admitting foreign nationals into the United States involved in cannabis dealings in countries where it is legal. (Case number CBP-2021-042862)
  - On March 16, 2021, **Vasudha Talla** a representative of the **American Civil Liberties Union of Northern California**, in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to use of the International Justice and Public Safety Network (NLETS). (Case Number CBP-2021-042875)
  - On March 16, 2021, **Justin Trombly**, a representative with the *VT Digger* in Montpelier, Vermont, requested from U.S. Customs and Border Protection (CBP) public comments received between February 1, 2021 to March 15, 2021, in response to the "Draft Environmental Assessment and Finding of No Significant Impact for the Northern Border Remote Video Surveillance System Project." (Case Number CBP-2021-042912)
  - On March 16, 2021, **Joshua Kaplan**, a representative with *ProPublica* in New York, New York, requested from the United States Secret Service (USSS) a list of January 6

attendees whose names rally organizers submitted to the Secret Service. (Case Number USSS 20210505)

- On March 16, 2021, **Meg Burnham**, a representative with **Davis Wright Tremaine LLP** in Bellevue, Washington, requested from the United States Secret Service (USSS) communications from January 1, 2020 to present regarding any Seattle Police Department officer who participated or was involved in the insurrection at the Capitol on January 6, 2021, and complaints against Seattle Police Department officers for use of force at protests in Seattle from January 1, 2018 to present. (Case Number USSS 20210512)
- On March 17, 2021, **Nicholas Erickson**, a representative with **Republican National Committee** in Washington, DC, requested from the Department of Homeland Security (DHS) schedules for Secretary Alejandro Mayorkas from January 20, 2021 to present. (Case Number HQ 2021-HQFO-00669)
- On March 17, 2021, **Rachael Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office DHS's administrative review into I&A open-source collection and dissemination activities during civil unrest in Portland, Oregon, from June through July 2020 that the Office of the General Counsel of the Department of Homeland Security produced on January 6, 2021. (Case Number HQ 2021-HQFO-00675)
- On March 17, 2021, **Robert Baird**, a representative with *The New Yorker* in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office access to correspondence to or from senior-level officials that discusses the White House's response to the novel coronavirus outbreak. (Case Number HQ 2021-HQFO-00674)

### Late Requests

- On March 10, 2021, **Alec Ferretti**, a representative in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) calendars of a USCIS employee from 2018-2021. (Case Number USCIS COW2021000929)
- On March 10, 2021, **David Bier**, a representative with the **Cato Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) data related to Title 42 expulsions of unaccompanied children by month from October 1, 2020 to present. (Case Number CBP-2021-041222)
- On March 10, 2021, **David Bier**, a representative with the **Cato Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) documentation related to each apprehension or expulsion under Title 42 authority from October 1, 2018 to present. (Case Number CBP-2021-041233)
- On March 10, 2021, **Froylan Mendiola**, a representative in Murrieta, California, requested from U.S. Customs and Border Protection (CBP) records related to targeting employees who are veterans and subjecting them to "fit-for-duty" evaluations. (Case Number CBP-2021-041274)

- On March 10, 2021, **Keegan Hamilton**, a representative with *Vice News* in Berkeley, California, requested from U.S. Customs and Border Protection (CBP) records from January 1, 2016 to March 1, 2021, regarding kidnappings of undocumented immigrants. (Case Number CBP-2021-041315)
- On March 10, 2021, **T. McElwee**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) travel records related to Anthony Casso who allegedly died of COVID-19 in prison on December 15, 2020. (Case Number CBP-2021-041365)
- On March 10, 2021, **T. McElwee**, an independent reporter with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) all travel records related to Burton Kaplan who died in 2009. (Case Number CBP-2021-041366)
- On March 10, 2021, **T. McElwee**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records related to Louise Eppolito who died in prison on November 3, 2019. (Case Number CBP-2021-041367)
- On March 10, 2021, **T. McElwee**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records related to Marat Balagula who died on December 16, 2019. (Case Number CBP-2021-041368)
- On March 10, 2021, **Keegan Hamilton**, a representative with *VICE News* in Berkeley, California, requested from the Department of Homeland Security (DHS) Office of Inspector General records regarding kidnappings, abductions, ransoms of “undocumented immigrants” and/or other such persons. (Case Number 2021-IGFO-00100)

### III. Freedom of Information Act Releases

- On March 11, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **David Adams**, a representative with *Univision News* in Miami, Florida, 587 pages of records pertaining to Michael Vito Polinske. Portions of the release were withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019500623)
- On March 11, 2021, U.S. Customs and Border Protection (CBP) released to **Salvador Hernandez**, a representative with *BuzzFeed News* in Los Angeles, California, 499 pages of reports and correspondence between CBP personnel and employee or representatives with the We Build The Wall group. Portions of this release have been withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2019-078550)
- On March 11, 2021, the United States Secret Service (USSS) released to **Brandon Galbraith**, a representative with *MuckRock News*, 36 pages of records pertaining to the Secret Service investigation into comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210297)
- On March 11, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a representative with *Harrington Films* in Beverly Hills, California, 36

pages of records pertaining to the Secret Service investigation into comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210341)

- On March 11, 2021, the United States Secret Service (USSS) released to **Aaron Simansky**, an individual in Elon, North Carolina, 36 pages of records pertaining to the Secret Service investigation into comedian John Mulaney. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20210450)
- On March 12, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Taylor Scott Amarel**, an individual in Grass Valley, California, 40 pages of records consisting of documents sent, received, or copied to a USCIS employee's email containing Shanghai Municipal Investment and similar terms from January 1, 2013 to January 23, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number USCIS COW201800116)
- On March 15, 2021, the Department of Homeland Security (DHS) released to **Hamed Aleaziz**, a representative with *BuzzFeed* in San Francisco, California, 11 pages of records referencing himself from various government agencies. Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2020-HQFO-00620)
- On March 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jacqueline Stevens**, a representative with **Northwestern University** in Evanston, Illinois, 661 pages of records pertaining to Kelvin Momo. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2018000604)
- On March 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Kate Morrissey**, a representative with *San Diego Union Tribune*, in San Diego, California, 76 pages of records pertaining to immigration records of Yovin Wilfredo Estrada Villanueva. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2020000114)
- On March 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Paul Chavez**, a representative with **Southern Poverty Law Center** in Miami, Florida, 165 pages of records pertaining immigration records of [REDACTED] (b)(6) Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2020000612)
- On March 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Enrique Figueroa**, a representative with *McGee Media* in New York, New York, 128 pages of records of immigration records of the late Jin Pil Chang. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2020002308)
- On March 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **David Bixenspan**, an individual in Brooklyn, New York, 186 pages of records of immigration records for the late Pierre Clermont. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2020003594)
- On March 16, 2020, U.S. Citizenship and Immigration Services (USCIS) released to **Grace Lukach**, a representative with **California Appellate Project** in San Francisco,

California, 73 pages of records of immigration records for the late Gaudina Mejorado. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2020003595)

- On March 16, 2021, U.S. Citizenship, and Immigration Services (USCIS) released to **Elizabeth Kalmbach Clark**, a representative with **National Immigration Justice Center** in Chicago, Illinois, 50 pages of records pertaining to (b)(6). Portions of the release were withheld pursuant to FOIA Exemption 6, 7(C), and 7(E). (Case Number USCIS NRC2020074772)
- On March 17, 2021, U.S. Citizenship, and Immigration Services (USCIS) released to **Tarmo Vahter**, a representative with **Ekspress Meedia** in Tallinn, Estonia, 434 pages of records pertaining to (b)(6). Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS NRC2019625597)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Make the Road New York v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al. (1:19-cv-04607)*, plaintiff filed a FOIA request on July 2, 2018, seeking records regarding United States Citizenship and Immigration Services' (USCIS) communications pertaining to the public-charge regulation. On March 12, 2021, USCIS released to the plaintiff 14 spread sheets of records. Alyssa\_COW2018000789\_attach complaint.
- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al. (20-cv-11777)*, plaintiff filed a FOIA request on January 28, 2019, seeking records regarding drafting of the public-charge regulation provision of the Immigration and Nationality Act. On March 12, 2020, USCIS released to the plaintiff 500 pages of records. Alyssa\_COW2019000106\_attach complaint
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA ("IIUSA") v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al. (1:20-cv-02850)*, plaintiff filed a FOIA request on January 15, 2020, seeking records consisting of copies of all-form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On March 12, 2021, USCIS released to the plaintiff 125 pages of records. Dawn\_COW2020000148\_attach complaint
- In the matter of *Center for Democracy and Technology v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al. (1:21-cv-00134)*, plaintiff filed a FOIA request on August 27, 2019, seeking records pertaining to all United States Citizenship and Immigration Services (USCIS) use of social-media data adjudicating immigration benefits. On March 16, 2021, USCIS released to the plaintiff 57 pages of records.

- In the matter of *Emily Ryo v. DHS et al. (1:20-cv-01166-TJK)*, plaintiff filed a FOIA request on April 1, 2020, seeking individual-level data on every person arrested, booked, or detained during immigration and criminal law enforcement investigations and operations conducted by ICE and U.S. Customs and Border Protection (CBP) between October 1, 2012, and the date of the data extraction. Plaintiff filed suit on May 5, 2020, claiming injunctive and declaratory relief. On March 16, 2021, U.S. Customs and Border Protection (CBP) released final response consisting of 20 spreadsheets of data from U.S. Border Patrol.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking calendar entries for certain government officials and anyone who has served as White House Liaison since January 20, 2017. On March 15, 2021, DHS released 355 pages. (Case Number 2019-HQLI-00013)
- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2019, seeking records from June 28, 2018 to February 25, 2019, that mention or refer to family separation. On March 12, 2021, DHS released 55 pages. (Case Number 2019-HQLI-00016)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking emails dated January 1, 2018, to June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On March 15, 2021, DHS Privacy Office released 162 pages. (Case Number 2018-HQLI-00039)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 27, 2018, seeking emails sent and received by USCIS ombudsman Julie Kirchner. On March 15, 2021, released 314 pages. (Case Number 2018-HQLI-00033)
- In the matter of *Americans for Immigrant Justice, Inc. v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-20920-JEM)*, plaintiff filed a FOIA request on September 23, 2019, seeking documents related to mental-health services available to immigrants detained in ICE facilities in Florida. On March 11, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 297 pages of records.
- In the matter of *Make the Road New York & Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting records regarding a notice of proposed rulemaking titled “Inadmissibility on Public Charge Grounds.” On March 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff four pages of records.
- In the matter of *Diocesan Migrant & Refugee Services, Inc. v. U.S. Immigration and Customs Enforcement (ICE) (3:19-cv-00236-FM)*, plaintiff filed a FOIA request on July 1, 2019, requesting records pertaining to migrant protection protocols. On March 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 635 pages of records.

- In the matter of *American Oversight v. DHS et al. (1:20-cv-02018-BAH)*, plaintiff filed a FOIA request on March 20, 2020, requesting records copies of the “Healthcare and Security Compliance Analysis” reports or equivalent internal procedural compliance analysis completed by or for ICE Office of Professional Responsibility as part of the detainee death reviews for individuals who died in custody. On March 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 475 pages of records.
- In the matter of *Jesus Vidal-Martinez v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:20-cv-07772)*, plaintiff filed a FOIA request on October 9, 2020, and December 30, 2020, requesting records regarding any email communications between ICE and the Decatur County Sheriff (Indiana), or any officials from the Decatur County Superior Court related to Jesus Vidal-Martinez [redacted (b)(6)]. On March 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 322 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records regarding the United States’ treatment of Mexican journalist Emilio Gutierrez-Soto; his son, Oscar Emilio Gutierrez-Soto; and their attorney, Eduardo Beckett. On March 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 188 supplemental pages of records.
- In the matter of the *Brennan Center for Justice v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00427-JNF)*, plaintiff filed a FOIA request on November 5, 2018, requesting records pertaining to the Data Analysis System. On March 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff five pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE’s use of Clearview AI technology and facial-recognition software. On March 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 323 pages of records.
- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to Population Management, ATD and other supervision programs. On March 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 332 pages of records.



## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
March 18-24, 2021  
DHS Privacy Office  
March 29, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- On March 19, 2021, **Lori Aratani**, a representative with *The Washington Post* in Washington, DC, requested from the Transportation Security Administration Security (TSA) the daily TSA throughput data by airport checkpoints for April 14, 2019 and April 14, 2020. (Case Number TSA 2021-TSFO-00322)

**II. Freedom of Information Act Requests**

- On March 18, 2021, **Kristin Macleod-Ball**, a representative with **National Immigration Litigation Alliance** in Brookline, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records related to treatment of and the expulsion or removal of mothers with children under six months old under Title 42. (Case Number CBP-2021-043699)
- On March 18, 2021, **Mike Levine**, a representative with *ABC News* in Chevy Chase, Maryland, requested from U.S. Customs and Border Protection (CBP) briefing photos from inside CBP's and the Department of Health and Human Services' facilities along the Southwest border that were provided to the Biden Administration. (Case Number CBP-2021-043742)
- On March 18, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from November 3, 2020 to January 20, 2021, between senior official performing the duties of Deputy Secretary Ken Cuccinelli and anyone on his behalf; and Rudolph Giuliani or anyone on his behalf. (Case Number HQ 2021-HQFO-00688)
- On March 18, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications between senior official performing the duties of Deputy Secretary Ken Cuccinelli and anyone on his behalf; and (b) certain State government officials and anyone communicating on their behalf. (Date range from November 3, 2020 to January 20, 2021.) (Case Number HQ 2021-HQFO-00689)
- On March 18, 2021, **Daniel McGrath**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) communications from November 3, 2020-March 23, 2021, between specified officials and any person communicating from an email address ending in @iceunion.org; and

communications sent by the certain DHS officials related to the ICE Council.(Case Number HQ 2021-HQFO-00699)

- On March 18, 2021, **Daniel McGrath**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) records related to Sanctuary for Americans First Enactment (SAFE) agreements produced by or in the possession of the Office of the Secretary, the Office of the Deputy Secretary, or the Office of General Counsel from November 3, 2020-March 23, 2021. (Case Number HQ 2021-HQFO-00700)
- On March 18, 2021, **Christina Urso**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office information regarding the use of federal informants inserted into groups or any militias who participated in the U.S. Capital events on January 6, 2021, and records pertaining to social-media posts monitored and/or flagged by the Federal Bureau of Investigation and/or DHS in the days leading up to the events. (Case Number HQ 2021-HQFO-00698)
- On March 19, 2021, **David Bier**, a representative with the **CATO Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) statistical data pertaining to border-patrol apprehensions from Fiscal Years (FY) 2005 and FY2020. (Case Number CBP-2021-044511)
- On March 22, 2021, **John Greenwald**, a representative with **The Black Vault, Inc.** in Castaic, California, requested from the United States Secret Service (USSS) records relating to the outbreak of COVID-19 at the Mar-a-Lago Palm Beach Club. (Case Number USSS 20210525)
- On March 22, 2021, **Alexis Berdine**, a representative with **KVOA-TV** in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records regarding “soft-sided” tent facilities for migrants in Tucson and the distribution of COVID-19 tests and vaccinations. (Case number CBP-2021-045018)
- On March 23, 2021, **Andrew Calderon**, a representative with **The Marshall Project** in East Elmhurst, New York, requested from U.S. Customs and Border Protection (CBP) statistical data from October 1, 2014 to September 30, 2019, regarding water rescues by the BORSTAR team along the Southwestern border. (Case number CBP-2021-045378)
- On March 23, 2021, **Feini Yin**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records regarding an officer from the Providence, Rhode Island Police Department assigned “on a full-time basis to the Joint Terrorism Task Force/Fusion Center.” (Case Number HQ 2021-HQFO-00695)
- On March 24, 2021, **Daniel Bates**, a representative with **The Mail on Sunday** in Great Britain requested from the Department of Homeland Security (DHS) Privacy Office phone logs of Nicholas Clegg. (Case Number HQ 2021-HQFO-00710)

### Late Requests

- On January 19, 2021, **Arielle Kass**, a representation with **The Atlanta Journal-Constitution** in Atlanta, Georgia, requested from U.S. Immigration and Customs

Enforcement (ICE) the number of encounters, removals, detainers and conviction status for certain counties in Georgia. (Case Number ICE 2021-ICFO-32781)

- On January 25, 2021, **Kate Doyle**, a representative with **The National Security Archive** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records from January 1, 2020 to present regarding border-security policies developed or revised in response to the coronavirus. (Case Number ICE 2021-ICFO-32833)
- On March 12, 2021, **Makenna Powell**, a representative with **Perry & Leveridge** in Carrollton, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to any correspondence circulated or discussed on or after January 1, 2015, regarding the processes, procedures, and legal standards relating to the adjudication of LI and L-2 nonimmigrant petitions. (Case Number USCIS COW2021000979)
- On March 15, 2021, **Johnathan Backer**, a representative with **Institute for Constitutional Advocacy and Protection** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) notices issued by USCIS from February 24, 2020 to March 9, 2021, denying applications for adjustment-of-status pursuant to Section 212(a)(4)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1182(a)(4)(A) and records reflecting the number of adjustment-of-status applications adjudicated from 2015 to 2021 and the total number denied. (Case Number USCIS COW2021001009)
- On March 15, 2021, **David Bixenspan**, an individual in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) the alien file of Wayde Bowles. (Case Number USCIS COW2021001019)
- On March 15, 2021, **Andrew Free**, a representative with **Muckrock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) its finalized monthly budget spreadsheet for ICE's custody-management operations for Fiscal Years (FY) 17, FY18, FY19, FY20, and FY21. (Case Number ICE 2021-ICFO-32710).
- On March 17, 2021, **Perla Trevizo**, a representative with **ProPublica**, in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) letters or reports sent from January 20, 2021 to present regarding the construction of border barriers in South Texas and flooding concerns, the impact on levee walls, and restoration needs. (Case Number CBP-2021-043231)
- On March 24, 2021, **Ciara Frisbie**, a representative with **News Media** in Atlanta, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) records from January 1, 2010 to March 15, 2021, regarding various spas in Atlanta, Georgia. (Case Number ICE 2021-ICFO-33168)
- On March 24, 2021, **Brantley Drake**, a representative with **American Civil Liberties Union of Texas**, requested from the Department of Homeland Security (DHS) Privacy Office records regarding the housing of migrants under the Anzalduas International Bridge. (Case Number HQ 2021-HQFO-00702)
- On March 24, 2021, **Daniel Bates**, a representative with **The Mail on Sunday** in Great Britain requested from the Department of Homeland Security (DHS) Privacy Office records of meetings with Nicholas Clegg. (Case Number HQ 2021-HQFO-00711)

- On March 24, **Daniel Bates**, a representative with *The Mail on Sunday* in Great Britain requested from the Department of Homeland Security (DHS) Privacy Office that were sent or received from October 1, 2018 to March 24, 2021, regarding Nicholas Clegg. (Case Number HQ 2021-HQFO-00712)

### III. Freedom of Information Act Releases

- On March 18, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, seven pages of records consisting of the current DHS Delegations Report. Portions of this release were withheld pursuant to FOIA Exemption 5. (Case Number HQ 2020-HQFO-01666)
- On March 19, 2021, the United States Secret Service (USSS) released to **Andrew Solender**, a representative with *Forbes* in New York, New York, three pages of records that reveal whether certain senior-level officials have been granted Secret Service protections or if any steps have been taken to grant them Secret Service protection. Portions of the release were withheld under FOIA Exemptions 6, 7(C), and 7(E). (Case Number USSS 20200968)
- On March 19, 2021, the Transportation Security Administration (TSA) released to **Curt Devine**, a representative with *CNN* in Washington, DC, 12 Excel Spreadsheets of reports from the TSA Office of Inspection related to the Federal Air Marshal Service containing certain key words. Portions of the release were withheld pursuant to FOIA Exemptions 3 and 6. (Case Number TSA 2017-TSFO-00231)
- On March 21, 2021, U.S. Customs and Border Protection (CBP) issued to **T. McElwee**, an individual with *Muckrock News* in Somerville, Massachusetts, a no-records response in regard to his request for travel records of deceased individual Israel Greenwald. (Case Number CBP-2021-041824)
- On March 21, 2021, U.S. Customs and Border Protection (CBP) issued to **Joshua Edwards**, an individual in Danville, Kentucky, a full denial in response to his request for records pertaining to a January 22, 2015, border-patrol shooting that occurred in Sierra Blanca, Texas. These records were withheld pursuant to FOIA Exemption 7(A). (Case number CBP-2021-033920)
- On March 23, 2021, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Ken Klippenstein**, a representative from the *Intercept* in Washington DC, 11 pages of records pertaining to CISA FOIA logs. Portions of this response are being withheld pursuant to FOIA Exemption 6. (Case Number 2021-NPFO-00045)
- On March 23, 2021, the U.S. Department of Homeland Security (DHS) Privacy Office released to **Peter Behr**, a representative from *EE News* in Washington DC, 10 pages of records pertaining to current assessment of cybersecurity protections for U.S. interstate natural gas pipelines and associated infrastructure. The records will be released in full. (Case Number FPS 2017-NPFO-00178)
- On March 23, 2021, the United States Secret Service (USSS) released to **Jason Leopold**, a representative with *BuzzFeed News*, 42 pages of records discussing a decision to provide then-White House Press Secretary Sarah Huckabee Sanders with Secret Service

protection. Portions of the release were withheld under FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USSS 20181138)

- On March 23, 2021, the United States Secret Service (USSS) released to **Jason Leopold**, a representative with *BuzzFeed News*, 42 pages of emails discussing Sarah Huckabee Sanders and The Red Hen restaurant and Secret Service protection. Portions of the release were withheld under FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USSS 20181139)
- On March 23, 2021, the United States Secret Service (USSS) released to **Emma Best**, a representative with *MuckRock News*, 66 pages of records pertaining to the decision to provide Sarah Huckabee Sanders and her home with Secret Service protection. Portions of the release were withheld under FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USSS 20181149)
- On March 23, 2021, the Transportation Security Administration (TSA) released to **April Molina**, a representative with *News 4 WOAI* in San Antonio, Texas, one page pertaining to the number of TSA employees nationwide who have tested positive for COVID-19 from January 1, 2020 to September 25, 2020. These records were released in full. (Case Number TSA 2021-TSFO-00286)
- On March 24, 2021, the Transportation Security Administration (TSA) released to **Curt Devine**, a representative with *CNN* in Washington, DC, 36 pages of records related to technical problems on July 8, 2015 involving the New York Stock Exchange, the computer system of United Airlines and/or the website of *The Wall Street Journal*. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number TSA 2017-TSFO-00177)
- On March 24, 2021, the Transportation Security Administration (TSA) released to **Lori Aratani**, a representative with *The Washington Post* in Washington, DC, one spreadsheet illustrating the daily TSA throughput data by airport checkpoints from April 14, 2019-April 14, 2020. These records were released in full. (Case Number TSA 2021-TSFO-00322)
- On March 24, 2021, U.S. Citizenship and Immigration Services (USCIS) will release to **Lilly Fowler**, a representative with *Crosscut* in Washington, DC, 293 pages of records pertaining to the late Mergensana Amar's alien file. Portions of the release are withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019000042)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Democracy Forward Foundation v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking records

regarding calendars entries, call logs, and visitor logs sent or received from Katherine Gorka and Sebastian Gorka containing phrases related to extremism, as well as communications between Katherine Gorka and White House Advisor Stephen Miller. On March 19, 2021, DHS Privacy Office released to 451 pages. (Case Number 2019-HQLI-00007)

- In the matter of *Asian American Advancing Justice v. United States Citizenship and Immigration Services (USCIS) et al. (1:19-cv-00411-BAH)*, plaintiff filed a FOIA request on December 21, 2018, seeking records and statistical data regarding the new Policy Memorandum PM-602-0050.1. On March 18, 2021, USCIS released 525 pages of records.
- In the matter of *Immigrant Investors Association, Inc. v. United States Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS), (1:20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking copies of all form I-924As filed by EB-5 Regional Centers for fiscal year 2017. On March 22, 2021, USCIS released to the plaintiff 549 pages of records.
- In the matter of the *ACLU v. DHS, et al. (2:19-cv-08454-ODW-GJS)*, plaintiff filed a FOIA request on March 1, 2019, seeking records regarding Deferred Adjudication for Childhood Arrivals that include communications, policy, guidance, and encounters at checkpoints/ports of entry in Texas and California. Plaintiff filed suit on October 1, 2019, claiming injunctive relief. On March 15, 2021, CBP released its third interim response consisting of 250 pages of records to the plaintiff.
- In the matter of *Diocesan Migrant & Refugee Services, Inc., v. ICE (3:19-cv-00236 FM)*, plaintiff filed a FOIA request on July 1, 2019, seeking all records related to detained subject's right to counsel under Migrant Protection Protocols including policies regarding rules, interpretations, instructions, procedures or guidance. Plaintiff filed suit on August 22, 2019, claiming injunctive relief. On March 24, 2021, CBP released, on behalf of ICE, its first production of consultation records consisting of 94 pages to the plaintiff.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records beginning January 1, 2016, for all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On March 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff four Excel spreadsheets.
- In the matter of *Justice Action Center v. ICE et al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to the federal government's policies and instructions regarding the re-calendar of DACA recipients for removal proceedings. On March 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 47 pages of records.
- In the matter of the *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) et al. (3:19-cv-07431)*, plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE's pilot program on rapid DNA testing. On March

23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 491 pages of records.

- In the matter of *American Oversight v. U.S. Immigration and Customs Enforcement (ICE) et al. (0:20-cv-2153)*, plaintiff filed a FOIA request on September 11, 2019, requesting records pertaining to policies, procedures, guidelines, and instructions regarding fines or penalties imposed on individuals, including immigrants taking “sanctuary” in places of worship or elsewhere. On March 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 27 pages of records.
- In the matter of *American Immigration Council, et.al v. USCIS, et. al. (20-cv-03266-DMR)*, plaintiff filed a FOIA request on December 21, 2019, requesting documents relating to instructions, directives, or guidance to U.S. Department of Homeland Security (DHS) employees on migrant-protection protocols from December 2019 to present. On March 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 97 pages of records.



## 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

**Freedom of Information Act (FOIA) Activity for the Week of**  
**March 25-31, 2021**  
**DHS Privacy Office**  
**April 5, 2021**  
**Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On March 25, 2021, **Bridget Cambria**, a representative with **Aldea - The People's Justice Center** in Reading, Pennsylvania, requested from the Department of Homeland Security (DHS) Privacy Office "white paper proposals" presented to the County of Berks, Pennsylvania, regarding the Berks County Residential Center on or after November 1, 2020. (Case Number HQ 2021-HQFO-00715)
- On March 25, 2021, **Rosa Flores**, a representative with **CNN** in Miami, Florida, requested from U.S. Customs and Border Protection (CBP) inspection reports, permits, fire inspections, citations, code-enforcement documents and census records for the processing center in Donna, Texas. (Case Number CBP-2021-046059)
- On March 25, 2021, **Dan Humphreys**, a representative with **Warnock for Georgia Campaign**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) correspondence from January 1, 2017 to December 31, 2018, with a certain individual who was previously a White House Fellow. (Case Number CBP-2021-046118)
- On March 25, 2021, **Nikhel Sus**, a representative with **Citizens for Responsibility and Ethics in Washington** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records from December 1, 2020 to present that include correspondence with former U.S. President Donald Trump from January 1, 2020 to January 20, 2021. (Case Number CBP-2021-046238)
- On March 25, 2021, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) records related to a firearm owned by Hunter Biden found in a Delaware dumpster circa October 2018. (Case Number USSS 20210537)
- On March 26, 2021, **Patrick Toomey**, a representative with the **American Civil Liberties Union Foundation (ACLU)** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records from January 1, 2018 to present related to the deployment and usage of artificial intelligence systems. (Case Number CBP-2021-046535)
- On March 26, 2021, **Patrick Toomey**, a representative with **American Civil Liberties Union** in Washington, DC, requested from the Department of Homeland Security (DHS)

Privacy Office records from January 1, 2018, regarding privacy-impact assessments, civil liberties impact assessments, civil rights impact assessments, or inspector general reports concerning the use or proposed use of artificial intelligence. (Case Number HQ 2021-HQFO-00736)

- On March 28, 2021, **Gabrielle Fonrouge**, a representative with the *New York Post* in New York, New York, requested from U.S. Customs and Border Protection (CBP) mortality reviews, investigation reports, and death records for all immigrants apprehended on the southern border from January 1, 2021 to March 28, 2021. (Case Number CBP-2021-046895)
- On March 29, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) reports from January 1, 2017 to present titled "Investigations into Deaths in Custody and Use of Force Incidents." (Case Number CBP-2021-047072)
- On March 29, 2021, **Alex Rouhandeh**, a representative with *Newsweek* in San Diego, California, requested from U.S. Customs and Border Protection (CBP) data related to apprehended minors determined to be unaccompanied by a parent or legal guardian despite having a relative or adult with them at apprehension from January 2019 to March 2019, December 2020, and from January 2021 to February 2021. (Case Number CBP-2021-047251)
- On March 29, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office calendar entries for certain senior-level employees at the Centers for Disease Control and Prevention from January 1, 2020 to present. (Case Number HQ 2021-HQFO-00743)
- On March 29, 2021, **Damian Paletta**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office personal calendars/schedules from December 30, 2019 to July 26, 2020 of certain senior-level employees at the Centers for Disease Control and Prevention. (Case Number HQ 2021-HQFO-00738)
- On March 30, 2021, **Nathanie Serslev**, a representative with **Americans for Public Trust** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office weekly cabinet reports for DHS from November 1, 2020 to March 30, 2021. (Case Number HQ 2021-HQFO-00726)
- On March 30, 2021, **Michael Bekesha**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office photos and/or videos of border facilities housing minors taken or collected by U.S. Customs and Border Protection from January 21, 2021 to March 22, 2021. (Case Number HQ 2021-HQFO-00725)
- On March 30, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office federal records archived by certain officials from January 1, 2021 to April 1, 2021. (Case Number HQ 2021-HQFO-00741)

- On March 30, 2021, **Romeo Ekere**, a representative with **University Of Illinois Urbana Champaign** in Urbana, Illinois, requested from the Department of Homeland Security (DHS) Privacy Office communications from January 1, 2020 to March 29, 2021 with the Illinois Secretary of State regarding data protection of Real ID applicants. (Case Number HQ 2021-HQFO-00727)
- On March 30, 2021, **Joseph Cox**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) records related to Babel Street, Locate X, Locate X Premium, Venntel, and Anomaly Six. (Case Number TSA 2021-TSFO-00341)
- On March 30, 2021, **Joseph Cox**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) records regarding telemetry-related products and companies involved in telemetry products from January 1, 2016 to the present. (Case Number TSA 2021-TSFO-00342)
- On March 30, 2021, **David Londo**, a representative with the **Air Marshal National Council** in Plymouth, Massachusetts, requested from the Transportation Security Administration Security (TSA) documents associated with the 2021 TSA Office of Inspection Morale Survey conducted by the Federal Air Marshal Service in January and February of 2021. (Case Number TSA 2021-TSFO-00346)
- On March 30, 2021, **Joseph Cox**, a representative with **Motherboard**, requested from the United States Coast Guard (USCG) records regarding the products and companies related to Babel Street, Venntel, and Anomaly Six. (Case Number USCG 2021-CGFO-00981)
- On March 30, 2021, **Joseph Cox**, a representative with **Motherboard**, requested from the United States Coast Guard (USCG) all records regarding telemetry-related products from January 1, 2016 to present. (Case Number USCG 2021-CGFO-00982)
- On March 31, 2021, **Luke Barr**, a representative with **ABC News** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office correspondence regarding the southwest border containing immigration-related phrases from November 15, 2020 to January 20, 2021. (Case Number HQ 2021-HQFO-00732)
- On March 31, 2021, **Luke Barr**, a representative with **ABC News** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office emails from the address [as1cfw@hq.dhs.gov](mailto:as1cfw@hq.dhs.gov) from November 1, 2019 to January 15, 2021. (Case Number HQ 2021-HQFO-00733)
- On March 31, 2021, **Lauren Harper**, a representative with **National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records of communication between police officers and government officials regarding the events at the Capitol Building in Washington, DC, on January 6, 2021. (Case Number HQ 2021-HQFO-00748)

### Late Requests

- On December 23, 2020, **Gibson, Megan**, a representative with the **Niskanen Center** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office all records pertaining to any policies, ideas, rulemaking substantially influenced

by the Tanton Organizations that any DHS agency adopted and implemented through any kind of publication on the Federal Register from January 1, 2017 to March 31, 2021. (Case Number HQ 2021-HQFO-00052)

- On March 9, 2020, **Andrew Free**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records reflecting a contingency plan for addressing instances of COVID-19 in ICE-detention facilities between February 1, 2020 to March 9, 2020, and records reflecting guidance from the Centers for Disease Control and Prevention regarding ICE's detention activities regarding COVID-19 prevention. (Case Number ICE 2021-ICFO-33336).
- On March 19, 2021, **Maria Montano Delgado**, a representative with *The Observer*, in Almoloya de Juarez, Mexico, requested from U.S. Citizenship and Immigration Services the number of deaths of Mexican migrants who died due to COVID-19 in the U.S. in 2020 to the present whose remains were sent to mass graves after they were unclaimed by their relatives. (Case Number USCIS COW20210001075)
- On April 15, 2020, **Angelina Godoy**, a representative with the **University of Washington Center for Human Rights** in Seattle, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) all communications since March 6, 2020 to present between ICE Health Service Corps personnel at the Northwest Detention Center in Tacoma, WA, and an ICE Seattle field office employee regarding the transportation of detainees believed to be at medium or high risk of exposure to COVID-19. (Case Number ICE 2021-ICFO-33399)
- On May 22, 2020, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records assessing the impact of deportations of undocumented immigrants on the spread of the novel coronavirus. (Case Number ICE 2021-ICFO-33390)
- On June 12, 2020, **Emma Baker**, a representative with *El Paso Matters* in El Paso, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding the number of detained people who died in custody in the El Paso Service Processing Center from 2015-2020, and the number of detained people in the El Paso Service Processing Center who received medical treatment for COVID-19 in 2020. (Case Number ICE 2021-ICFO-33383).
- On July 6, 2020, **Sarah Cahlan**, a representative with *The Washington Post* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) complaints from staff and contractors at the Eloy Detention Center regarding inadequate health measures records regarding COVID-19 from March 2020 to July 2020. (Case Number ICE 2021-ICFO-33382)
- On February 24, 2021, **Isabel Macdonald**, a representative with *In These Times* in Chicago, Illinois, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the \$16 million contract to CoreCivic, Inc and the contract's parent award since February 1, 2020. (Case Number ICE 2021-ICFO-33345)
- On February 24, 2021, **Isabel Macdonald**, a representative with *In These Times* in Chicago, Illinois, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to a contract awarded to Geo Group for Rio Grande Detention Center services between March 19, 2020 and March 31, 2021, and any other contracts DHS awarded to Geo Group since March 13, 2020. (Case Number ICE 2021-ICFO-33370)

- On March 1, 2021, **Freddy Martinez**, a representative with **Open The Government** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) documents showing the number of COVID-19 tests performed at La Palma Correctional Center that turned positive. (Case Number ICE 2021-ICFO-33398)
- On March 08, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to any independent autopsies, including those by county or state medical examiners, for certain individuals who died in ICE custody from April 10, 2018 to March 10, 2021. (Case Number ICE 2021-ICFO-33350)
- On March 9, 2021, **Al Lado**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) ICE's 2016 revision of its Performance-Based National Detention Standards, including policies regarding generators, fuel, or power outages at any detention facility in the area of responsibility of the New Orleans ICE Field Office between February 8, 2021 and February 19, 2021. (Case Number ICE 2021-ICFO-32190).
- On March 10, 2021, **Keegan Hamilton**, a representative with **VICE** in Berkeley, California, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding kidnappings of undocumented immigrants and/or other such persons collected by ICE and/or HSI from January 1, 2016 to March 1, 2021. (Case Number ICE 2021-ICFO-32413).
- On March 11, 2021, **Al Lado**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the receipt and processing of certain FOIA requests. (Case Number ICE 2021-ICFO-32419)
- On March 11, 2021, **Al Lado**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records relating to the use of force by employees of ICE on immigrant detainees at Adams County Detention Center on September 27, 2020 or September 28, 2020. (Case Number ICE 2021-ICFO-32420)
- On March 11, 2021, **Kevin Kevin**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) the roster and schedule for DHS citizens academies operating within Tampa, Florida; Chicago, Illinois; and New York, New York from 2018-2020. (Case Number ICE 2021-ICFO-32421)
- On March 11, 2021, **Kevin Kevin**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) documents for DHS citizens academies operating within Tampa, Florida; Chicago, Illinois; and New York, New York from 2018-2020. (Case Number ICE2021-ICFO-32422)

### III. Freedom of Information Act Releases

- On March 25, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Allie Conti**, a representative with **MuckRock News** in Somerville, Massachusetts, 58 pages of records. Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2017-HQFO-01242)

- On March 25, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Cameron Cawthorne**, a representative with the **Republican National Committee** in Washington, DC, six pages of emails from the Office of the Secretary, the Federal Emergency Management Agency (FEMA) administrator, and the Michigan Governor's office related to COVID-19. Portions of this response were withheld pursuant to FOIA Exemption 6. (Case Number 2020-HQFO-00941)
- On March 25, 2019, U.S. Citizenship and Immigration Services (USCIS) released to **Riana Pfefferkora**, a representative with the **Center for Internet and Society** at Stanford Law School in Stanford, California, 3,564 pages of records consisting of proposed modifications to the Department of Homeland Security's (DHS) system of records. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number USCIS REM2019500001/COW2017001241/APP2019501128)
- On March 25, 2021, U.S. Customs and Border Protection (CBP) released to Bruce Perry, a private individual in Rockville, Maryland, three pages of related to imports of COVID-19-related materials from March 1, 2020 to present. Portions of this release were withheld pursuant to FOIA Exemptions 4 and 7(E). (Case Number CBP-2020-2021-041407)
- On March 25, 2021, U.S. Customs and Border Protection (CBP) released to **Gregory Korte**, a reporter with **Bloomberg News** in Washington, DC, one spreadsheet of the Federal Emergency Management Agency's export of COVID-19-related materials from April 7, 2020 to present. Portions of this release were withheld pursuant to FOIA Exemption 4. (Case number CBP-2021-044340)
- On March 26, 2021, U.S. Customs and Border Protection (CBP) issued to **Alexis Berdine**, a reporter with **KVOA-TV** in Tucson, Arizona, a no-records determination in response to her request for records regarding "soft-sided" tent facilities for migrants in Tucson as well as the distribution of COVID-19 tests and vaccinations. (Case number CBP-2021-045018).
- On March 26, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Justin Elliott**, a representative with **ProPublica** in New York, New York, and **Noah Lanard**, a representative with **Mother Jones** in Washington, DC, 81 pages of emails from January 20, 2017, sent to or from Frank Wuco, containing the terms: muslim, islam, and terrorism. Portions of these responses were withheld pursuant to FOIA Exemptions 5 and 6. (Case Numbers 2017-HQFO-00556 and 2018-HQFO-00120)
- On March 29, 2021, the Department of Homeland Security (DHS) will release to **Taylor Amarel**, a private individual with **MuckRock News** in Somerville, Massachusetts, 39 pages of emails sent to, from, or copied to Kevin McAleenan from July 20 to August 4, 2019, containing the term: "Stephen.Miller@who.eop.gov. Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2019-HQFO-01103)
- On March 29, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Ella Cleveland**, a representative of **Louise Trauma Center LLC**, in Washington, DC, 16 pages of records written by an asylum officer and notes of the asylum officer for a

certain individual. Portions of the release were withheld pursuant to FOIA Exemption 5. (Case Number COW2021000565)

- On March 30, 2021, U.S. Customs and Border Protection (CBP) released to **Rachel Frazin**, a reporter with *The Hill* in Washington, DC, 23 pages of emails and water-usage reports pertaining to the use of wells on southern border wildlife refuges regarding construction of the border wall. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2021-035851)
- On March 30, 2021, U.S. Customs and Border Protection (CBP) released to **Rose Monahan**, a representative with the **Sierra Club** in Oakland, California, 23 pages consisting of emails and water-usage reports pertaining to the use of wells on southern border wildlife refuges regarding construction of the border wall. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-035853)
- On March 30, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Melanie Sloan**, a representative with **American Oversight** in Washington, DC, 65 pages of records pertaining to the requests for a waiver from the requirements of the January 27, 2017, Executive Order (EO) 13769, EO 13780, or the Proclamation 9645. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2018-HQFO-00686 and USCIS COW2018000331)
- On March 30, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jacqueline Watson**, an attorney with **Walker, Gates, Vela, PLLC**, in Austin, Texas, 125 pages of records consisting of documents from the alien file of Ian Fraser Kilmister. Portions of the release were withheld pursuant to FOIA Exemptions 3, 6 7(C), and 7(E). (Case Number USCIS COW2019501023)
- On March 30, 2021, U.S. Citizenship and Immigration Services released to **Rich Venezia**, a representative with **Rich Roots Genealogy** in Pittsburgh, Pennsylvania, 43 pages of records from the alien file of Joseph Anthony Buttigieg. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS NRC2019526420)
- On March 30, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) will release to **Michael Quinn**, a representative from **MuckRock News** in Somerville, Massachusetts, 373 pages of reports and briefings involving the Mark O. Hatfield U.S. Courthouse from May 1, 2020 to present; the ICE facility in Portland, Oregon from May 1, 2020 to present; and the Suitland, Battle Creek, Philadelphia or Denver Mega Centers from May 1, 2020 to present. Portions of this response will be withheld pursuant to FOIA Exemptions 5, 6, 7(A), 7(C), 7(E) and 7(F). (Case Number 2021-FPFO-00100)
- On March 30, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Roque Planas**, a representative with the **Huffington Post** in Austin, Texas, 16 pages of communications sent by the Centers for Disease Control and Prevention (CDC) Director Robert Redfield from March 23, 2020 to April 3, 2020, pertaining to COVID-19. The CDC referred this request and 16 pages of records to DHS. Portions of this response are withheld pursuant to FOIA Exemption 6. (Case Number 2021-HQFO-00298)



- On March 30, 2021, the Department of Homeland Security (DHS) released to **Rachel E. Goodman**, a representative with **Protect Democracy Project** in Washington, DC, 38 pages of records relating to the appointment of Kenneth T. Cuccinelli to the position of Acting Director of United States Citizenship and Immigration Services. Portions of this response are withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2019-HQFO-01266)
- On March 30, 2021, U.S. Department of Homeland Security (DHS) Privacy Office released to **John Paredes**, a representative from **Protect Democracy** in Washington, DC, 162 pages of records pertaining to individuals in the United States Postal Inspection Service regarding participation in any Department of Justice (DOJ) voting or voting-fraud task force. DOJ referred 162 pages to the U.S. Department of Homeland Security (DHS). Portions of this response are being withheld pursuant to FOIA Exemptions 6 and 7(E). (Case Number 2021-NPFO-00056)
- On March 31, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jacqueline Stevens**, a representative with **Northwestern University** in Evanston, Illinois, 686 pages records consisting of documents from the alien file of (b)(6). Portions of the release were withheld pursuant to Privacy Act Exemptions (a)(d)(5), (a)(j)(2), (a)(k)(2), and FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number USCIS NRC2020117509)
- On April 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Denise Blostein**, a representative with *The Wall Street Journal* in New York, New York, 43 pages in response to her request for all records pertaining to the 2003 investigation into the alleged smuggling of an artwork by Bernardo Bitti and Pedro de Vargas. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-21586).

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 30, 2017, seeking records from January 21, 2017 to July 31, 2017, by former Secretary John Kelly. On March 29, 2021, DHS released 266 pages. (Case Number 2018-HQLI-00001)
- In matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 3, 2017, seeking records between political appointees, Congress, and congressional committees or staff regarding the costs

associated with the family separation policy and any constraints. On March 30, 2021, DHS released 179 pages. (Case Number 2019-HQLI-00018)

- In the matter *Make the Road New York v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 6, 2019, seeking records related to current proposed changes and historical data on how public-charge assessments have been made and implemented in the past two decades. On March 31, 2021, DHS released 69 pages. (Case Number 2018-HQLI-00030)
- In the matter of *Buzzfeed News v. U.S. Department Homeland Security (DHS)*, plaintiff filed a FOIA request on August 27, 2020, seeking records from May 25, 2020 to June 1, 2020, regarding agency decision-makers defined as senior executive service employees and political appointees mentioning or referring to protests and George Floyd. On March 31, 2021, DHS released 324 pages. (Case Number 2020-HQLI-00037)
- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States-Mexico border. On March 31, 2021, DHS released 311 pages. (Case Number 2018-HQLI-00036)
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 22, 2020, seeking records related to COVID-19 in immigration detention facilities. On March 31, 2021, DHS released 35 pages. (Case Number 2021-HQLI-00006)
- In the matter of *International Refugee Assistance Project v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2019, seeking surveillance and criminal investigation of refugees in the United States of America. On March 31, 2021, DHS released 301 pages. (Case Number 2020-HQLI-00008)
- In the matter of *American Civil Liberties Union (ACLU) v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 24, 2018, seeking records pertaining to social-media surveillance, including the monitoring and retention of immigrants' and visa applicants' social-media information for the purpose of conducting "extreme vetting." On March 31, 2021, DHS released 352 pages. (Case Number 2020-HQLI-00003)
- In the matter of *Bautista et al. v. Cuccinelli, et al. (1:20-cv-00339)*, plaintiff filed a FOIA request on April 10, 2020, seeking all agency guidance and correspondence related to the processing of U-Visas. On March 29, 2021, USCIS will release to the plaintiff 1,109 pages and three Excel spreadsheets of records.
- In the matter of *El Hassane Tadli Souabni v. United States Citizenship and Immigration Services (USCIS) et al. (20 -cv-02999)*, plaintiff filed a FOIA request on October 16, 2019, seeking records pertaining to the immigration file of El Hassane Tadli Souabni. On March 30, 2020, USCIS released to the plaintiff 1,402 pages of records.
- In the matter of *American Oversight v. United States Department of Commerce, United States Citizenship and Immigration Services (USCIS) et al. (1:19-cv-00912)*, plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for anyone

who served as White House Liaison. On March 30, 2021, USCIS released to the plaintiff 1,364 pages of records.

- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. United States Citizenship and Immigration Services (USCIS); United States Department of Homeland Security (DHS), et al. (3:20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records that relate to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On March 30, 2021, USCIS released to the plaintiff 569 pages of records.
- In the matter of *ACLU of Maine Foundation v. United States Citizenship and Immigration Services (USCIS), et al. (2:20-cv-00422-JA)*, plaintiff filed a FOIA request on August 5, 2019, seeking information pertaining to approvals, referrals, and denials of affirmative asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On March 31, 2021, USCIS will release to the plaintiff 1,608 pages of records.
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00652-RC)*, plaintiff filed a FOIA request on November 8, 2019, seeking any final policies, procedures, protocols, instructions or guidance regarding the transfer of responsibility for credible fear interviews from asylum officers within USCIS to law-enforcement agents within CBP. On March 31, 2021, USCIS will release to the plaintiff 985 pages of records.
- In the matter of *American Oversight v. Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:19-cv-01817-RCL)*, plaintiff filed a FOIA request on February 8, 2019, requesting all records pertaining to Roxsana Hernandez and Mergensana Amar. On March 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 434 pages of records.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding family reunification and the release of a minor from the U.S. Department of Homeland Security custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On March 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 406 pages of records.
- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al. (19-cv-04533)*, plaintiff filed a FOIA request on August 2, 2019, requesting records pertaining to certain programs' administration, policies, and practices involving the Institutional Hearing Program (IHP). On March 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 545 pages of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Department of Homeland Security (DHS) et al. (1:18-cv-04247)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to facilities housing detained immigrants from 2013 to present. On March 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,127 pages of records.
- In the matter of *Diocesan Migrant & Refugee Services, Inc. v. U.S. Immigration and Customs Enforcement (ICE), (3:19-cv-00236-FM)*, plaintiff filed a FOIA request on July 1, 2019, requesting records pertaining to migrant-protection protocols. On March

29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 383 pages of records.

- In the matter of *American Civil Liberties Union of Pennsylvania, et al v. U.S. Immigration and Customs Enforcement (ICE)*, (2:20-cv-02363), plaintiff filed a FOIA request on August 7, 2019, requesting copies of all Form I-213s (Record of Deportable/Inadmissible Alien) prepared by any agent or employee under the supervision of the Philadelphia Field Office and all sub-offices from January 1, 2017 to present. On March 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 753 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al.* (1:20-cv-03204), plaintiff filed a FOIA request on March 20, 2020, requesting records from November 1, 2019 to the present regarding policies/procedures for COVID-19 in specific detention facilities. On March 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 208 pages of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Immigration and Customs Enforcement (ICE)*, (1:19-cv-11131), plaintiff filed a FOIA request on December 5, 2019, requesting all records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement (ICE) and state and/or local facilities. On March 30, 2021, U.S. Immigration and Customs Enforcement released to the plaintiff 241 pages of records.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE)*, (1:20-cv-03120-CKK), plaintiff filed a FOIA request on September 21, 2020, seeking multi-part records related to involuntary medical procedures at the Irwin County Detention Center. On March 31, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 233 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v. Department of Homeland Security (DHS) et al.* (1:19-cv-12564), plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On March 31, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 745 pages of records.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP)* (4:17-cv-00163-CKJ), plaintiff filed a FOIA request on March 15, 2017, seeking all records produced after the January 25, 2017, Executive Order “Border Security and Immigration Enforcement Improvements” regarding the construction of the southern border wall of the United States. Plaintiff filed suit on July 17, 2017, claiming injunctive relief. On March 31, 2021, CBP issued its thirty-ninth interim response, consisting of 571 pages of emails, meeting agendas and notes, briefings, and reports to the plaintiff.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP)* (4:17-cv-05273-KAW), plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute performed for CBP regarding border fencing and related tactical infrastructure. Plaintiff filed suit on September 12, 2017, claiming injunctive relief. On March 31, 2021, CBP issued its

twenty-second interim response, consisting of 1,231 pages of emails, meeting notes and attachments to the plaintiff.

- In the matter of the *International Refugee Assistance Project, and the Refugee and Immigrant Center for Education and Legal Services v. CBP (20-cv-03202-GBD)*, plaintiff filed a FOIA request on November 13, 2019, seeking records related to the resettlement of Iraqi and Afghan nationals facing threats in their country of origin due to their employment with the United States government and its allies. Plaintiff filed suit on April 23, 2020, claiming declaratory and injunctive relief. On March 31, 2021, U.S. Customs and Border Protection (CBP) released its third interim response, consisting of 152 pages of records 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

**Freedom of Information Act (FOIA) Activity for the Week of  
April 1-April 7, 2021  
DHS Privacy Office  
April 12, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency**—Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

**II. Freedom of Information Act Requests**

- On April 1, 2021, **Kori Rumore**, a representative with the *Chicago Tribune* in Evanston, Illinois, requested from the Transportation Security Administration Security (TSA) the daily TSA passenger throughput totals for Chicago's international airports O'Hare and Midway from February 12, 2018 to March 31, 2021. (Case Number TSA 2021-TSFO-00352)
- On April 1, 2021, **Liz Stark**, a producer with *CNN* in Washington, DC, requested from the United States Secret Service (USSS) records involving Biden family dogs Major and Champ, including any report(s) written by Secret Service personnel involved in incidents or witnessing incidents. (Case Number USSS 20210545)
- On April 1, 2021, **Gary English**, a representative of **Maersk Line Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications between personnel assigned to USCG Sector New York; any person connected with the Sandy Hook Pilots Association; and/or any employee of Tabak, Mellusi & Shisha LLP. (Case number 2021-CGFO-01000)
- On April 1, 2021, **Gary English**, a representative with **Maersk Line Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications between a certain employee in the USCG Sector New York and representatives of the Maritime Legal Aid & Advocacy, LTD; or Maritime Legal Solutions, PLLC. (Case number 2021-CGFO-00990)
- On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records related to the investigation file of a certain employee in the USCG Sector New York. (Case number 2021-CGFO-00991)
- On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications between a certain employee in the USCG Sector New York and representatives of Maritime Legal Aid & Advocacy, LTD and Maritime Legal Solutions, PLLC on or about July 18, 2020. (Case number 2021-CGFO-00996)
- On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications between a certain Administrative Law Judge in the USCG Sector New York and a

- representative of; Maritime Legal Aid & Advocacy, LTD or Maritime Legal Solutions, PLLC on or about February 8, 2021. (Case number 2021-CGFO-00997)
- On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia requested from the United States Coast Guard (USCG) communications between certain employees in the USCG Sector New York regarding a representative of Maritime Legal Aid & Advocacy, LTD; , Maritime Legal Solutions, PLLC, or a certain USCG Captain. (Case number 2021-CGFO-00992)
  - On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) Coast Guard Investigational Services (CGIS) records regarding interviews with certain USCG employees. (Case number 2021-CGFO-00993)
  - On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia requested from the United States Coast Guard (USCG) correspondence between two specific individuals on or about October 14, 2020 (Case number 2021-CGFO-00994)
  - On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) a log of USCG notice of 13 emails in USCG possession related to a certain enforcement activity. (Case number 2021-CGFO-00995)
  - On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications, in any format, between certain individuals and USCG personnel on or about January 28, 2021. (Case number 2021-CGFO-00998)
  - On April 1, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications between certain officials and a representative of ;Maritime Legal Aid & Advocacy, LTD; and/or Maritime Legal Solutions, PLLC from July 18, 2020, to August 31, 2020. (Case number 2021-CGFO-00999)
  - On April 2, 2021, **Devine Curt**, a producer and reporter with *CNN* in Washington, DC, requested from the United States Secret Service (USSS) all “PTMS” case-abstract documents or other case records related to a certain individual compiled since January 1, 2017. (Case Number 20210546)
  - On April 2, 2021, **Max Kohn**, a reporter with *Whistleblower Network News (WNN)* in Washington, DC, requested from the United States Coast Guard documents relating to Coast Guard Investigational Services (CGIS) response to reports of pollution from OCEAN PATRIOT (Case Number 2021-CGFO-01013)
  - On April 2, 2021, **Dan Humphreys** a representative with **Warnock for Georgia** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) correspondence between Latham G. Saddler III and USCIS between January 1, 2017 to December 31, 2018. (Case Number USCIS COW2021001251)
  - On April 2, 2021, **David Bier**, a media representative with **Cato Institute**, in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) data related to credible fear and reasonable fear for FY2008 through the present regarding asylum or withholding of removal due to race, religion, nationality, membership in a



particular social group, political opinion, torture, or subject to persecution.. (Case Number USCIS COW2021001253)

- On April 2, 2021, **Rebecca Cassler**, a representative with the **Southern Poverty Law Center** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office any records concerning inspections, audits, contracting reports, deficiency reviews, documentation of all formal or informal monitoring efforts, or other evaluations conducted by or used by DHS or its subagencies or its contractors related to certain detention facilities. (Case Number HQ 2021-HQFO-00750)
- On April 4, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) communications certain offices and a representative of Maritime Legal Aid & Advocacy, LTD (a/k/a Maritime Legal Aid & Advocacy or MLAA) or Maritime Legal Solutions, PLLC. (Case number 2021-CGFO-01014)
- On April 5, 2021, **Nicole Sganga**, a reporter with **CBS News** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) data pertaining to southwest border-enforcement actions related to unaccompanied migrant minors believed to have "self-separated" from parents or legal guardians before entering U.S. custody from January 20, 2021 to April 5, 2021, and the number of unaccompanied migrant minors entering into the United States within this timeframe previously apprehended by U.S. Border Patrol and processed under the Title 42 authorities. (Case number CBP-2021-049454)
- On April 5, 2021, **Brendan Borrell**, a representative with **HMH Books** in Los Angeles, California, requested from the Department of Homeland Security (DHS) Privacy Office an email from former Deputy Secretary Ken Cuccinelli sent to members of the White House Coronavirus Task Force regarding the shift from containment to mitigation of the novel coronavirus. from February 9 -11, 2020. (Case Number HQ 2021-HQFO-00751)
- On April 6, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) electronic or paper copies of emails, social-media posts originating from a representative of the Maritime Legal Aid & Advocacy (MLA). (Case number 2021-CGFO-01034)
- On April 6, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) all statements from a Maersk crewmember or crewmember of any other vessel regarding certain individuals. (Case number 2021-CGFO-01035)
- On April 6, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) exhibits from a certain enforcement activity. (Case number 2021-CGFO-01036)
- On April 6, 2021, **Gary English**, a representative of **Maersk Line, Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records certain officials regarding a conversation with a representative of the Maritime Legal Aid & Advocacy (MLA) on or about Thursday, January 28, 2021. (Case number 2021-CGFO-01037)
- On April 6, 2021, **Katie Birecki**, a reporter with **9&10 News** in Cadillac, Michigan, requested from the United States Coast Guard (USCG) statistics from 2017-2020 on

incidents at Frankfort Public Beach in Frankfort, Michigan. and those that survived. (Case Number USCG-CGFO-01046)

- On April 6, 2021, **Elaine Kassir**, a private individual, requested from U.S. Customs and Border Protection (CBP) all copies of President Biden's orders on the southern border allowing illegal immigrants entrance to the United States since he took office. (Case Number CBP-2021-049835)
- On April 6, 2021, **David Bier**, an representative with **The CATO Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records for each individual arrested, apprehended or encountered by CBP who was a "special interest alien"; known or suspected terrorist; or identified to be on any terrorist watch list or no-fly list from FY 2009 to FY 2022. (Case Number CBP-2021-050123)
- On April 6, 2021, **Tiffany Sherrod**, a representative with **II Alive** in Atlanta, Georgia, requested from the Transportation Security Administration Security (TSA) video footage of a dispute between three adult male passengers and a TSA employee at a TSA entry point in Hartsfield Jackson Airport on March 23, 2021. (Case Number TSA 2021-TSFO-00349)
- On April 7, 2021, **Matt Jackson**, a representative with **Scopia** in Atlanta, Georgia, requested from the Department of Homeland Security (DHS) Privacy Office email communication containing the word "coronavirus" between the Centers for Disease Control and Prevention (CDC) and the World Health Organization regarding the reported infection rate of the coronavirus in China from January 15, 2020 to February 15, 2020. (Case Number HQ 2021-HQFO-00761)
- On April 7, 2021, **Jennifer Franklin**, a representative with **Americans for Public Trust** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications exchanged between the Department of Homeland Security, Office of the Secretary, and the White House, with the terms detention center, conditions, unaccompanied minors, COVID-19, testing, photographs, delete, press, senator, congressional, representative, restrict access, border. (Case Number HQ 2021-HQFO-00759)
- On April 8, 2021, **Curt Devine**, a representative with **CNN** in Washington, DC, requested from the United States Secret Service (USSS) records from since January 7, 2021, related to the following: "QAnon" or "Q Anon," "sovereign citizen," "Antifa" or "anti-fascist," "Boogaloo," "Proud Boy," "Oath Keeper," "Three Percenter," or "III%er." (Case Number 20210553)

### Late Requests

- On February 18, 2021, **Angela Wang**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) correspondence between the Department of Homeland Security (DHS) and Operation Warp Speed regarding COVID-19 vaccine distribution between May 15, 2020 and February 15, 2021, with the keywords: vaccine, Operation Warp Speed, OWS,

- immigrants, ICE, detainees, and doses, as well as correspondence with anyone with an email ending in @hhs.gov or @mail.mil. (Case Number ICE 2021-ICFO-33449).
- On February 23, 2021, **Freddy Martinez**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records between August 1, 2019 to February 22, 2021, that show the number of the following that DHS used in Portland Oregon: less-than-lethal munitions, number of chemical agents, number of re-supplies. (Case Number ICE 2021-ICFO-33407)
  - On March 11, 2021, **David Bossie**, a representative with **News Media** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) all emails and attached documents, memoranda, or policy analyses or recommendations to or from Secretary Alejandro Mayorkas and other senior-level officials that include the following terms: vaccine, vaccination, vaccinate, immigrant, migrant, test, border, facility, or undocumented from January 20, 2021 to March 5/2021. (Case Number ICE 2021-ICFO-33396)
  - On March 31, 2021, **Nomaan Merchant**, a reporter with **Associated Press** in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records, generated between February 1, 2020, and March 26, 2021, pertaining to Title 42 expulsions. (Case number CBP-2021-047972)
  - On March 16, 2021, **Vasudha Talla** a representative with **American Civil Liberties Union** in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) any agreements regarding the use of Nlets to send, receive, or store information. (Case Number ICE 2021-ICFO-33426)
  - On May 22, 2020, **Austin Evers** a representative with **American Oversight** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) all analyses and assessments originating from the Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE) assessing the impact of deportations of undocumented immigrants on the spread of the novel coronavirus. (Case Number ICE 2021-ICFO-33390)
  - On March 29, 2021, **Joseph Cox**, a representative with **New Media** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) copies of the records related to procurements involving Babel Street from January 1, 2018 to present. (Case Number ICE 2021-ICFO-33304)
  - On March 30, 2021, **Joseph Cox**, a representative with **News Media** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) all invoices, purchases orders, contracts, loan agreements, procurement documents concerning or related to the following companies and products: Babel Street, Locate X, Locate X Premium, Venntel, Anomaly Six. (Case Number ICE 2021-ICFO-33358).
  - On March 30, 2021, **Joseph Cox**, a representative with **News Media** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) all invoices, purchases orders, contracts, loan agreements, procurement concerning or related to telemetry, telematics, vehicle telemetry, and vehicle telematics from January 1, 2016 to the present. (Case Number ICE 2021-ICFO-33359)
  - On April 5, 2021, **Ken Klippenstein**, a representative with **The Intercept News** in Madison, Wisconsin, requested from U.S. Immigration and Customs Enforcement (ICE) records of all FOIA requests received by ICE from January 1, 2017 to January 23, 2021. (Case Number ICE 2021-ICFO-33465).

- On June 25, 2020, **Jessica Myers**, a representative with **The Walter Cronkite School of Journalism** in Phoenix, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) information about the detainee population, the number of detainees have been released due to COVID-19, and specific information related to a detention center in Eloy. (Case Number ICE 2021-ICFO-33409)

### III. Freedom of Information Act Releases

- On April 1, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Matthew Hoppock**, an individual via **MuckRock News** in Somerville, Massachusetts, 23 pages of records e-mail messages to or from Valerie Boyd and Tom Chaleki between May 1, 2019 and February 5, 2020 mentioning any of the following keywords: "Soft-Sided Plan," "Soft Sided Plan," "notional timeline," or "Quick ROM." Portions of this release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number HQ 2020-HQFO-00562)
- On April 1, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Michael Anthony Adams**, a representative with **ABC10**, in Sacramento, California, 531 pages of records consisting of documents pertaining to the alien file for the late Hafiz Abdul Rauf Kazi. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019500238)
- On April 1, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Michael Anthony Adams**, a media representative with **ABC10**, in Sacramento, California, 531 pages of records consisting of documents pertaining to the alien file for the late Hafiz Abdul Rauf Kazi. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019500238)
- On April 1, 2021, the Federal Emergency Management Agency (FEMA) released to **Nicholas Nehamas**, a representative with the **Miami Herald**, 20 spreadsheets of data provided to FEMA by the state of Florida showing the racial/ethnic composition of people receiving COVID vaccines at federally supported vaccination sites in Florida from March 3, 2021 until the date this request is processed. The release was made in full. (Case Number 2021-FEFO-00471)
- On April 1, 2021, the Transportation Security Administration (TSA) released to **Shawn Musgrave**, a representative with **MuckRock News** in Somerville, Massachusetts, 56 pages of emails sent to or from the DHS OIG office regarding the classification of information within OIG-15-18, Audit of Security Controls for DHS Information Systems at John F. Kennedy International Airport, as Sensitive Security Information. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number TSA 2019-TSFO-00622)
- On April 1, 2021, the United States Secret Service (USSS) released to **Mark Walker**, a representative with **The New York Times**, 12 pages of emails pertaining to all email communications from Jan. 23, 2017, through the date of the search sent by Randolph D. Alles, Jennifer L. Costello, Sondra McCauley, Christine Haynes, Joseph V. Cuffari, Mark A. Morgan containing any of the following key terms: harassment, sexual assault, EEOC, anti-woman, complaints, joint intake, internal complaint, misconduct, discipline, disciplinary, inappropriate, allegation, negative perception, termination, oversight.

Portions of the release were withheld under FOIA Exemptions 5, 6, and 7(C) (Case Number USSS 20200505)

- On April 2, 2021, the United States Secret Service (USSS) released to **AJ Vicens**, a representative with **MuckRock News**, seven pages of emails pertaining to any memos, emails, text messages, notes, or any other material related to US Attorney General William Barr, President Donald Trump, or their staff members, and US Park Police actions in Lafayette Square and adjacent streets on June 1, 2020. Portions of the release were withheld under FOIA Exemptions 6 and 7(C). (Case Number USSS 20200732)
- On April 2, 2021, the United States Secret Service (USSS) released to **David Libershal**, a private individual, seven pages of emails pertaining to all records that the Secret Service has relating to Attorney General Barr directing the Secret Service to clear or help clear protestors from the area around Lafayette Park in Washington, DC, on Monday June 1, 2020. Portions of the release were withheld under FOIA Exemptions 6 and 7c. (Case Number USSS 20200734)
- On April 2, 2021, the United States Secret Service (USSS) released to **Brad Heath**, a private individual, seven pages of emails pertaining to any recordings of Secret Service radio traffic in or around Lafayette Park in Washington between 5 p.m. and 8 p.m. on June 1, 2020; body-camera footage or other video footage in the possession of the Secret Service recorded in or around Lafayette Park in Washington between 5 p.m. and 8 p.m. on June 1, 2020; any emails, memos or other written documents since June 1, 2020 memorializing the order to remove protestors from Lafayette Park on June 1; any arrest reports generated by the Secret Service in Washington since June 1, 2020; any use-of-force reports or after-action reports generated by the Secret Service or Secret Service officers or agents in Washington since June 1, 2020; records accounting for munitions used clearing Lafayette Park on June 1, 2020. Portions of the release were withheld under FOIA Exemptions 6 and 7c. (Case Number USSS 20200743)
- On April 2, 2021, U.S. Customs and Border Protection (CBP) issued to **Alex J Rouhandeh**, a reporter with **Newsweek** in San Diego, California, a no-records response in regard to his request for data related to apprehended minors who were determined to be unaccompanied by a parent or legal guardian despite having a relative or adult with them at apprehension in the following months: January 2019; February 2019; March 2019; December 2020; January 2021; and (6) February 2021. (Case number CBP-2021-047251)
- On April 2, 2021, U.S. Customs and Border Protection (CBP) released to **William VanRooyen**, an individual in Tucson, Arizona, 47 photographs of President Trump's final visit to the border wall in January of 2021. These records were released in full. (Case number CBP-2021-047172)
- On April 2, 2021, U.S. Customs and Border Protection (CBP) issued to **Ann Delpha**, a professor with the **University of New Mexico School of Law** in Albuquerque, New Mexico, a no-records response in regard to her request for records pertaining to the collection, retention, maintenance, storage, destruction, return, or repatriation of personal property or belongings of detainees or arrestees who are removed or detained in the Tucson sector from January 1, 2015, through the present. (Case number CBP-2021-044909)

- On April 2, 2021, U.S. Customs and Border Protection (CBP) issued to **Ann Delpha**, a professor with the **University of New Mexico School of Law** in Albuquerque, New Mexico, a no-records determination in response to her request for records pertaining to the collection, retention, maintenance, storage, destruction, return, or repatriation of personal property or belongings of detainees or arrestees who are removed or detained in the San Diego sector from January 1, 2015 through the present. (Case number CBP-2021-044915)
- On April 2, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Tarmo Vahter**, a representative of **Ekspress Meedia** in Tallin, Estonia, 27 pages of records consisting of copies of all U.S. Citizenship and Immigration Services documents about (b)(6). Portions of the release were withheld pursuant to FOIA Exemption 6 and 7(E). (Case Number COW2019000074)
- On April 2, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Tarmo Vahter**, a representative of **Ekspress Meedia** in Tallin, Estonia, 27 pages of records consisting of copies of all U.S. Citizenship and Immigration Services documents about Irene Ilves. Portions of the release were withheld pursuant to FOIA Exemption 6 and 7(E). (Case Number COW2019000074)
- On April 2, 2021, the Department of Homeland Security (DHS) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, nine pages of emails with CDC officials regarding the prevention, treatment, and control of infectious diseases at immigrant detention or holding facilities. Portions of this response are withheld pursuant to FOIA exemptions 5, 6 and 7(E). (Case Number 2020-HQFO-00366)
- On April 2, 2021, **David Bier**, a media representative with **Cato Institute** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) data related to credible fear and reasonable fear for FY2008 through the present regarding asylum or withholding of removal due to race, religion, nationality, membership in a particular social group, political opinion, torture, or subject to persecution. (Case Number USCIS COW2021001253)
- On April 5, 2021, the United States Secret Service (USSS) released to **Curt Devine**, a representative with **CNN**, three pages of notes related to the processing of his request for records related to a certain individual compiled since January 1, 2017. Portions of the release were withheld under FOIA Exemptions 6, 7(A), and 7(C). (Case Number 20210546)
- On April 5, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Lauren Dillon**, a representative with **Democratic National Committee** in Washington, DC, 64 pages of talking points regarding chain migration and the visa lottery. Portions of this response were withheld pursuant to FOIA exemptions 5, 6 7(C) and 7(E). (Case Number 2018-HQFO-00848)
- On April 5, 2021, the Federal Emergency Management Agency (FEMA) released to **Hannah Dreier**, a representative with **The Washington Post**, two of offers and/or agreements for materials from FEMA sent to Texas during the February winter storm emergency. The records were released in full. (Case Number 2021-FEFO-00347)
- On April 5, 2021, U.S. Customs and Border Protection (CBP) issued to **Matthew Drange**, a reporter with **Protocol News** in San Francisco, California, 66 pages of

communication records including contracts, written agreements, presentations, and memorandums, regarding the software company doing business as "Venntel Inc." from May 1, 2017 to present. Portions of this release have been withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2020-038158)

- On April 5, 2021, U.S. Customs and Border Protection (CBP) issued to **Byron Tau**, a reporter with *Wall Street Journal* in Washington, District of Columbia, 66 pages of records in the possession of CBP targeting and analysis systems program directorate referencing "Venntel Inc." Portions of this release have been withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2020-041951)
- On April 5, 2021, U.S. Customs and Border Protection (CBP) issued to **Joseph Cox**, an independent journalist with *MuckRock News* in Somerville, Massachusetts, 66 pages of records of email correspondence between CBP and Venntel from January 1, 2019 to present. Portions of this release have been withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2020-041951)
- On April 6, 2021, U.S. Customs and Border Protection (CBP) released to **Anna Flagg**, a reporter with **The Marshall Project** in New York, New York, four spreadsheets containing statistical data of children held by CBP in holding centers from January 20, 2017, through the present. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case number CBP-2021-039142)
- On April 6, 2021, U.S. Customs and Border Protection (CBP) issued to **Perla Trevizo**, a reporter with *ProPublica* in Houston, Texas, a no-records response, in regard to her request for letters or reports sent to CBP pertaining to the construction of border barriers in South Texas and flooding concerns, the impact on levee walls, as well as restoration needs. (Case number CBP-2021-043231)
- On April 6, 2021, the Federal Emergency Management Agency (FEMA) released to **April Ehrlich**, a representative with *Jefferson Public Radio*, 33 pages of the most recent NEMIS user manual distributed to employees within the Individual Disaster Assistance program. Portions of the release were withheld pursuant to FOIA Exemptions 7(E) (Case Number 2021-FEFO-00184).
- On April 6, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Carlos Holguin**, a representative with **Center For Human Rights And Constitutional Law** in Los Angeles, California, three pages of records regarding talking points on the expulsion of juveniles from the United States pursuant to 42 U.S.C. §§ 265 or 268. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number 2020-HQFO-01493)
- On April 7, 2021, the Transportation Security Administration (TSA) released to **Andrew Tangel**, a representative with *The Wall Street Journal* in New York, New York, 14 pages of emails between TSA senior management and officials at the Port Authority of New York and New Jersey concerning waiting times at TSA screening checkpoints at JFK, LGA and EWR. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number TSA 2016-TSFO-00318)
- On April 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 48

pages of legal analysis or analyses regarding federal powers or authorities to issue and/or enforce quarantine, “shelter-in-place,” or “stay-at-home” orders, or supersede state or local quarantine, “shelter-in-place,” or “stay-at-home” orders created or retained by the U.S. Department of Homeland Security (DHS) in response to the novel coronavirus outbreak. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6 and 7(C).

- On April 7, 2021, U.S. Citizenship, and Immigration Services (USCIS) released to **Valeria Fernandez**, a representative with *California Sunday Magazine* in Phoenix, Arizona, 512 pages of records consisting of the complete immigration file of the late Francisco Javier Madrid Holguin. Portions of the release were withheld pursuant to FOIA Exemption 3, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019500163)
- On April 7, 2021, U.S. Citizenship, and Immigration Services (USCIS) released to **Valeria Fernandez**, a media representative with *California Sunday Magazine* in Phoenix, Arizona, 512 pages of records consisting of the complete Immigration File of the late Francisco Javier Madrid Holguin. Portions of the release were withheld pursuant to FOIA Exemption 3, 5, 6, 7(C), and 7(E). (Case Number USCIS COW2019500163)

#### IV. Freedom of Information Act Appeals

- On April 2, 2021, **J. Meloy of Maritime Legal Aid & Advocacy, Ltd.** in Wilmington, Delaware submitted an appeal to the United States Coast Guard (USCG) in response to case number 2020-CGFO-01886 which was for records concerning the reporting of sexual assaults aboard U.S. documented vessels from 2000 to present. Certain information was withheld pursuant to exemptions 6, 7(A), 7(C). This appeal pertains to those withholdings as well as the adequacy of the search. (Case Number 2021-CGAP-00009)

#### V. Freedom of Information Act Appeals Releases

- On April 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Andrew Calderon**, a representative with **The Marshall Project** in New York City, New York, in response to his appeal of the adequacy of the search related to his request of U.S. Immigration and Customs Enforcement (ICE) for any records of requests for redress or amendment of information received by DHS since 2009 about individuals contained within LEIS including the result of the investigation into the request and final dispensation. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (ICE Case Number ICE 2020-ICAP-00174)

#### VI. Litigation

- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS) Privacy Office*, plaintiff filed a FOIA request on April 29, 2020, seeking decision memoranda or orders, under the Defense Production Act or any other legal authorities, about the rerouting, inspecting, taking priority over, commandeering, seizing, intercepting, diverting, cancelling, or in any other way taking control or possession of equipment, whether temporarily or permanently. On April 1, 2021, DHS released 24 pages. (Case Number 2021-HQLI-00010)



- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al.*, (20-cv-11777), plaintiff filed a FOIA request on January 28, 2019, seeking records pertaining to drafting of the “public charge” regulation provision of the Immigration and Nationality Act. On April 6, 2020, USCIS released to the plaintiff 142 pages of records.
- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al.*, (20-cv-11777), plaintiff filed a FOIA request on January 28, 2019, seeking records pertaining to drafting of the “public charge” regulation provision of the Immigration and Nationality Act. On April 6, 2020, USCIS released to the plaintiff 142 pages of records.
- In the matter of *Austin Sanctuary Network v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:20-cv-01686-LJL), plaintiff filed a FOIA request on September 11, 2019, requesting records pertaining to policies, procedures, guidelines, and instructions regarding fines or penalties imposed on individuals, including immigrants taking “sanctuary” in places of worship or elsewhere. On April 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 26 pages of records.
- In the matter of *Blanca Estella Varquez Carrillo v. DHS et al.*, (1:20-cv-05468) plaintiff filed a FOIA request on September 15, 2020, seeking all records regarding pertaining to Blanca Estella Vazquez Carrillo. On April 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff six pages of records.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:18-cv-01501-KBJ), plaintiff filed a FOIA request on September 15, 2017, requesting records for the time period beginning January 1, 2016, all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On April 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff eight Excel spreadsheets.
- In the matter of *Jesus Vidal-Martinez v. ICE* 1:20-cv-07772, plaintiff filed FOIA requests on October 9, 2020 and December 30, 2020 seeking any and all email communications and other notes or reports between ICE related to Jesus Vidal-Martinez and his transfer under a writ related to Decatur Superior Court cause number 16D01-1911-CM-001458. On April 5, 2021 U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 239 pages of records.
- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al.*, 19-cv-04533, plaintiff filed a FOIA request on August 02, 2019, requesting records pertaining to certain program’s administration, policies, and practices involving the Institutional Hearing Program (IHP). On April 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 37 pages of records.
- In the matter of *Americans for Immigrant Justice, Inc. v U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-20920-JEM), plaintiff filed a FOIA request on September 23, 2019, seeking documents related to the mental health services available to immigrants detained in ICE facilities located in Florida. On April 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 484 pages of records.

- In the matter of *Texas Civil Right Project, et al. v. ICE et al.*, 1:20-cv-02389-CJN, plaintiff filed a FOIA request on August 27, 2020, requesting any records describing ICE's role in the ACA program, the HARP program, the PACR program, or the Title 42 expulsion program. On April 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 45 pages of records.
- In the matter of *the Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. United States Department of Homeland Security (DHS) and United States Customs and Border Protection (CBP)*, (1:19-cv-3438-CJN), plaintiff filed a FOIA request on May 31, 2019, seeking all policies, procedures, guidelines, and communications related to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. Plaintiff filed suit on November 14, 2019, claiming injunctive relief. On April 2, 2021, CBP released its sixth interim response, consisting of 71 pages of records to the plaintiff.
- In the matter of *American Civil Liberties Union v. DHS, U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE)* (1:20-cv-10083), plaintiff filed a FOIA request on February 10, 2020, seeking records of contracts, memoranda of understanding, letters of commitment, license, subscription agreements, and other agreements with vendors, including but not limited to Venntel, Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On April 5, 2021, CBP issued its second release consisting of 66 pages of presentations, briefs, and other documents.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
April 15-21, 2021  
DHS Privacy Office  
April 26, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On April 12, 2021, **Lori Shavlik**, a representative with *Media News* in Woodinville, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to funding and contract locations for a certain business from January 1, 2005 to April 12, 2021. (Case Number ICE 2021-ICFO-33643)
- On April 15, 2021, **Sean Okane**, a representative with *The Verge* in Austin, Texas, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to a Form I-9 inspection of Faraday Future on or about May 2018. (Case Number USCIS COW2021001459)
- On April 15, 2021, **Gregory Fein**, a representative with *Media Research & Clearances Incorporated* in West Hills, California, requested from the United States Coast Guard (USCG) records related to the engagement, collection, testing and/or disinfection of anthrax contamination between October 5, 2001 and November 30, 2001, at various federal buildings. (Case Number USCG 2021-CGFO-01107)
- On April 15, 2021, **Steve Ryan**, a private individual in San Antonio, Texas, requested from U.S. Customs and Border Protection (CBP) records related to the number of individuals processed at the southern border from January 20, 2021 to April 10, 2021. (Case Number CBP-2021-053267)
- On April 15, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records related to the apprehension, processing, and/or housing of undocumented migrants from January 20, 2021 to the present. (Case Number CBP-2021-053272)
- On April 16, 2021, **Brian Hamburg**, a representative with **Hamburg, Lyons & Clouse, LLC**, requested records received from a certain individual directed to Senator Elizabeth Warren from January 1, 2019 to April 16, 2021. (Case Number 2021-HQFO-00795)
- On April 19, 2021, **Chiara Eisner**, a representative with *The State* in Columbia, South Carolina, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Deferred Action for Childhood Arrival recipients residing in South Carolina as of December 31, 2020. (Case Number USCIS COW2021001494)
- On April 19, 2021, **Benjamin Wermund**, a representative with the *Houston Chronicle* in Arlington, Virginia, requested from U.S. Customs and Border Protection

(CBP) disciplinary records filed against border patrol agents in the Rio Grande Valley from October 1, 2017 to present. (Case Number CBP-2021-054411)

- On April 19, 2021, **Emily Crose**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records for videos set as unlisted or private on CBP's YouTube channel. (Case Number CBP-2021-054643)
- On April 20, 2021, **T. McElwee**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) all travel records related to deceased President Idriss Deby, of the Republic of Chad, from December 1, 1990 to April 20, 2021. (Case number CBP-2021-055095)
- On April 20, 2021, **Abigail Weinberg**, a representative with *Mother Jones*, requested from the United States Coast Guard (USCG) records relating to activity in the 1st District, off the coast of Massachusetts, on May 8, 2020. (Case Number USCG 2021-CGFO-01141)
- On April 20, 2021, **Chris McCrory**, a representative with *WWL-TV Digital*, requested from the United States Coast Guard (USCG) records between the USCG District 8 and SEACOR Holdings and any representatives or employees of SEACOR related to the rescue-and-recovery operation for SEACOR Power on or after April 13, 2021. (Case Number USCG 2021-CGFO-01143)
- On April 21, 2021, **Chris McCrory**, a representative with *WWL-TV Digital*, requested from the United States Coast Guard (USCG) records maintained by USCG for any distress/mayday calls made by the SEACOR Power in the Gulf of Mexico, south of Port Fourchon, Louisiana, on April 13, 2021, at approximately 4:30 p.m. CT. (Case Number USCG 2021-CGFO-01149)
- On April 21, 2021, **Cody Lillich**, a representative with *Fox News 8* in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records of the SEACOR POWER inspection documents on March 18, 2020 and certificate of documentation on January 25, 2021. (Case Number USCG 2021-CGFO-01150)
- On April 21, 2021, **David Londo**, a representative with the **Air Marshal National Council** in Plymouth, Massachusetts, requested from the Transportation Security Administration Security (TSA) records from U.S. Customs and Border Protection to the Federal Air Marshal Service for assistance in reference to the March/April 2021 solicitation to assist at the border. (Case Number TSA 2021-TSFO-00393)
- On April 21, 2021, **Jennifer Franklin**, a representative with the **Americans for Public Trust** in Washington, DC, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records exchanged between the Office of the Secretary or the Office of Public Affairs and the White House from February 1, 2021 to April 22, 2021 regarding the no fly list, Yemen, or certain ports of entry. (Case Number DHS 2021-HQFO-00818) On April 21, 2021, **Asher Stockler**, a reporter with *Newsweek* in New York, New York, requested from the U.S. Department of Homeland Security Privacy Office records pertaining to the memorandum of understanding between DHS and the Veterans Health Administration allowing

“prioritized positions” to be vaccinated at VHA facilities. (Case Number DHS 2021-HQFO-00803)

### Late requests

- On April 14, 2021, **Evan Wyloge**, a representative with *The Colorado Springs Gazette* in Georgetown, Colorado, requested from U.S. Citizenship and Immigration Services (USCIS) records for Boulder shooting suspect Ahmad Al Aliwi Alissa and his family members. (Case Number USCIS COW2021001451)
- On April 14, 2021, **Adam Federman**, a representative with *Type Investigations* in Cornwall, Vermont, requested from U.S. Customs and Border Protection (CBP) records related to reports of incursions of wilderness areas in Organ Pipe National Monument and the Cabeza Prieta Wildlife Refuge from January 1, 2019 to present. (Case Number CBP-2021-052771)
- On April 14, 2021, **Brantley Shaw Drake**, a representative with the **American Civil Liberties Union** in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the creation or establishment of outdoor processing, intake or holding center under the Anzaldúa's International Bridge in Granjeno, Texas, from January 20, 2021 to present. (Case number CBP-2021-052782)
- On February 25, 2021, **Clarissa Donnelly-DeRoven** a representative with *Chicago Reader* in Huntington Woods, Michigan, requested from U.S. Immigration and Customs Enforcement (ICE) records showing how many Pro Se COVID-19 parole requests and COVID-19 parole requests ICE received between January 1, 2020 and the date that this request is processed. (Case Number ICE 2021-ICFO-34017)
- On July 17, 2020, **Nomaan Merchant** a representative with *The Associated Press* in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records related to expulsions of immigrant adults and children, including how to determine whether an immigrant will be expelled or referred to ICE or U.S. Department of Health and Human Services. (Case Number ICE 2021-ICFO-34031)
- On January 27, 2021, **Angela Wang** a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Young Living Essential Oils DoTERRA International, LLC Thrive Holdings in Utah. (Case Number ICE 2021-ICFO-33981)
- On January 27, 2021, **Max Siegelbaum**, a representative with *News Media* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) all records from an "@ice.dhs.gov" email address to warden Orlando Rodriguez at the Elizabeth Detention Center in New Jersey containing the phrases "COVID-19" or "coronavirus." (Case Number ICE 2021-ICFO-33986)
- On January 27, 2021, **Hannah Dreier**, a representative with *The Washington Post* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records between DHS and Immigration Centers of America regarding the Farmville facility between June 1, 2020 and August 1, 2020. (Case Number ICE 2021-ICFO-33987).

### III. Freedom of Information Act Releases

- On April 15, 2021, the United States Coast Guard (USCG) released to **Meg Anderson**, a representative with *National Public Radio*, 112 pages of records consisting of a guidebook, presentations, and an instruction used in USCG Academy orientations. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00691)
- On April 15, 2021, the United States Coast Guard (USCG) released to **John Greenwald, Jr.**, CEO of **The Black Vault Inc.** in Castaic, California, two pages of records consisting of a listing of USCG's YouTube channel's videos marked unlisted or private. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00567)
- On April 15, 2021, the United States Coast Guard (USCG) released to **Michael Ravnitsky**, a private individual in Silver Spring, Maryland, two pages of records consisting of a listing of the USCG's YouTube channel's videos marked unlisted or private. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number USCG 2021-CGFO-00600)
- On April 16, 2021, U.S. Customs and Border Protection (CBP) released to **Dorian Hargrove**, a representative with *NBC News 7* in San Diego, California, 255 pages of records pertaining to claims filed against CBP agents for excessive force or misconduct in San Diego County from January 1, 2018 to May 13, 2019. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(A), and 7(E). (Case Number CBP-2019-052111)
- On April 16, 2021, U.S. Customs and Border Protection (CBP) released to **Emily Crose**, a representative with *MuckRock News* in Somerville, Massachusetts, records pertaining to audio and/or visual in-flight recordings of an MQ-9 "Predator B" drone over Minneapolis, Minnesota, on May 29, 2020, between the hours 0900 and 1100. This video was released in full. (Case Number CBP-2020-058481)
- On April 16, 2021, U.S. Customs and Border Protection (CBP) released to **James LaPorta**, a representative with the *Associated Press* in Delray Beach, Florida, records pertaining to video-surveillance footage collected from Predator Drone B CBP 104 during the protests in Minneapolis, Minnesota, following the May 29, 2020, death of George Floyd. This video was released in full. (Case Number CBP-2020-056967)
- On April 16, 2021, U.S. Customs and Border Protection (CBP) issued to **Jake Bleiberg**, a representative with the *Associated Press* in Dallas, Texas, a no-records determination in response to his request for records related to the July 15, 2020, detention and arrest of Mark Pettibone in Portland, Oregon. (Case Number CBP-2020-067233)
- On April 16, 2021, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, a 17-page report titled "Investigations into Deaths in Custody and Use-of-Force Incidents." This report was released in full. (Case Number CBP-2021-047072)

- On April 19, 2021, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 499 pages of communications between CBP and the We Build the Wall group from December 16, 2018 to the present. Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2019-024813)
- On April 19, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Frani O'Toole**, a representative with *Harper's Magazine* in New York, New York, 601 pages of records pertaining to tips reporting H-1B fraud and abuse to the email helpline [reporth1babuse@uscis.dhs.gov](mailto:reporth1babuse@uscis.dhs.gov) from April 2, 2017 to August 17, 2018. Portions of this release were withheld pursuant to FOIA Exemptions 6, and 7(E). (Case Number USCIS COW2018001011)
- On April 19, 2021, U.S. Customs and Border Protection (CBP) released to **Tierney Seed**, a representative with *Talking Points Memo* in Washington, DC, 499 pages of records pertaining to communications between CBP and the We Build the Wall group from December 1, 2018 to the present. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2019-033950)
- On April 19, 2021, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 381 pages of records pertaining to all emails sent by Mark Morgan from October 12, 2016 to January 26, 2017, containing the terms MAGA, great again, build the wall. or build that wall. Portions of this release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number CBP-2019-053436)
- On April 19, 2021, U.S. Customs and Border Protection (CBP) released to **Jason Leopold**, a reporter with *Buzzfeed* in Los Angeles, California, 12 pages of records pertaining to drowning victims in the Rio Grande. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2019-064180)
- On April 19, 2021, U.S. Customs and Border Protection (CBP) released to **David Donatti**, a representative of the **American Civil Liberties Union** in Houston, Texas, 499 pages communications between CBP, the We Build the Wall group, Fischer Industries, and American Eagle Brick Company. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2020-020048)
- On April 21, 2021, U.S. Customs and Border Protection (CBP) released to **Michael Harrington**, a reporter with the *Sandusky Register* in Sandusky, Ohio, records pertaining to the arrest or detainment of individuals made by border patrol agents stationed at the Sandusky Bay Station in Port Clinton, Ohio, from January 1, 2018 to April 30, 2019. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-2019-044567)
- On April 21, 2021, the United States Secret Service (USSS) released to **Ford Heilizer**, a private individual in Arlington, Virginia, seven pages of records related to Ivanka Trump and Kellyanne Conway's visit to a party at Jeff Bezos's home in



Washington, DC. Portions of the release were withheld under Exemptions 6, 7(C) and 7(E). (USSS Case Number 20200423)

- On April 21, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Conor McCormick-Cavnagh**, a representative with *Westword* in Denver, Colorado, 29 pages of records consisting of the Intergovernmental Service Agreement with Teller County Jail in Colorado. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6 and 7(C). (Case Number ICE 2019-ICFO-28297)
- On April 21, 2021 the Department of Homeland Security (DHS) Privacy Office released to **Tess Fardon**, a representative with **BRADY United Against Gun Violence** in Washington, DC, 56 pages of records pertaining to the critical infrastructures list and the firearms and ammunition industry. Portions of this response were withheld pursuant to FOIA Exemption 6. (Case Number 2021-HQFO-00130)
- On April 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Daniel Moattar**, a representative with *The South Side Weekly* in Chicago, Illinois, 69 pages of records related to contracts and payments disbursed to Creative Corrections for consulting or other services provided to ICE. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-20650)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Immigration Council, v. DHS, et al (18-cv-01390-RDM)*, plaintiff filed a FOIA request on December 23, 2016, seeking records regarding metering and/or asylum. Plaintiff filed suit on June 14, 2018 claiming injunctive relief. On April 8, 2021, CBP released to the plaintiff 237 pages of records.
- In the matter of *International Refugee Assistance Project, Inc. v. U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of State (DOS) et al. (1:19-cv-08905-JGK)*, plaintiff filed a FOIA request on May 30, 2019, seeking records pertaining to the most recent versions of Refugee, Asylum, and International Operations (RAIO) Directorate Combined Training Course. On April 16, 2021, USCIS released to the plaintiff 70 pages of records.
- In the matter of *Asian American Advancing Justice v. U.S. Citizenship and Immigration Services (USCIS) et al. (1:19-cv-00411-BAH)*, plaintiff filed a FOIA request on December 21, 2018, seeking records and statistical data pertaining to the new Policy Memorandum PM-602-0050.1. On April 16, 2021, USCIS released 164 pages of records.

- In the matter of *Emily Ryo v. U.S. Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) et al., (20-cv-01792)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to all USCIS N-400 naturalizations applications. On April 20, 2021, USCIS released to the plaintiff six Excel spreadsheets.
- In the matter of *Justice Action Center v. U.S. Immigration and Customs Enforcement (ICE) et. al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to Federal Governments Policies and Instructions regarding the re-calendaring of DACA recipients for removal proceedings. On April 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 398 pages of records.
- In the matter of *Immigrant Defense Project, et al. v. U.S. Department of Homeland Security (DHS) et. al. (1:20-cv-10625)*, plaintiff filed a FOIA request on December 16, 2020, requesting records pertaining to DHS and ICE policies relating to Operation Palladium and surveillance tactics between DHS or ICE and the New York Police Department from December 1, 2019 to March 31, 2020. On April 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 295 pages of records.
- In the matter of *Joanna Cuevas Ingram and the National Immigration Law Center v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on September 22, 2017, requesting records regarding the DACA program. On April 14, 2021, the DHS Privacy Office released to the plaintiff 65 pages of records. (Case Number HQ 2018-HQLI-00031).
- In the matter of *Jason Leopold v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 24, 2018, requesting records pertaining to reports that discuss the threat of domestic terrorism. On April 15, 2021, the DHS Privacy Office released to the plaintiff 294 pages of records. (Case Number HQ 2018-HQLI-00031)
- In the matter of *Kendall Taggart and BuzzFeed v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2018, seeking records sent or received by U.S. Citizenship and Immigration Services (USCIS) ombudsman Julie Kirchner. On April 15, 2021, the DHS Privacy Office released to the plaintiff 130 pages of records. (Case Number 2018-HQLI-00033)
- In the matter of *Jason Leopold and BuzzFeed v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking records sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On April 15, 2021, the DHS Privacy Office released to the plaintiff 386 pages of records. (Case Number 2018-HQLI-00039)
- In the matter of the *American Immigration Council v. U.S. Department of Homeland Security (DHS) and the U.S. Immigration and Customs Enforcement (ICE)*, plaintiff filed a FOIA request on March 19, 2020, requesting records issued by the ICE Health Service Corps COVID-19. On March 19, 2021, the DHS Privacy Office released to the plaintiff 432 pages of records. (Case Number 2020-HQLI-00021)

- In the matter of *Nathan Tempey v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 29, 2018, requesting records pertaining to the press release entitled We Must Secure The Border And Build The Wall To Make America Safe Again. On April 19, 2021, the DHS Privacy Office released to the plaintiff 24 pages of records. (Case Number 2021-HQLI-00004)
- In the matter of *John Lewis and the Democracy Forward Foundation v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking all records pertaining to Katharine Gorka that mention violent extremist phrases used within DHS. On April 20, 2021, the DHS Privacy Office released to the plaintiff 19 pages of records. (Case Number 2019-HQLI-00007)

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
April 22-28, 2021  
DHS Privacy Office  
May 3, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On April 22, 2021, **Brad Moss**, a representative with **The James Madison Project** in Washington, DC, requested from the Transportation Security Administration (TSA) records regarding the unauthorized release of certain open-source information reports in July 2020. (Case Number TSA 2021-TSFO-00399)
- On April 22, 2021, **Daniel McGrath**, a representative with **American Oversight** in Washington, DC, requested from Immigration and Customs Enforcement (ICE) records sent to the DHS Office of the Inspector General in response to medical incidents investigated by the ICE Health Service Corps Medical Quality Management Unit. (Case Number 2021-IGFO-00130)
- On April 22, 2021, **Lauren Harper**, a representative with **National Security Archive** in Washington, DC, requested from the Transportation Security Administration (TSA) records from January 6, 2021 to the present regarding efforts to assist U.S. Capitol Police involved in the events at the U.S. Capitol. (Case Number TSA 2021-TSFO-00401)
- On April 22, 2021, **Patty Nieberg**, a representative with *The Associated Press* in Denver, Colorado, requested from U.S. Customs and Border Protection (CBP) records on animal imports from outside of the U.S. from January 1, 2016 to the present. (Case number CBP-2021-055872)
- On April 22, 2021, **Ryan Luther**, a private individual in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office email records between the office of Governor Christopher Sununu of New Hampshire and the Office of the Secretary dated between January 5, 2017 to April 22, 2021. (Case Number DHS-2021-HQFO-00824)
- On April 22, 2021, **Peter Schey**, a representative with the **Center for Human Rights and Constitutional Law** in Los Angeles, California, requested from the Department of Homeland Security (DHS) Privacy Office records relating to parents and *Flores* class members in ICE custody on January 1, 2020 April 22, 2021. (Case Number DHS-2021-HQFO-00840)
- On April 22, 2021, **Julia Harte**, a representative with *Reuters News*, requested from the Department of Homeland Security (DHS) Privacy Office records of individuals and groups who attended the DHS webinars that were held to discuss the Targeted Violence and Terrorism Prevention FY2021 Grants Program. (Case Number DHS-2021-HQFO-00856)

- On April 23, 2021, **Ryan Luther**, a private individual in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office email records between the office of Governor Christopher Sununu of New Hampshire and the Office of Intergovernmental Affairs between January 5, 2017 to April 22, 2021. (Case Number DHS-2021-HQFO-00825)
- On April 23, 2021, **Katie Dowd**, a representative with *SFGATE* in San Francisco, California, requested from the Transportation Security Administration Security (TSA) email records sent from January to December 2014 and any incident reports from February to September 2014 including the name Marilyn Hartman at San Francisco International Airport, Mineta San Jose International Airport, and/or Los Angeles International Airport. (Case Number TSA 2021-TSFO-00407)
- On April 23, 2021, **Rick Newbold**, a representative with *The National Security Journal* in Bowie, Maryland, requested from the United States Secret Service (USSS) records pertaining to the January 6, 2021, shooting of Ashli Babbitt. (Case Number USSS-2021-0568)
- On April 23, 2021, **David Bier**, a representative of the **CATO Organization** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of the number of H2B and H2A admissions into the United States for fiscal years 2003-2022. (Case Number CBP-2021-056193)
- On April 24, 2021, **Eli Cahan**, a reporter with *Truthout* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to pregnancy and births of people in CBP custody between March 2014 and March 2021. (Case Number 2021-056529)
- On April 26, 2021, **Ian Head**, a representative with **Center for Constitutional Rights** in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the number of Cameroonians under ICE detention between August 1, 2020 to January 19, 2021, on DHS's Criminal History and Immigration Verification System of Records, LeadTrac System of Records, and FALCON Search and Analysis. (Case Number 2021-HQFO-00853)
- On April 26, 2021, **Ian Head**, a representative with **Center for Constitutional Rights** in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office communication with the Honorary Consul of Embassy of the Republic of Cameroon, regarding the removal of Cameroonians between August 1, 2020 to February 26, 2021. (Case Number 2021-HQFO-00854)
- On April 26, 2021, **Nicholas Erickson**, a representative with the **Republican National Committee** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records between Secretary Alejandro Mayorkas and his chief of staff between January 20, 2021 to the present containing terms related to children's books and Kamala Harris. (Case Number 2021-HQFO-00839)
- On April 26, 2021, **Nicholas Erickson**, a representative with the **Republican National Committee** in Washington DC, requested from the Department of Homeland Security (DHS) Privacy Office records sent to or received from DHS that mention terms related to

children's book and Kamala Harris from January 20, 2021 to the present. (Case Number 2021-HQFO-00837)

- On April 26, 2021, **Eli Cahan**, a representative with *Kaiser Health News* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records relating to the number of migrants who entered ICE custody while pregnant, became pregnant or gave birth between March 2014 – March 2021. (Case Number 2021-HQFO-00846)
- On April 27, 2021, **Julia Harte**, a reporter with *Reuters News* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records released in response to a previous FOIA request that pertained to groups known as the "U.S. Border Guard" and the "National Socialist Movement." (Case Number CBP-2021-057076)
- On April 27, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to allegations of staged migrant smuggling from March 9-13, 2021. (Case Number CBP-2021-057126)
- On April 27, 2021, **Andrew Calderon**, a representative with **The Marshall Project** in East Elmhurst, New York, requested from U.S. Customs and Border Protection (CBP) records regarding rescue beacons along the southwest border. (Case Number CBP-2021-057370)
- On April 27, 2021, **Andrew Calderon**, a representative with **The Marshall Project** in East Elmhurst, New York, requested from U.S. Customs and Border Protection (CBP) records showing the geographic extent of every USBP sector/area of responsibility along the southwest border. (Case Number CBP-2021-057401)
- On April 27, 2021, **Julia Harte**, a reporter with *Reuters News* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records from January 1, 2017 to present related to Harry Hughes. (Case Number CBP-2021-057419)
- On April 28, 2021, **Juliet Lee**, a representative with the **National Committee on American Foreign Policy** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records concerning bilateral cooperation on supply chain security and facilitation as a result from the US-China Strategic and Economic Dialogue. (Case Number CBP- 2021-057609)

### Late requests

- On April 2, 2021, **Asher Stockler**, a representative with *Freelance Reporter* in Bedford Hills, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding the Law Enforcement Investigative Database Subscription. (Case Number ICE 2021-ICFO-34162)
- On April 8, 2021, **Todd Feathers**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records detailing data dictionaries held or used by ICE. (Case Number ICE 2021-ICFO-33557).
- On April 21, 2021, **Kaylee Greenlee**, a representative with the *Daily Caller News Foundation* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to guidelines and selection of the press pool for a March 30,

2021 tour of CBP's Temporary Processing Facility in Donna, Texas. (Case Number CBP-2021-055229)

- On April 21, 2021, **CJ Ciaramella**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the construction of the wall on the U.S.-Mexico border between January 20, 2021, and April 13, 2021. (Case Number CBP-2021-055260)
- On April 21, 2021, **Jennifer Franklin**, a representative with **Americans for Public Trust** in Alexandria, Virginia, requested from U.S. Customs and Border Protection (CBP) records exchanged between CBP and the White House regarding the Terrorism Watch List, No-Fly list, Yemen, Calexico Port of Entry, and the El Centro Station from January 1, 2021 to present. (Case Number CBP-2021-055299)
- On April 21, 2021, **Edward Hasbrouck**, a representative with *The Identity Project* in Oakland, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to CBP RFI "Services to Electronically Transmit Airline Data." (Case number CBP-2021-055504)
- On January 1, 2021, **Ken Klippenstein**, a representative with *The Intercept News* in Madison, Wisconsin, requested from U.S. Immigration and Customs Enforcement (ICE) correspondence between ICE and Congress from January 20, 2017 to January 1, 2021. (Case Number ICE 2021-ICFO-34192)
- On January 1, 2021, **Ken Klippenstein**, a representative with *The Intercept News* in Madison, Wisconsin, requested from U.S. Immigration and Customs Enforcement (ICE) email sent from ICE's press secretary and assistant director, Office of Public Affairs. (Case Number ICE 2021-ICFO-34249).
- On March 2, 2021, **Molly Jirasek**, a representative with *News Nation* in Chicago, Illinois, requested from U.S. Immigration and Customs Enforcement (ICE) records between ICE Chief of Staff Timothy Perry and Homeland Security Secretary Alejandro Mayorkas from February 12, 2021, containing the key words related to the border and funding. (Case Number ICE 2021-ICFO-34248)
- On March 13, 2021, **Andrew Free**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records for each month during Fiscal Years 2017-2021 of ICE's monthly budget for custody-management operations. (Case Number ICE 2021-ICFO-34237).

### III. Freedom of Information Act Releases

- On April 23, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kirsti Jespersen**, a representative with **Judicial Watch** in Washington, DC, three pages of records consisting of an email from John Hill relating to funding for the Blue Campaign. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2019-HQFO-00055)
- On April 23, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jonathan Backer**, a representative with **Georgetown University Law Center** in Washington, DC, 39 pages of records regarding public charge. Portions of the release were withheld pursuant to FOIA exemption 6. (Case Number USCIS NRC2018163432)



- On April 23, 2021, U.S. Customs and Border Protection (CBP) released to **John Quirk**, a representative with the **House Armed Services Committee** in Washington, DC, a seven-page “Memorandum of Understanding between U.S. Customs and Border Protection and the Marine Corps Air Station Yuma.” Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2020-025480)
- On April 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Robin Goist**, a representative with **Cleveland.com** in Cleveland, Ohio, 24 pages of records pertaining to the use of the Geauga County Safety Center Portions of the release were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-20735)
- On April 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Peter Schey**, a representative with **Center for Human Rights and Constitutional Law** in Los Angeles, California, 32 pages of records and 1 Excel Spreadsheet relating to parents and *Flores* class members in ICE between January 1, 2020, and date of this request. - Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2020-ICFO-74678)
- On April 26, 2021, the Federal Emergency Management Agency (FEMA) released to Mr. **Jamil Donith**, a representative with **Spectrum News 1** in Chicago, Illinois, records consisting of demographic information for Texas applicants applying for individual and public assistance for a certain disaster declaration in Texas.
- On April 26, 2021, U.S. Customs and Border Protection (CBP) released to **David Bier**, a representative of the **Cato Organization** in Washington, DC, one page of statistics pertaining to the number of “got aways” and “turn backs” from FY 2020 to FY 2022. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2021-040701)
- On April 27, 2021, U.S. Customs and Border Protection (CBP) released to **Andrew Calderon**, a representative with **The Marshall Project** in East Elmhurst, New York, 15 pages of Border Patrol Search Trauma and Rescue team data compiled from October 1, 2014 to present. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case number CBP-2021-045378)
- On April 28, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Clarissa Donnelly-DeRoven**, a representative with the **Chicago Reader** in Chicago, Illinois, 509 pages of records pertaining to the alien file of: (b)(6)  
(b)(6) Portions of the release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number USCIS COW2020000872)
- On April 28, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Kathy Raftery**, a private individual in Dublin, Ireland, 22 pages of records consisting of the late Patrick Gallagher’s alien file. Portions of the release were withheld pursuant to FOIA exemption 6. (Case Number USCIS COW2020001860)

#### IV. Freedom of Information Act Appeals

- On April 26, 2021, **Charley Hart** appealed his FOIA (2021-IGFO-00081) citing the agency's unresponsiveness as the basis for his appeal. Appeal# 2021-IGAP-00014

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS)*, (1:20-cv-02082), plaintiff filed a FOIA request on March 6, 2018, seeking copies of all Form I-924As filed by EB-5 Regional Centers for fiscal year 2017. On April 22, 2021, USCIS released to the plaintiff 617 pages of records.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS and United States Department of Homeland Security (DHS), et al.* (1:20-cv-02348), plaintiff filed a FOIA request on April 29, 2020, seeking records pertaining to training records that are used to train and re-train asylum officers at the Newark Asylum Office from January 1, 2020 to the present. On April 28, 2021, USCIS released to the plaintiff 1,515 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) et al.* (1:18-cv-02932), plaintiff filed a FOIA request on May 18, 2018, seeking records regarding the United States' treatment of Mexican journalist Emilio Gutierrez-Soto; his son, Oscar Emilio Gutierrez-Soto; and their attorney, Eduardo Beckett. On April 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 227 supplemental pages and two Excel spreadsheets of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Department of Homeland Security (DHS) et al.* (1:18-cv-04247), plaintiff filed a FOIA request on June 19, 2018, requesting records relating to facilities housing detained immigrants from 2013 to the present. On April 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,147 pages of records.
- In the matter of *American Oversight v. Immigration and U.S. Immigration Customs Enforcement (ICE) et al.* (1:19-cv-01817-RCL), plaintiff filed a FOIA request on February 8, 2019, requesting medical records pertaining to Roxsana Hernandez and Mergensana Amar. On April 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 518 pages of records.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records reunification and the release of a minor from U.S. Department of Homeland Security (DHS) custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On April 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 249 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking documents about the ATD program from U.S. Immigration and Customs Enforcement, the sub-agency within the Department of

Homeland Security responsible for immigration enforcement nationwide. On April 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 730 pages of records.

- In the matter of *Jason Leopold and BuzzFeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 24, 2017, requesting records regarding Secretary John Kelly consisting of emails, notes, meeting minutes, calendar and appointment books, and phone-call logs from January 21, 2017 to July 31, 2017. On April 28, 2021, the Department of Homeland Security (DHS) released to the plaintiff 157 pages of records. Portions of this release are withheld pursuant to FOIA exemptions 5, 6, 7(E). (Case Number 2018-HQLI-00001)

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
April 29-May 5, 2021  
DHS Privacy Office  
May 10, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On April 22, 2021, **Michelle Malkin**, a private individual in Somerville, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to communication between TSA and/or the FBI regarding the events on January 6, 2021, at the U.S. Capitol that include individuals on the no-fly list. (Case Number TSA 2021-TSFO-00420)
- On April 29, 2021, **Junson Chan**, a private individual in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) records pertaining to communication between TSA and/or the FBI regarding the events on January 6, 2021, at the U.S. Capitol that include individuals on the no-fly list. (Case Number TSA 2021-TSFO-00419)
- On March 29, 2021, **Kevin Glowicki**, a representative with *Never Stop Media LLC* in Kenosha, Wisconsin, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to DHS's investigating social-media tips of armed people coming to Kenosha during the nights of August 23, 2020 to August 31, 2020. (Case Number DHS-2021-HQFO-00861)
- On March 29, 2021, **Eric Geller**, a representative with *Politico* in Arlington, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the Biden Administration's lessons-learned exercise related to SolarWinds and Microsoft Exchange cyber campaigns conducted by various government offices from December 3, 2020 to April 31, 2021. (Case Number DHS-2021-HQFO-00863)
- On April 30, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security Privacy Office email records containing the word "Ravnitzky" in the email account(s) of James Holzer from October 1, 2020 to the present. (Case Number DHS-2021-HQFO-00870)
- On April 30, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the Senior Watch Officer Log for the DHS Office of Operations Coordination and Planning related to the Charlottesville Unite the Right Rally and counter protests from August 11-12, 2017. Case Number DHS-2021-HQFO-00867)

- On April 30, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office email records pertaining to the Senior Watch Officer Log for the DHS Office of Operations Coordination and Planning related to the Las Vegas Shooting on October 1, 2017. (Case Number DHS-2021-HQFO-00868)
- On April 30, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the Senior Watch Officer Log for the DHS Office of Operations Coordination and Planning related to the insurrection at the US Capital, January 6, 2021. (Case Number DHS-2021-HQFO-00865)
- On April 30, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the Senior Watch Officer Log for the DHS Office of Operations Coordination and Planning related to Election Day events from November 3-6, 2020. (Case Number DHS-2021-HQFO-00866)
- On April 30, 2021, **Lindsey Glasgow**, a representative with *The Log Newspaper* in Huntington Beach, California, requested from the United States Coast Guard (USCG) records related to the investigation into a particular Marine Information for Safety and Law Enforcemen database entry. (Case Number USCG 2021-CGFO-01202)
- On April 30, 2021, **Theresa Vitale**, a representative with **The Law Offices of Cotchett, Pitre & McCarthy LLP** in Santa Monica, California, requested from the United States Coast Guard (USCG) records between the USCG and any agent or employee of Carnival Corporation regarding Covid-19 outbreaks from December 1, 2019 to April 5, 2020. (Case Number USCG 2021-CGFO-01206)
- On April 30, 2021, **Christopher Vidrine**, a private individual in Youngsville, Louisiana, requested from the United States Coast Guard (USCG) records between Congressman Clay Higgins regarding the SEACOR boat sinking from April 13-30, 2021. (Case Number USCG 2021-CGFO-01209)
- On May 2, 2021, **Ella Cleveland**, a representative with **Louise Trauma Center LLC** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to an assessment written by an asylum officer for (b)(6) (b)(6) (Case Number USCIS COW2021001669)
- On May 3, 2021, **Cory Reeves**, a private individual in Blue Grass, Iowa, requested from the Transportation Security Administration (TSA) records pertaining to communication between TSA and/or the FBI regarding the events on January 6, 2021, at the U.S. Capitol that include individuals on the no-fly list. (Case Number TSA 2021-TSFO-00430)
- On May 4, 2021, **Kori Rumore**, a representative with the *Chicago Tribune* in Evanston, Illinois, requested from the Transportation Security Administration Security (TSA) passenger throughput totals for O'Hare and Midway International Airports for the month of April 2021. (Case Number TSA 2021-TSFO-00433)
- On May 5, 2021, **Ben Majtyka**, a private individual, requested from the United States Coast Guard (USCG) records regarding Carnival Corporation & PLC and its subsidiaries Princess Cruise Lines and Holland America Line related to the

coronavirus pandemic from February 1, 2020 to the present. (Case Number USCG 2021-CGFO-01224)

- On May 5, 2021, **Jessica Ibert**, a representative with **Lewis, Kullman, Sterbcow & Abramson, LLC** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records regarding the capsizing of the L/B SEACOR POWER on April 13, 2021, at the Gulf of Mexico. (Case Number USCG 2021-CGFO-01225)
- On May 5, 2021, **Hugh Lambert**, a representative with **The Lambert Firm** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records of recordings and transcripts in Port Fourchon, Louisiana, regarding the capsizing of the L/B SEACOR POWER on April 13, 2021. (Case Number USCG 2021-CGFO-01227)
- On May 5, 2021, **David Hodges**, a representative with **WBTW** in Charlotte, North Carolina, requested from the Transportation Security Administration Security (TSA) video records from the TSA baggage-handling area at the Charlotte-Douglas International Airport on November 28, 2020. (Case Number TSA 2021-TSFO-00437)
- On May 5, 2021, **Mikayla Price**, a representative with **CBS 2 Chicago** in Chicago, Illinois, requested from the Transportation Security Administration Security (TSA) records related to the federal-mask mandate in Illinois, specifically all civil-penalty fines to travelers since February 5, 2021 to May 1, 2021. (Case Number TSA 2021-TSFO-00438)

### Late requests

- On April 28, 2021, **Jeffrey Schweers**, a representative with **USA Today** in Tallahassee, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) records of the alien file for Nestor Armando Galban. (Case Number USCIS COW2021001625)
- On February 11, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding executive orders issued on February 2, 2021, on the reunification of families from January 21, 2021 to the present. (Case Number ICE 2021-ICFO-34332)

### **III. Freedom of Information Act Releases**

- On April 29, 2021, the Federal Emergency Management Agency (FEMA) released to Sean McMinn, a representative with **NPR News** in Washington, DC, seven (7) pages of records consisting of Individuals and Households Program (IHP) Eligibility Code Definitions. These pages were released in full. (Case Number 2021-FEFO-00512)
- On April 30, 2021, the United States Secret Service (USSS) released to **Jack Date**, a representative with **ABC News** in Washington, DC, 18 pages of emails regarding the U.S. Secret Service policy on the wearing of masks and other protective measures for mitigating risks associated with COVID-19. Portions of this release were withheld pursuant to exemptions 5, 6, 7(C) 7(D) and 7(E). (USSS Case Number 20210007)

- On April 30, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Evan Minsker**, a representative with *Pitchfork* in Menomonie, Wisconsin, 276 pages of records consisting of documents from the alien file of the late Danie Dumile. Portions of the release were withheld pursuant to FOIA exemptions 3, 6, 7(C), and 7(E). (Case Number USCIS COW2021000311)
- On April 30, 2021, the United States Secret Service (USSS) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, three pages of records pertaining to the use of force on protestors gathered in Lafayette Park on June 1, 2020. Portions of the release were withheld pursuant to exemptions 7(D) and 7(E). (USSS Case Number 20200725)
- On April 30, 2021, the United States Secret Service (USSS) released to **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, three pages of records pertaining to the use of force on protestors gathered in Lafayette Park on June 1, 2020. Portions of the release were withheld pursuant to exemptions 7(D) and 7(E). (USSS Case Number 20200730)
- On April 30, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 28 pages of records consisting of emails sent or received by Acting Secretary of Homeland Security Elaine Duke relating to Hurricanes Harvey, Irma, Maria, and/or Nate. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2019-HQFO-00119)
- On May 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *DocuFreedom Inc.* in Overland Park, Kansas, 127 pages of records from or to any ICE employee to or from any Motel 6 employee from January 1, 2017 to January 1, 2018, related to receiving the immigration status of Motel 6 guests. Portions of the release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-20486)
- On May 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Blake Ellis**, a representative with *CNN*, 290 pages of records relating to the December 2017 death of ICE detainee Kaymar Samimi. Portions of the release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-50781)
- On May 5, 2021, the United States Secret Service (USSS) released to **Linnaea Honl-Stuenkel**, a representative with **Citizens for Responsibility and Ethics in Washington** in Washington, DC, 340 pages of records regarding the decision to erect additional security fencing and barricades around the White House complex, the Ellipse, and Lafayette Park during the week of June 1, 2020. Portions of the release were withheld under exemptions 4, 5, 6, 7(C), and 7(E). (USSS Case Number 20200776)
- On May 6, 2021, the United States Coast Guard (USCG) released to **Ed Slavin**, a private individual in St. Augustine, Florida, 10 pages of records related to the operation of the Bridge of Lions in St. Augustine, Florida. Portions of the release were withheld pursuant to FOIA exemption 6. (Case Number USCG 2019-CGFO-02437)
- On May 6, 2021, the United States Coast Guard (USCG) released to **Jacqui Goddard**, a representative with *The London Times*, forty-eight pages of records



relating to the disappearance of an individual in Frank Bay, St. John in the US Virgin Islands. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCG 2019-CGFO-01096)

**IV. Freedom of Information Act Appeals**

- NSTR

**V. Freedom of Information Act Appeals Releases**

- NSTR

**VI. Litigation**

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 4, 2018, requesting records of communications between political appointees and Congress regarding the costs associated with the family separation policy. On April 30, 2021, the DHS Privacy Office released to the plaintiff 113 pages of records. (Case Number 2019-HQLI-00018)
- In matter of *American Civil Liberties Union v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request May 24, 2018, requesting records consisting of social-media surveillance that include monitoring and retention of immigrants' and visa applicants' social-media information for the purpose of conducting extreme vetting. On April 30, 2021, the DHS Privacy Office released to the plaintiff 311 pages of records. (Case Number 2020-HQLI-00003)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 1, 2017, seeking records of calendar entries for Secretary Elaine C. Duke and other senior-level DHS officials from January 20, 2017 to the present, as well as any calendars maintained for the Secretary's Conference Room and the Deputy Secretary's Conference Room. On April 30, 2021, the DHS Privacy Office released to the plaintiff 50 pages of records. (Case Number 2018-HQLI-0001)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 1, 2017, seeking records of calendar entries for Secretary Elaine C. Duke and other senior-level DHS officials from January 20, 2017 to the present, as well as any calendars maintained for the Secretary's Conference Room and the Deputy Secretary's Conference Room. On April 30, 2021, the DHS Privacy Office released to the plaintiff 85 pages of records. (Case Number 2018-HQLI-00017)
- In the matter of *Mariko Hirose and International Refugee Assistance Project v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2019, seeking records consisting of the surveillance and criminal investigation of refugees in the United States of America. On April 30, 2021, the DHS Privacy Office released to the plaintiff 238 pages of records. (Case Number 2020-HQLI-00008)

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 4, 2018, seeking records consisting of communications between political appointees, Congress, and congressional committees or staff regarding the costs associated with the family separation policy. On May 3, 2021, the DHS Privacy Office released to the plaintiff 53 pages of records. (Case Number 2019-HQLI-00018)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records consisting of calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House Liaison since January 20, 2017. On May 3, 2021, the DHS Privacy Office released to the plaintiff seven pages of records. (Case Number 2019-HQLI-00013)
- In the matter of *Kate Shepard and American Immigration Council v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records related to complaints referencing family separation, data capturing the number of children separated from their families, and the number of adult family members referred for criminal prosecution. On April 30, 2021, the DHS Privacy Office released to the plaintiff 401 pages of records. (Case Number 2018-HQLI-00036)
- In the matter of *The Democracy Forward Foundation v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 9, 2020, seeking records sent to or received by political appointees in the DHS OPA, Office of the Secretary, and Office of the Deputy Secretary from numerous conservative broadcast organizations. On April 30, 2021 the DHS Privacy Office released to the plaintiff 194 pages of records. (Case Number 2020-HQLI-00033)
- In the matter of *Amrit Singh and Open Society Justice Initiative v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 24, 2020, seeking records consisting of COVID-19-related communications. On April 30, 2021, the DHS Privacy Office released to the plaintiff 472 pages of records. (Case Number 2021-HQLI-00001)
- In the matter of *Ghada Wahdan v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2020, seeking records consisting of the requester's DHS security file from January 1, 2018 to December 31, 2019. On April 30, 2021, the DHS Privacy Office released to the plaintiff 161 pages of records. (Case Number 2021-HQLI-00014)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 19, 2020, seeking records consisting of DHS's response to the COVID-19 virus. On April 30, 2021, the DHS Privacy Office released to the plaintiff 111 pages of records. (Case Number 2020-HQLI-00030)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records consisting of calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level

DHS officials and anyone who served as White House Liaison since January 20, 2017. On May 4, 2021, the DHS Privacy Office released to the plaintiff 74 pages of records. (Case Number 2019-HQLI-00013)

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records consisting of calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House Liaison since January 20, 2017. On May 4, 2021, the DHS Privacy Office released to the plaintiff 94 pages of records. (Case Number 2019-HQLI-00013)
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. USICE et. al.*, plaintiff filed a FOIA request on July 6, 2020, seeking various request pertaining to specific ICE documents related to the purchase and use of Palantir Technologies Inc. database systems FALCON and the Investigative Case Management. On April 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 945 pages of records.
- In the matter of *National Immigrant Justice Center v. U.S. Immigration and Customs Enforcement (ICE) (1:19-cv-11131)*, plaintiff filed a FOIA request on December 5, 2019, requesting records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement and state and/or local facilities. On April 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 269 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, requesting records from November 1, 2019 to the present regarding policies/procedures for COVID-19 in specific detention facilities. On April 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 166 pages of records.
- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al. (19-cv-04533)*, plaintiff filed a FOIA request on August 2, 2019, requesting records pertaining to certain program's administration, policies, and practices involving the Institutional Hearing Program . On April 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 501 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al. (1:19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On April 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 688 pages of records.
- In the matter of *American Civil Liberties Union of Pennsylvania, et al. v. U.S. Immigration and Customs Enforcement (ICE) (2:20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, requesting copies of all Form I-213s prepared by

any agent or employee under the supervision of the Philadelphia Field Office and sub-offices from January 1, 2017 to the present. On April 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.

- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE) (1:20-cv-03120-CKK)*, plaintiff filed a FOIA request on September 21, 2020, seeking records related to involuntary medical procedures at the Irwin County Detention Center. On April 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 482 pages of records.
- In the matter of *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) et al. (3:19-cv-07431)*, plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE's pilot program on Rapid DNA testing. On May 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 480 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al., (1:20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, requesting all records regarding government access to or receipt of data from commercial databases containing cellphone location information. On May 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 428 pages of records.
- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et al. (2:21-cv-00066-JAW)*, plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining to transfers of ICE detainees to or from ICE detention facilities in Maine as required by ICE's COVID-19 pandemic response requirements and any records concerning communications with the Cumberland County Jail regarding transfers of ICE detainees. On May 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 542 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to individuals who died while in ICE custody. On May 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 692 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to individuals who died while in ICE custody. On May 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 692 pages of records.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), (3:20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records that relate to the discretionary adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On April 30, 2021, USCIS released to the plaintiff 504 pages of records.

- In the matter of *American Oversight v. U.S. Department of Commerce, U.S. Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00912), plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for L Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and anyone who served as White House Liaison. On April 30, 2021, USCIS released to the plaintiff 1,370 pages of records.
- In the matter of *ACLU of Maine Foundation v. U.S. Citizenship and Immigration Services (USCIS) et al.* (2:20-cv-00422-JA), plaintiff filed a FOIA request on August 5, 2019, seeking information asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On April 30, 2021, USCIS released to the plaintiff 1,741 pages of records.
- In the matter of *Bautista v. Cuccinelli, et al.* (1:20-cv-00339), plaintiff filed a FOIA request on April 10, 2020, seeking records related to the processing of U-Visas. On May 3, 2021, USCIS released to the plaintiff one Excel spreadsheet.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of**  
**May 6-12, 2021**  
**DHS Privacy Office**  
**May 17, 2021**  
**Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On May 6, 2021, **Matthew Mencarini**, a representative with *Louisville Courier Journal* in Louisville, Kentucky, requested from the United States Coast Guard (USCG) records pertaining to fatal collision incidents in the Ohio River since 2010. (Case Number USCG 2021-CGFO-01231)
- On May 6, 2021, **Erica Moser**, a representative with *The Day* in New London, Connecticut, requested from the United States Coast Guard (USCG) records regarding an investigation on a certain individual at the United States Coast Guard Academy. (Case Number USCG 2021-CGFO-01232)
- On May 6, 2021, **Jacob Hargett**, a representative with **Welborn & Hargett** in Lafayette, Louisiana, requested from the United States Coast Guard (USCG) records of the April 13, 2021, SEACOR Power incident. (Case Number USCG 2021-CGFO-01236)
- On May 6, 2021, **Gaetan Pouliot**, a representative with *Radio-Canada* in Montreal, Quebec, requested from U.S. Citizenship and Immigration Services (USCIS) the immigration records of (b)(6) (Case Number USCIS COW2021001756)
- On May 7, 2021, **William Robinson**, a representative with the **Law Office of William Robinson** in North Miami, Florida, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to security investigations of officers who discharged their weapons in the course of employment from May 7, 2015 to May 7, 2021. (Case Number DHS-2021-HQFO-00895)
- On May 7, 2021, **Lomi Kriel**, a representative with *ProPublica* in Houston, Texas, requested from U.S. Customs and Border Protection (CBP) records of unaccompanied migrant children expelled under public health law Title 42 when they tried to cross the border with their families since January 2021. (Case Number CBP-2021-061503)
- On May 10, 2021, **Adam Kehoe**, a private individual in Boston, Massachusetts, requested from the United States Coast Guard (USCG) records related to the sinking of the SEACOR Power off the coast of Louisiana on April 13, 2021. (Case Number USCG 2021-CGFO-01243)
- On May 10, 2021, **Donna Trahan**, a representative with **Waitz & Downer** in Houma, Louisiana, requested from the United States Coast Guard (USCG) records

related to the sinking of the SEACOR Power off the coast of Louisiana on April 13, 2021. (Case Number USCG 2021-CGFO-01244)

- On May 11, 2021, **Ted Hesson**, a representative with *Reuters* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to Secretary Alejandro Mayorkas' meetings from February 2, 2021 to May 10, 2021. (Case Number DHS-2021-HQFO-00912)
- On May 11, 2021, **Mark Spencer**, a representative with *Judicial Watch* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to supplemental Federal Air Marshal security documents for elected members of Congress. (Case Number TSA 2021-TSFO-00455)
- On May 11, 2021, **Geoffrey Ziezulewicz**, a representative with *Military Times* in Vienna, Virginia, requested from the United States Coast Guard (USCG) email records sent to or from Coast Guard Academy Superintendent Rear Adm. William Kelly regarding the conduct of former Command Master Chief Brett VerHulst. (Case Number USCG 2021-CGFO-01263)
- On May 11, 2021, **Geoffrey Ziezulewicz**, a representative with *Military Times* in Vienna, Virginia, requested from the United States Coast Guard (USCG) records of CG-3307 forms for E-9 Coast Guardsmen assigned to the U.S. Coast Guard Academy. (Case Number USCG 2021-CGFO-01264)
- On May 11, 2021, **John Simerman**, a private individual in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records related to the capsizing of the SEACOR Power on April 13, 2021, in the Gulf of Mexico. (Case Number USCG 2021-CGFO-01266)
- On May 11, 2021, **Byron Tau**, a representative with *The Wall Street Journal* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records for CBP's Social Media and OPSEC PALMS course. (Case Number CBP-2021-062229)
- On May 11, 2021, **Tom McKay**, a representative with *Gizmodo* in Washington, DC, requested from the United States Secret Service (USSS) records related to securing presidential pets in the event of an attack or other emergency. (USSS Case Number 20210630)

#### Late requests

- On March 2, 2021, **Anthony Orozco**, a representative with *WITF News* in Harrisburg, Pennsylvania, requested from U.S. Immigration and Customs Enforcement (ICE) records for the Berks Family Residential Center regarding approval for a proposal on approximately February 25, 2021. (Case Number ICE 2021-ICFO-34301)
- On March 29, 2021, **Rebecca Robbins**, a representative with *The New York Times* in Bellingham, Washington, requested from the Federal Emergency Management Agency (FEMA) records pertaining to memoranda regarding COVID-19 vaccination statistics. (Case Number 2021-FEFO-00505)



- On April 8, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Customs and Border Protection (CBP) records related to the apprehensions of two Yemeni nationals listed on an FBI terrorist watch list near the Calxico port of entry in early 2021. (Case Number CBP-2021-050984)
- On April 13, 2021, **Wills Robinson**, a representative with *The Daily Mail* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records related to the construction of the border wall since January 20, 2021. (Case Number CBP-2021-052644)
- On April 29, 2021, **Theodore Karantsalis**, a representative with the *Miami Herald* in Miami Springs, Florida, requested from the Federal Emergency Management Agency (FEMA) records pertaining to COVID-19 vaccination statistics at the Miami Springs Community Center. (Case Number 2021-FEFO-00588)
- On April 29, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the apprehension, processing, and/or housing of undocumented migrants between January 20, 2021. (Case Number ICE 2021-ICFO-34372)
- On May 4, 2021, **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) records of memorandums and non-disclosure agreements for Grayshift and Magnet Forensics. (Case Number TSA 2021-TSFO-00440)
- On February 11, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records sent by certain senior-level officials containing election-related terms from September 25, 2020 to November 2, 2020. (Case Number ICE 2021-ICFO-34714).

### III. Freedom of Information Act Releases

- On May 6, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, four pages of records consisting of email communications sent by Chad Wolf regarding election security. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2020-HQFO-00216)
- On May 7, 2021, the U.S. Citizenship and Immigration Services (USCIS) released to **Ian Smith**, a representative with **Immigration Law Reform Institute** in Washington, DC, 21 pages of records consisting of emails pertaining to the Deferred Action for Childhood Arrival status of Nadia Sol Ileri Unzueta Carrasco. Portions of the release were withheld pursuant to FOIA exemptions 5, and 6. (Case Number USCIS COW2018000018)
- On May 11, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Mathew Callahan**, a representative with **Muslim Advocates** in Washington, DC, one page of records consisting of an email referencing the TUSCAN agreement meeting on September 7, 2017. Portions of this response were

withheld pursuant to FOIA exemptions 5, 6, and 7(E). (Case Number 2018-HQFO-01276)

- On May 11, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Emily Baumgaertner**, a representative with the *Los Angeles Times* in El Segundo, California, nine pages of records consisting of communications between Michelle Person and Megan Davey from December 1-31, 2016. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2019-HQFO-00820)
- On May 12, 2021, the Federal Emergency Management Agency (FEMA) released to **Theodore Karantsalis**, a representative with the *Miami Herald* in Miami Springs, Florida, records pertaining to COVID-19 vaccination statistics at the Miami Springs Community Center. (Case Number 2021-FEFO-00588)
- On May 12, 2021, the Federal Emergency Management Agency (FEMA) released to Rebecca Robbins, a representative with *The New York Times* in Bellingham, Washington, statistics regarding COVID-19 vaccinations. (Case Number 2021 FEFO-00505)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Lawyers Committee for Civil Rights Under Law v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 26, 2018, requesting records for the Presidential Advisory Commission on Election Integrity and the Vaughn-type index. On May 11, 2021, the DHS Privacy Office released to the plaintiff 90 pages of records. (Case Number 2021-HQLI-00004)
- In the matter of *Jason Leopold and BuzzFeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 22, 2020, requesting records pertaining to the Transportation Security Administration's (TSA) response to COVID-19. On May 7, 2021, the DHS Privacy Office released to the plaintiff 324 pages of records. (Case Number 2020-HQLI-00028)
- In the matter of *Catholic Legal Immigration Network, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) et al. (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to temporary protected Status from January 20, 2017, to August 12, 2019. On May 6, 2021, USCIS released to the plaintiff 350 pages of records.
- In the matter of *Safe Passage Project v. U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS) et al. (1:21-cv-03288)*,

plaintiff filed a FOIA request on November 4, 2020, seeking records related to FOIA-processing guidance on the "Unaccompanied Alien Child Screening Addendum," "CBP Form 93," and "suggested trafficking questions." On May 10, 2021, USCIS released to the plaintiff six pages of records.

- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA ("IIUSA") v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) et al. (1:20-cv-02850)*, plaintiff filed a FOIA request on January 15, 2020, seeking records consisting of Form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On May 12, 2021, USCIS released to the plaintiff 54 pages of records.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA ("IIUSA") v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) et al. (1:20-cv-02850)*, plaintiff filed a FOIA request on May 12, 2020, seeking records consisting of Form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2019. On May 12, 2021, USCIS released to the plaintiff 468 pages of records.
- In the matter of *Justice Action Center v. ICE et al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to the federal government's policies regarding the re-calendaring of DACA recipients for removal proceedings. On May 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 86 pages of records.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requesting records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On May 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of *Texas Civil Right Project, et al. v. ICE et al., (1:20-cv-02389-CJN)*, plaintiff filed a FOIA request on August 27, 2020, requesting records describing ICE's role in the ACA program, the HARP program, the PACR program, or the Title 42 expulsion program. On May 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 54 pages of records.
- In the matter of *IDP v. ICE (ICE) et al. (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records of immigration-related arrests by U.S. Immigration and Customs Enforcement (ICE) agents at or near New York State courthouses. On May 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 505 pages of records.
- In the matter of *Jeremy Borden v. U.S. Department of Homeland Security (DHS) et al. (:21-cv-0527-BAH)*, plaintiff filed a FOIA request on February 27, 2020, requesting records related to reports retained by the Department involving (b)(6). On May 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 481 pages of records.

- In the matter of *Make the Road New York & Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting records pertaining to a notice of proposed rulemaking titled “Inadmissibility on Public Charge Grounds.” On May 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 15 pages of records.
- In the matter of *Project on Government Oversight, Inc. v. ICE, et. al. (1:21-cv-00250)*, plaintiff filed a FOIA request on January 27, 2021, requesting records pertaining to records pertaining to emails regarding a Fox News tour of ICE’s Adelanto detention center in the summer of 2019. On May 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 162 pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE’s use of Clearview AI technology and facial-recognition software. On May 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 86 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
May 13-19, 2021  
DHS Privacy Office  
May 24, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On May 13, 2021, **Lisa Huriash**, a representative with *Sun Sentinel Newspaper* in Tamarac, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) immigration records pertaining to Marlon Dwayne Bolton. (Case Number USCIS COW2021001849)
- On May 13, 2021, **Christopher Knight**, a representative with *Argus Media* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to any Jones Act waiver approved by the government between May 1-31, 2021. (Case Number CBP-2021-063273)
- On May 13, 2021, **Kennji Kizuka**, a representative with **Human Rights First** in New York, New York, requested from U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Title 42 expulsions at the southern U.S. border from January 21, 2021 to May 12, 2021. (Case Number DHS-2021-HQFO-00921)
- On May 13, 2021, **Chris Knight**, a representative with *Argus Media* in Washington, DC, requested from U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to any Jones Act waiver that was approved by President Biden between May 1, 2021 and May 31, 2021. (Case Number DHS-2021-HQFO-00923)
- On May 14, 2021, **Hillary Walsh**, a representative with **New Frontier Immigration Law** in Phoenix, Arizona, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to entries/exits, border apprehensions, detentions, and removals. (Case Number 2021-HQFO-00928)
- On May 14, 2020, **John Greenwald**, a representative with *The Black Vault* in Castaic, California, requested from U.S. Customs and Border Protection (CBP) records of video footage related to an unknown object flying near Rafael Hernandez Airport on April 25, 2013, by the crew of a CBP DHC-8 turboprop. (Case Number CBP-2021-063583)
- On May 14, 2021, **Kennji Kizuka**, a representative with **Human Rights First** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to parole and bond decisions and credible fear interviews from October 1, 2015 to May 14, 2021. (Case Number ICE 2021-ICFO-34993)
- On May 14, 2021, **Julie Axelrod**, a representative with the **Center for Immigration Studies** in Washington, DC, requested from U.S. Citizenship and Immigration email records sent by senior-level USCIS officials containing terms related to terminology

changes. from January 20, 2017 to the present. (Case Number USCIS COW2021001862)

- On May 14, 2021, **Julie Axelrod**, a representative with the **Center for Immigration Studies** in Washington, DC, requested from U.S. Citizenship and Immigration Services email records sent between Kathryn Anderson and Brandon Prelogar containing terms related to temporary protected status from January 20, 2017 to the present. (Case Number USCIS COW2021001863)
- On May 14, 2021, **Julie Axelrod**, a representative with the **Center for Immigration Studies** in Washington, DC, requested from U.S. Citizenship and Immigration Services email records sent by certain senior-level officials with the email address ending in who.eop.gov; .com; .net; .org; .edu; or .mail from January 20, 2021 to the present. (Case Number USCIS COW2021001865)
- On May 17, 2021, **David Uberti**, a representative with *The Wall Street Journal* in New York, New York, requested from the Transportation Security Administration (TSA) records related to TSA's Corporate Security Reviews of the Colonial Pipeline Company from 2011 to 2021. (Case Number TSA 2021-TSFO-00470)
- On May 17, 2021, **Sheila Haynes**, a private individual in Falkville, Alabama, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the Pilatus-PC12/47E aircraft registered to the Department of Homeland Security flying over Phoenix, Arizona, from November 2, 2020 to May 14, 2021. (Case Number DHA-2021-HQFO-00930)
- On May 17, 2021, **Algernon D'Ammassa**, a representative with *Las Cruces Sun-news* in Las Cruces, New Mexico, requested from U.S. Customs and Border Protection (CBP) records pertaining to U.S. Border Patrol seizures of marijuana in the El Paso Sector for fiscal years 2019, 2020, and 2021. (Case Number CBP-2021-064249)
- On May 18, 2021, **Simon van Zuylem-Wood**, a representative with *Bloomberg Businessweek* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records related to the privately constructed border fence south of Mission, Texas, by Fisher Industries/Fisher Sand & Gravel from November 1, 2019 to May 18, 2021. (Case Number CBP-2021-064851)
- On May 18, 2021, **Mike Bates**, a representative with *WPNN RADIO* in Pensacola, Florida, requested from the United States Coast Guard (USCG) records related to the death of Seaman Apprentice Robert M. Trippel. (Case Number USCG 2021-CGFO-01288)
- On May 18, 2021, **Tory Johnson**, a representative with the **American Immigration Council**, and **Tsion Gurmu**, a representative with the **Black Alliance for Just Immigration**, requested from U.S. Department of Homeland Security (DHS) Office of Inspector General (OIG) records relating to allegations involving specific ICE immigration detention facilities and/or its employees or contractors. (Case Number 2021-IGFO-00145)
- On May 19, 2021, **Joseph Burke**, a private individual in Akron, Ohio, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records

pertaining to Biometric Data-Sharing Program agreements between the United States and various countries. (Case Number 2021-HQFO-00936)

- On May 19, 2021, **Simon van Zuylen**, a representative with *Bloomberg Businessweek* in Brooklyn, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to four DHS contracts granted to Fisher Industries/Fisher Sand & Gravel to construct border fencing along the southwest border from January 1, 2018 to May 18, 2021. (Case Number DHS-2021-HQFO-00934)
- On May 19, 2021, **Simon van Zuylen**, a representative with *Bloomberg Businessweek* in Brooklyn, New York, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to the 3-mile-long privately funded/owned border wall constructed south of Mission, Texas, by Fisher Industries from December 1, 2019 to May 18, 2021. (Case Number DHS-2021-HQFO-00935)

### Late requests

- On May 10, 2021, **Todd Prince**, a representative with *Radio Free Europe* in Washington, DC, requested from U.S. Citizenship and Immigration Services records related to the alien file of the late Raisa Zingman. (Case Number USCIS COW2021001808)
- On March 12, 2021, **Denise Cathey**, a representative with *The Brownsville Herald* in Brownsville, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of people crossing the U.S.-Mexico border illegally in the Rio Grande Valley Sector from January 1, 2015 to March 12, 2021. (Case Number CBP-2021-042043)
- On December 18, 2020, **Andrew Free**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding work performed by Capgemini under a particular contract award during FY18, FY19, FY20. (Case Number ICE 2021-ICFO-35115)
- On February 11, 2021, **Tyler Olson**, a representative with *Fox News* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) email records since January 20, 2021, mentioning COVID-19-related terms. (Case Number ICE 2021-ICFO- 35113)
- On February 18, 2021, **Pablo Manriquez**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to allegations of abuse or assault reported in accordance with Directive 11062.2 between January 1, 2017 to present. (Case Number ICE 2021-ICFO-35155)
- On February 22, 2021, **Andrew Free**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records related to separation of children identified or suspected to



be United States citizens or nationals from their parents identified or suspected to be non-citizens by officers of CBP or ICE along the U.S.- Mexico border. (Case Number ICE 2021-ICFO-35083)

- On March 9, 2021, **Wills Robinson**, a representative with *DailyMail.com* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the number immigrants enrolled in the Alternative to Detention Program since January 2021. (Case Number ICE 2021-ICFO-35130)
- On April 4, 2021, **Wills Robinson**, a representative with *DailyMail.com* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records of modes of transportation used to transport migrants since January 20, 2021. (Case Number ICE 2021-ICFO- 35134)
- On April 12, 2021, **Curt Devine**, a representative with *CNN* in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records related to a search or stop of a plane in Fort Lauderdale, Florida, between October 1, 2018, and April 1, 2019, involving Halsey W. Beshears or Matthew L. Gaetz. (Case Number ICE 2021-ICFO-35133)
- On April 28, 2021, **Adam Allen**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the number of transgender people removed from the United States from 2010-2020. (Case Number ICE 2021-ICFO-35157)
- On April 22, 2021, **Charles Moloney**, a private individual in Stafford, Virginia, requested from the Federal Law Enforcement Training Centers (FLETC) records pertaining to students and staff regarding COVID-19 policies, restrictions, and protections implemented from January 2020 to the present. (Case Number FLETC FOIA 21-095)

### III. Freedom of Information Act Releases

- On May 12, 2021, the Federal Emergency Management Agency (FEMA) released to **Nicholas Nehamas**, a representative with *The Miami Herald* in Miami, Florida, thirty-eight (38) spreadsheets consisting of data by the state of Florida showing the racial composition of people receiving COVID-19 vaccines at federally supported vaccination sites in Florida. These pages were released in full. (Case Number 2021-FEFO-00584)
- On May 14, 2021, U.S. Customs and Border Protection (CBP) released to **Aaron Cantu**, a representative with *Type Investigations* in Edinburg, Texas, five pages of records consisting of meeting minutes from a roundtable discussion on April 26, 2019, at the Abrams Public Health Center in Tucson, Arizona. Portions of this release were withheld pursuant to FOIA exemptions 6, and 7(C). (Case Number CBP-2019-051682)
- On May 14, 2021, U.S. Customs and Border Protection (CBP) released to **Fernanda Echavarri**, a representative with *Mother Jones Magazine* in San Francisco, California, six pages of records consisting of a story board and notes pertaining to

costs associated with the “The Got Away” video on Border Patrol’s YouTube channel. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2020-078052)

- On May 14, 2021, the United States Secret Service (USSS) released to **Mark Bergen**, a representative with *Bloomberg News* in San Francisco, California, seven pages of records consisting of the facial-recognition pilot at the White House from June 1 and December 4. Portions of the release were withheld pursuant to FOIA exemptions 4, 6, 7(C) and 7(E). (USSS Case Number 20190201)
- On May 17, 2021, U.S. Customs and Border Protection (CBP) released to **Byron Tau**, a representative with *The Wall Street Journal* in Washington, DC, 101 pages of records related to CBP’s Social-Media PALMS course. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number CBP-2021-062229)
- On May 17, 2020, U.S. Customs and Border Protection (CBP) released to **John Greenwald**, a representative with *The Black Vault* in Castaic, California, a full denial in regard to his request for records of an unknown object flying near Rafael Hernandez Airport on April 25, 2013. This release was withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2021-063583)
- On May 18, 2021, the Department of Homeland Security (DHS) Privacy Office released to [redacted (b)(6)], a private individual in La Mesa, California, two pages of records consisting of emails mentioning [redacted (b)(6)]. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2020-HQFO-01721)
- On May 18, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Ryan Shapiro**, a representative with **Property of the People** in Washington, DC, 429 pages of records related to the Agricultural Guest Worker Visa Program from January 20, 2017 to present. Portions of the release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case Number ICE 2018-ICFO-39629)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, requesting records for Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House Liaison since January 20, 2017. On May 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff to 392 pages of records. (Case Number 2019-HQLI-00013)

- In the matter of *David J. Weiner and Arnold & Porter Kaye Scholer, LLP v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 5, 2017, requesting records consisting of waiver provisions of the Second Executive Order by DHS, CPB, the Department of State, or any component agency of the federal government for evaluating waiver requests for EO 13780. On May 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 135 pages of records. (Case Number 2018-HQLI-00006)
- In the matter of *Jason Leopold and BuzzFeed v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on September 16, 2020, seeking records consisting of recent protests in the killing of George Floyd and the government's response. On May 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 147 pages of records. (Case Number HQ 2021-HQLI-00003)
- In the matter of *Jenner & Block LLP v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 1, 2019, seeking records consisting of the investigation or prosecution of Huawei or Meng Wanzhou regarding the United States-China trade relationship or 5G technology or competition. On May 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 81 pages of records. (Case Number 2021-HQLI-00002)
- In the matter of *BuzzFeed v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2018, seeking records consisting of emails sent or received by USCIS ombudsman Julie Kirchner. On May 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 263 pages of records. (Case Number 2018-HQLI-00033)
- In the matter of *Joshua Phillips v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 24, 2018, seeking records mentioning the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Estimate, and the DT Threat Assessment. On May 17, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 214 pages of records. (Case Number 2019-HQLI-00027)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 2, 2017, seeking records consisting of calendar entries/attachments for Secretary Elaine C. Duke and other senior-level officials, as well as any calendars maintained for the Secretary's Conference Room and the Deputy Secretary's Conference Room from January 20, 2017 to the present. On May 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to the 69 pages of records. (Case Number 2018-HQLI-00017)
- In the matter of *BuzzFeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking records consisting of emails dated January 1, 2018 to June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On May 17, 2021, the Department

of Homeland Security (DHS) Privacy Office released to the plaintiff 402 pages of records. (Case Number 2018-HQLI-00039)

- In the matter of *BuzzFeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on August 27, 2020, seeking records consisting of agency decision-makers mentioning or referring to protests and George Floyd from May 25, 2020 to June 1, 2020. On May 19, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 238 pages of records. (Case Number 2020-HQLI-00037)
- In the matter of *VICE News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 28, 2015, seeking records consisting of documents related to Jacob Appelbaum. On May 19, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 118 pages of records. (Case Number 2016-HQLI-00004)
- In the matter of *Matthew L. Hoppock v. U.S. Citizenship and Immigration Services (USCIS) et al. (1:20-cv-00316-RCL)*, plaintiff filed a FOIA request on July 16, 2018, seeking records consisting of email accounts using the search terms Operation Janus, Operation Second Look, and “denaturaliz\*” On May 18, 2021, USCIS release to the plaintiff 162 pages of records.
- In the matter of *American Oversight v. DHS et al. (1:20-cv-02018-BAH)*, plaintiff filed a FOIA request on March 20, 2020, requesting records consisting of “Healthcare and Security Compliance Analysis” reports completed by or for ICE Office of Professional Responsibility. On May 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 295 pages of records.
- In the matter of *Albaladejo v. ICE et al. (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking records consisting of ICE medical summaries for individuals transported between 2003 and present by ICE Air Operations of ERO. On May 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 521 pages of records.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al. (1:19-cv-00912)*, plaintiff filed a FOIA request on October 17, 2018, requesting records pertaining to calendar entries for several senior-level agency officials. On May 18, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff one Excel spreadsheet.
- In the matter of *BuzzFeed v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records consisting of notices to each ICE field office director of instances when a detainee has been held continuously in segregation. On May 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff three Excel spreadsheets.
- In the matter of *Open Society Justice Initiative v. ICE (Case 1:20-cv-00706-RC)*, plaintiff filed a FOIA request on January 28, 2021, seeking records pertaining to the implementation of denaturalization efforts in the United States. On May 19, 2021,

U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 50 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
May 20-26, 2021  
DHS Privacy Office  
May 31, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On May 20, 2021, **Simon van Zuylen-Wood**, a representative with *Bloomberg Businessweek* in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the impact of Fisher Industries' privately constructed border fence in Mission, Texas on U.S. Border Patrol operations, from 2020 to present. (Case Number CBP-2021-065805)
- On May 20, 2021, **Phillip Drake**, a representative with *The Helena Independent Record* in Helena, Montana, requested from the United States Coast Guard (USCG) records pertaining to the October 26, 2018, collision between ATTESSA IV and a fishing boat operated by Prowler Fishing Company off the shore of San Diego. (Case Number USCG 2021-CGFO-01297)
- On May 20, 2021, **Geoffrey Ziezulewicz**, a representative with *The Military Times* in Tysons, Virginia, requested from the United States Coast Guard (USCG) records pertaining to a U.S. Coast Guard report completed on or about 2015 entitled “Culture of Respect.” (Case Number USCG 2021-CGFO-01298)
- On May 20, 2021, **Felipe De La Hoz**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to contractual agreements with the Northrop Grumman Corporation regarding the development and implementation of the Homeland Advanced Recognition Technology System. (Case Number 2021-HQFO-00942)
- On May 20, 2021, **Llewellyn Jones**, a representative with **The Mississippi Center for Investigative Reporting** in Youngsville, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to U.S. Coast Guard Maritime Information Exchange incident reports related to illegal fishing since January 1, 2010. (Case Number USCG 2021-CGFO-01299)
- On May 20, 2021, **Michael Ruiz**, a representative with *Fox News* requested from the United States Coast Guard (USCG) U.S Coast Guard records pertaining to a March 8,

2021, incident in the U.S Virgin Islands involving an individual and his catamaran for alleged safety violations. (Case Number USCG 2021-CGFO-01300)

- On May 20, 2021, **Marshall Griffin**, a representative with **The Griffin Law Firm** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records related to an Admiral's tour as head of CG-1 regarding the sexual-assault reporting program. (Case Number USCG 2021-CGFO-01301)
- On May 21, 2021, **Jeffrey Hagopian**, a private individual in Chelmsford, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to the most recent U.S. Coast Guard Certificate of Inspection and the Amended Certificate of Inspection issued for the vessel SEACOR Power on March 20, 2020. (Case Number USCG 2021-CGFO-01301)
- On May 21, 2021, **Rachel Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2010 to present pertaining to DHS employees alleged to have affiliation with domestic violent extremism. (Case Number 2021-HQFO-00953)
- On May 21, 2021, **Rachel Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to a response to a FOIA request for records related to protests and rallies planned in Washington, DC, for January 6, 2021. (Case Number 2021-HQFO-00954)
- On May 21, 2021, **Rachel Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to a response to several FOIA requests. (Case Number 2021-HQFO-00955)
- On May 21, 2021, **Leigh Lesniak**, a representative with *NBC10 News* in Philadelphia, Pennsylvania, requested from the Transportation Security Administration Security (TSA) records pertaining to the number of people cited at Philadelphia International Airport for not wearing masks since the TSA face-mask requirement rule took effect. (Case Number TSA 2021-TSFO-00487)
- On May 21, 2021, **Jurre Van Bergen**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the United States Secret Service (USSS) records pertaining to communication between Dutch citizen Victor Gevers about the alleged Twitter hack of President Donald Trump. (USSS Case Number 20210659)
- On May 24, 2021, **Marc Cecotti**, a representative with *The Drive* in Marne, France, requested from U.S. Customs and Border Protection (CBP) records pertaining to an incident with an unidentified unmanned aircraft system in Tucson, Arizona, on February 9, 2021. (Case Number CBP-2021-066716)



- On May 24, 2021, **Eric Lichtblau**, a private individual in Bethesda, Maryland, requested from the Office of Inspector General (OIG) records from January 1, 2016 to April 1, 2021 pertaining to security threats posed by white supremacists or white nationalists and/or political interference from political appointees or administration officials in assessing and confronting the threat the aforementioned posed. (Case Number 2021-IGFO-00152)
- On May 24, 2021, **Patrick Terpstra**, a representative with *E.W. Scripps Television Stations and the Newsy Network* in Washington, DC, requested from the Office of Inspector General (OIG) records pertaining to reports about potentially fraudulent applications for the Federal Emergency Management Agency's (FEMA) COVID-19 Funeral Assistance Fund. (Case Number 2021-IGFO-00154)
- On May 24, 2021, **Paul Litzher**, a private individual, requested from the United States Secret Service (USSS) email records related to Jefferey Epstein and other high-profile individuals over the past 20 years. (Case Number USSS 20210660)
- On May 24, 2021, **Sarah Benton**, a private individual, requested from the United States Secret Service (USSS) email records related to certain high-profile individuals in the media over the past 20 years. (Case Number USSS 20210662)
- On May 24, 2021, **Sarah Benton**, a private individual, requested from the United States Secret Service (USSS) email records pertaining to Bill Clinton's dinner at a vegan restaurant in Los Angeles from January to February 2014. (Case Number USSS 20210663)
- On May 24, 2021, **Sarah Benton**, a private individual, requested from the United States Secret Service (USSS) email records related to certain individuals primarily involved in the tech industry in the media over the past 20 years. (Case Number USSS 20210669)
- On May 24, 2021, **Douglas MacMillan**, a representative with *The Washington Post* in Washington, DC, requested from the Transportation Security Administration Security (TSA) records pertaining to validated architecture design reviews TSA conducted on Colonial Pipeline from January 1, 2019 to present. (Case Number TSA 2021-TSFO-00495)
- On May 24, 2021, **Douglas MacMillan**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to validated architecture design reviews the Cybersecurity and Infrastructure Security Agency (CISA) conducted in conjunction with the Transportation Security Administration (TSA) on the Colonial Pipeline from January 1, 2019 to present. (Case Number 2021-HQFO-00958)
- On May 24, 2021, **Douglas MacMillan**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office email records to or from the Cybersecurity and Infrastructure Security

Agency (CISA) staff or to or from anyone with an email address ending in @colpipe.com containing the keywords “VADR” or “Validated Architecture Design Review” from October 1, 2018, to present. (Case Number 2021-HQFO-00959)

- On May 25, 2021, **Douglas MacMillan**, a representative with *The Washington Post* in Washington, DC, requested from the Transportation Security Administration Security (TSA) email records to or from anyone with an email address ending in “@colpipe.com” containing the keywords “VADR” or “Validated Architecture Design Review” from October 1, 2018, to present. (Case Number TSA 2021-TSFO-00496)
- On May 25, 2021, **Mike Canales**, a representative with *KTBC FOX 7* in Austin, Texas, requested from the Transportation Security Administration Security (TSA) records pertaining to the number and type of weapons obtained at checkpoints at Austin-Bergstrom International Airport from January 1, 2020 to May 25, 2021. (Case Number TSA 2021-TSFO-00499)
- On May 25, 2021, **Patrick Eddington**, a representative with the **Cato Institute** in Annandale, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to significant incident reports for encounters with motorists between the CBP SITROOM and the CBP commissioner or his/her designee from January 29, 2015 to present. (Case Number CBP-2021-067077)
- On May 26, 2021, **Steven Goren**, a representative with **Goren Law** in El Cerrito, California, requested from the United States Secret Service (USSS) records pertaining to the \$20 bill that led to the murder conviction of Minneapolis policeman Derrick Chauvin. (USSS Case Number 20210678)
- On May 26, 2021, **James Wasilewski**, a private individual in Cleveland, Ohio, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to retracted UFO images or videos released by official/state media. (Case Number 2021-HQFO-00967)

### Late requests

- On May 11, 2021, **Theodore Hesson**, a representative with *Reuters* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of unaccompanied children at the U.S.-Mexico border after being expelled under the Title 42 health statute from January 20, 2021 to April 30, 2021. (Case Number CBP-2021-062569)
- On May 13, 2021, **Jordan Sekulow**, a representative with **American Center for Law and Justice** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the administration's actions to stem the flow of migrants at the border, the number of migrants with COVID, and the

arrest or detention of any person at the U.S. border on a terror-related or no-fly watch list from November 4, 2020 to the present. (Case Number USCIS COW2021001943)

- On May 17, 2021, **Kennji Kizuka**, a representative with **Human Rights First** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to credible and reasonable fear determinations and affirmative-asylum adjudications from FY16 to the present. (Case Number USCIS COW2021001887)
- On May 17, 2021, **Stuart Richardson**, a private individual in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of shippers, importers and consignees who requested confidential treatment from 1981 to the present. (Case Number CBP-2021-064189)
- On May 17, 2021, **Jennifer Rosenbaum**, a representative with **Global Labor Justice-International Labor Rights Forum** in Washington, DC, requested from U.S. Citizenship and Immigration Services records related to review and determination for Indian nationals and memos related to the standards of review of R-1 visas by USCIS from 2011 to present. (Case Number USCIS COW2021001891)
- On May 19, 2021, **Jennifer Rosenbaum**, a representative with **Global Labor Justice-International Labor Rights Forum** in Washington, DC, requested from U.S. Citizenship and Immigration Services records pertaining to R-1 visa applications for petitioners from India from 2000 to 2021. (Case Number USCIS COW2021001914)
- On May 19, 2021, **Anna Flagg**, a representative with **The Marshall Project** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to children in CBP-holding facilities from February 1, 2021 to the present. (Case Number CBP-2021-065322)
- On August 12, 2019, **Matthew Hoppock**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records regarding "Facilitation of Return Requests" received by the ERO.info mailbox in 2018. (Case Number ICE 2021-ICFO-35390)
- On September 17, 2020, **Matthew Hoppock**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records of incident reports under the interconnection security agreement with the Department of Justice's Justice Management Division since January 1, 2017. (Case Number ICE 2021-ICFO-35415)
- On February 11, 2021, **Wills Robinson**, a representative with **DailyMail.com** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records of misconduct that prompted disciplinary action since the beginning of 2020. (Case Number ICE 2021-ICFO-35490)
- On February 25, 2021, **Aria Jones**, a representative with **Austin American-Statesman** in Austin, Texas, requested from U.S. Immigration and Customs

Enforcement (ICE) records pertaining to Texas detention facilities for preparation during the February 2021 winter storm. (Case Number ICE 2021-ICFO-35224)

- On February 25, 2021, **Eduardo Neret**, a representative with *Fox News Channel* in Miami, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) email records to or from senior-level officials containing the words "detain," "remove," "arrest," or "deport" from January 20, 2021 to February 14, 2021. (Case Number ICE 2021-ICFO-35229)
- On April 16, 2021, **Ana Ibarra**, a representative with *CalMatters News* in Sacramento, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to COVID-19 vaccinations in California's seven ICE detention centers since April 16, 2021. (Case Number ICE 2021- ICFO-35402)
- On April 19, 2021, **David Hausman**, a representative with **American Civil Liberties Union Foundation** in Palo Alto, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to five different categories of removal data from Fiscal Year 2012 to present. (Case Number ICE 2021-ICFO-35491)
- On April 19, 2021, **David Hausman**, a representative with **American Civil Liberties Union Foundation** in Palo Alto, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to risk-classification assessment data. (Case Number ICE 2021-ICFO-35493)

### III. Freedom of Information Act Releases

- On May 20, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Rebecca Beitsch**, a representative with *The Hill* in Washington, DC, five pages of records consisting of emails pertaining to letters exchanged between the U.S. Fish and Wildlife Service and the Federal Emergency Management Agency (FEMA). Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number 2021-HQFO-00591)
- On May 20, 2021, the Federal Emergency Management Agency (FEMA) released to **Emily Davies**, a representative with *WSAW/WZAW-TV* in Wausau, Wisconsin, records consisting of a spreadsheet with the number of applications made, eligibility, ineligibility, and the amount for the Funeral Assistance's COVID-19 program in the state of Wisconsin. These records were released in full. (Case Number 2021-FEFO-00578)
- On May 20, 2021, the United States Secret Service (USSS) released to **David Fahrenthold**, a representative with *The Washington Post* in Washington, DC, five pages of records pertaining to the US Secret Service's rental of a room or rooms at the Mar-a-Lago Club in Palm Beach, California, since January 20, 2021. Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (USSS Case Number 20210626)

- On May 21, 2021, the Transportation Security Administration (TSA) released to **Jack Highberger**, a representative with **NBC 5 (KXAS-TV)** in Fort Worth, Texas, 482 pages of records consisting of passenger complaints at TSA checkpoints at Dallas Love Field Airport. Portions of the release were withheld pursuant to FOIA exemption 6. (Case Number TSA 2020-TSFO-00122)
- On May 21, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Christopher Harland-Dunaway**, a representative with the **Center for Investigative Reporting**, 4,480 pages of records related to Sarbanand Farms and Munger Farms H2A visa applications. Portions of the release were withheld pursuant to FOIA exemptions 5, 6, and 7(E). (Case Number USCIS COW2018000484)
- On May 21, 2021, U.S. Customs and Border Protection (CBP) released to **Zoe Schiffer**, a representative with **Vox Media** in Santa Barbara, California, 29 pages of records pertaining to Steampunk Inc. “Salesforce Program Architect Plus.” Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C) and 7(E). (Case Number CBP-2021-059373)
- On May 24, 2021, U.S. Customs and Border Protection (CBP) released to **James McHugh**, a private individual in Cypress, Texas, a one-page record mentioning a UFO sighting. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2020-077531)
- On May 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kevin Pinkney**, a representative with **Arent Fox LLP** in Washington, DC, 66 pages of records consisting of COVID-19-related contracts awarded to Thomas Scientific LLC. Portions of this release were withheld pursuant to FOIA exemptions 4 and 6. (Case Number HQ 2021-HQFO-00070)
- On May 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Candice Choi**, a representative with **The Associated Press** in New York, New York, five pages of records consisting of emails regarding the Centers for Disease Control and Prevention’s handling of coronavirus cases in the United States. (Case Number 2021-HQFO-00471)
- On May 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Sainath Suryanarayanan**, a representative with **U.S. Right to Know** in Oakland, California, 313 pages of records consisting of a Fiscal Year 2017/2018 report to Congress. These records were released in full. (Case Number HQ 2020-HQFO-01473)
- On May 25, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **T. McElwee**, a representative with **MuckRock News** in Somerville, Massachusetts, 36 pages of records consisting of documents from the alien file of the late Adnan Khashoggi. Portions of the release were withheld pursuant to FOIA exemptions 3, and 7. (Case Number USCIS COW2019501337)

- On May 25, 2021, the Department of Homeland Security's Federal Protective Service released to **Kyle Iboshi**, a representative with **KGW Television Station (Channel 8)** in Portland, Oregon, a no-records determination for the after-action report for Operation Diligent Valor from June 1, 2020 to April 23, 2021. (Case Number 2021-FPFO-00131)
- On May 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Laura Morel**, a representative with **The Center for Investigative Reporting**, 362 pages of records consisting of a contract agreement between ICE and STG international Inc. Portions of the release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-30980)
- On May 25, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Scott Macfarlane**, a representative with **WRC TV** in Gaithersburg, Maryland, 182 pages of records pertaining to ROIs or closed memos for investigations in 2016, 2017, 2018 for computer misuse cases with pornographic-related references regarding DHS staff. - Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2018- ICFO-45193).

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of **Jason Leopold and BuzzFeed News v. the Department of Homeland Security (DHS)**, plaintiff filed a FOIA request on July 30, 2017, and September 12, 2017, seeking records sent or received by former Secretary John Kelly from January 21, 2017 to July 31, 2017. On May 26, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 308 pages of records. (Case Number 2018-HQLI-00001)
- In the matter of **Open Society Justice Initiative v. Department of Homeland Security (DHS) et al. (1:20-cv-00706-RC)**, plaintiff filed a FOIA request on June 21, 2020, seeking records pertaining to implementation of civil and criminal denaturalization procedures in the United States. On May 26, 2021, USCIS released to the plaintiff 40 pages of records.
- In the matter of **American Oversight v. the Department of Homeland Security (DHS)**, plaintiff filed a FOIA request on February 8, 2019, requesting records pertaining to senior-level ICE officials and a list of search terms provided by them. On May 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 146 pages of records. (Case Number 2021-HQLC-00065)

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 23, 2020, seeking records pertaining to the agency's response to the coronavirus pandemic regarding the procurement and distribution of equipment and supplies. On May 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 46 pages of records. (Case Number (2020-HQLI-00029))
- In the matter of *Democracy Forward Foundation v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 13, 2018, seeking records pertaining to the Countering Violent Extremism Grant Program and the Countering Violent Extremism Task Force. On May 21, 2021 the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 313 pages of records. (Case Number 2019-HQLI-00007)
- In the matter of *Tahirih Justice Center v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 5, 2019, seeking records pertaining to CBP officers conducting credible or reasonable fear interviews and any training related to CBP officers conducting CFIs or RFIs. On May 20, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 82 pages of records. (Case Number HQ 2020-HQLI-00005)
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States' treatment of Mexican journalist Emilio Gutierrez-Soto; his son, Oscar Emilio Gutierrez-Soto; and their attorney, Eduardo Beckett. On May 21, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 99 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to the submission, acceptance, and review of detainee health care provided to people held under immigration laws in Kenosha County, Wisconsin. On May 21, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 497 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking records pertaining to the ATD program from U.S. Immigration and Customs Enforcement. On May 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 660 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, requesting records pertaining to policies/procedures for COVID-19 in specific detention facilities from November 1, 2019 to the present. On May 25, 2021, U.S.

Immigration and Customs Enforcement (ICE) released to the plaintiff nine pages of records.

- In the matter of *Orrick, Herrington & Sutcliffe LLP v. (CBP, No. 20-1583)*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding family reunification and the release of a minor from the U.S. Department of Homeland Security (DHS), as required by Paragraph 18 of the *Flores* Settlement. On May 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 256 pages of records.
- In the matter of *Brennan Center for Justice v. U.S. Immigration and Customs Enforcement (ICE) (1:21-cv-02443-JSR)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to the HSI Special Agent Handbooks and memoranda or training materials issued from January 21, 2017 to present. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 270 pages of records.



## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
May 27–June 2, 2021  
DHS Privacy Office  
June 7, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On May 27, 2021, **Dianne Solis**, a representative with *Dallas Morning News* in Dallas, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to expulsions, deportations, or repatriations that occurred from March 20, 2019, to the present at U.S. ports of entry at the southern border. (Case Number CBP-2021-068283)
- On May 27, 2021, **Siobhan Waldron**, a representative with **Immigrant Legal Defense** in Oakland, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to DHS and other agencies referencing Omar Ameen's extradition to Iraq. (Case Number CBP-2021-068286)
- On May 27, 2021, **Marshall Griffin**, a representative with **Griffin Law Firm** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records related to allegations against a cadet and the decision to disenroll him from the Coast Guard Academy. (Case Number USCG-2021-CGFO-01378)
- On June 1, 2021, **Brett Tingley**, a representative with *The War Zone* in Mars Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) email records to or from the director of Air and Marine Operations Southwest Region pertaining to unmanned-aircraft-systems-related matters from February 9, 2021 to March 1, 2021. (Case Number CBP-2021-068964)
- On June 1, 2021, **Brett Tingley**, a representative with *The War Zone* in Mars Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) email records to or from the Tucson Air Branch of the CBP Air and Marine Operations that contain unmanned-aircraft-systems-related matters from February 9, 2021 to March 1, 2021. (Case Number CBP-2021-068965)
- On June 1, 2021, **William La Jeunesse**, a representative with *Fox News* in Washington, DC, requested from United States Secret Service (USSS) records pertaining to members of Congress, excluding House and Senate leadership, requesting or receiving USSS protection transiting to or travelling outside the U.S. Capitol from January 6, 2021 to June 1 2021. (USSS Case Number 20210682)
- On June 1, 2021, **Samantha Beauvais**, a representative with **Human Rights Defense Center** in Lake Worth, Florida, requested from the Transportation Security

Administration (TSA) records pertaining to litigation where the agency or its or insurers paid \$1,000 or more to resolve a claim. (Case Number TSA-2021-TSFO-00517)

- On June 1, 2021, **William La Jeunesse**, a representative with *Fox News* in New York, New York, requested from the Transportation Security Administration (TSA) records pertaining to Representative Maxine Waters and other members of Congress receiving security from the Federal Air Marshal Service from January 6, 2021 to the present. (Case Number TSA-2021-TSFO-00518)
- On June 1, 2021, **Ann Brown**, a representative with the **Center for Biological Diversity** in Portland, Oregon, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to hydrology of the San Pedro River at and/or near the United States-Mexico border regarding construction of the border wall from June 1, 2019 to present. (Case Number 2021-HQFO-00983)
- On June 2, 2021, **Heidi Nowotny**, a representative with **Kirschbaum & Nowotny LLC** in Overland Park, Kansas, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to interactions with border officials and removals or voluntary returns at the border. (Case Number 2021-OBFO-41894)

#### Late requests

- On March 1, 2021, **Christopher Cann**, a representative with *Fresh Take Florida/WUFT News* in Gainesville, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to individuals turned over to ICE by a Florida law-enforcement agency from January 1, 2017 to December 31, 2020. (Case Number ICE-2021-ICFO- 35542)
- On March 1, 2021, **Andrea Nejman**, a representative with the *Sinclair Broadcast Group* in Cockeysville, Maryland, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of detainees released since March 2020 related to the COVID-19 pandemic. (Case Number ICE-2021-ICFO-35526)
- On March 1, 2021, **Christopher Cann**, a representative with *Fresh Take Florida/WUFT News* in Gainesville, Florida, requested from U.S. Immigration and Customs Enforcement (ICE) a list of each Florida ICE facility. (Case Number ICE-2021-ICFO-35543)
- On March 9, 2021, **Sheri McWrither**, a representative with *Traverse City Record – Eagle* in Traverse City, Michigan, requested from the United States Coast Guard (USCG) records pertaining to soil samples or groundwater testing for perfluoroalkyl-substance contamination at USCG Air Station Traverse City on February 1, 2020. (Case Number USCG-2021-CGFO-01373)
- On April 12, 2021, **Jessica Lewis**, a representative with the **American Civil Liberties Union of Massachusetts** in Boston, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to (b)(6) (Case Number ICE-2021-ICFO-33642)

- On April 12, 2021, **Jeremy Jong**, a representative with *Al Otro Lado* in Marywood, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to employee use of force at the Lasalle Detention Center. (Case Number ICE 2021-ICFO-33621)
- On April 13, 2021, **Kevin Kevin**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to inventory lists for DHS Citizens Academies operating within the city of Tampa, Florida; Chicago, Illinois; and the New York, New York from 2018-2020. (Case Number ICE-2021-ICFO-33684)
- On April 26, 2021, **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to communication between ICE and ShadowDragon regarding a contract award from January 1, 2020 to the present. (Case Number ICE-2021- ICFO-34152)
- On April 26, 2021, **Adam Allen**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to LGBTQI training-related information for all US states and territories. (Case Number ICE-2021-ICFO-34153)
- On May 3, 2021, **Jon Feere**, a representative with the **Center for Immigration Studies** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records sent or received by various individuals pertaining to the Optical Practical Training Employment Compliance Unit and other topics from February 1, 2020 to present. (Case Number ICE-2021-ICFO-35525)
- On May 3, 2021, **Bill Frelick**, a representative with the **Human Rights Watch** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to individuals released from immigration-detention facilities due to COVID-19 from March 11, 2020 to present. (Case Number ICE-2021-ICFO-35530)
- On May 6, 2021, **Jose Pagliery**, a representative with *The Daily Beast* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to Congressman Matt Gaetz's visit in Arizona along with U.S. CBP personnel. (Case Number CBP-2021-060870)
- On May 18, 2021, **Rich Saltzberg**, a representative with *The Martha's Vineyard Times* in New Haven, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to the sinking of the F/V DETERMINATION on May 14, 2021. (Case Number USCG-2021-CGFO-01374)
- On May 26, 2021, **Joshua Santos**, a representative with *Saipan Tribune* in Garapan, Northern Mariana Islands, requested from the United States Coast Guard (USCG) records pertaining to the rescue of three fishermen off the coast of Sarigan on May 25, 2021. (Case Number USCG-2021-CGFO-01377)

- On May 26, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to migrant-protection protocol sent or received by certain individuals from December 1, 2018 to the present. (Case Number CBP-2021-067459)
- On May 26, 2021, **Curt Devine**, a representative with **CNN** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to facial-recognition technologies sent or received by the chief counsel since January 1, 2021. (Case Number CBP-2021-067802)

### III. Freedom of Information Act Releases

- On May 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Taylor Amarel Scott**, a representative with **MuckRock News** in Somerville, Massachusetts, 100 pages of records consisting of emails sent to, from, or copied to [calendar.orlando-non-detainedcalendar@ice.dhs.gov](mailto:calendar.orlando-non-detainedcalendar@ice.dhs.gov) containing immigration-related terms from January 1, 2019 to present. Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE-2019-ICFO-36898)
- On May 28, 2021, the Federal Emergency Management Agency (FEMA) released to **Nikhel Sus**, a representative with **Citizens for Responsibility and Ethics in Washington (CREW)** in Washington, DC, a one-page letter from Senator Ted Cruz pertaining to the Texas winter storm. These records were released in full. (Case Number 2021-FEFO-00344)
- On March 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Joshua Phillips**, a representative with the **Epoch Times** in New York, New York, 22 pages of records consisting of a user guide pertaining to FEMA's emergency/contingency plan for the coronavirus pandemic. Portions of this release were withheld pursuant to FOIA exemption 5. (Case Number HQ-2020-HQFO-00926)
- On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with **MuckRock News** in Somerville, Massachusetts, 108 pages of records consisting of recent ICE User-Fee Studies. Portions of the release were withheld pursuant to FOIA exemption 5. (ICE Case Number ICE-2019-ICAP-00183)
- On May 28, 2021, U.S. Customs and Border Protection (CBP) released to **Ariana Sawyer**, a representative with **Human Rights Watch** in Los Angeles, California, 16 pages of records consisting of BORSTAR statistics and the number of rescue beacons. Portions of this release were withheld pursuant to Freedom of Information Act exemption 7(E). (Case Number CBP-2019-028928)
- On May 28, 2021, U.S. Customs and Border Protection (CBP) released to **Ryan Luther**, a private individual in Washington, DC, 23 pages of records consisting of pictures of the border wall and tracking sheets. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number CBP-2020-009581)
- On May 28, 2021, U.S. Customs and Border Protection (CBP) released to **Nicholas Marritz**, a private individual in Washington, DC, 47 pages of records pertaining to

the U.S. Border Patrol (USBP) video “The Gotaway” posted to USBP’s YouTube channel on September 3, 2020. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number CBP-2020-078200)

- On May 28, 2021, U.S. Customs and Border Protection (CBP) released to **James Bridgeman**, a representative with **Station KJBP** in Andover, Minnesota, 47 pages of records pertaining to the U.S. Border Patrol (USBP) video “The Gotaway” posted on USBP’s YouTube channel on September 3, 2020. Portions of this release were withheld pursuant FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number CBP-2020-078209)
- On May 28, 2021, U.S. Customs Border Protection (CBP) released to **Juliet Lee**, a representative with the **National Committee on American Foreign Policy** in New York, New York, nine pages of records consisting of the “Memorandum of Understanding Concerning Bilateral Cooperation on Supply Chain Security and Facilitation.” These records were released in full. (Case Number CBP-2021-057609)
- On June 1, 2021, the United States Secret Service (USSS) released to **Nick Bauer**, a representative with the **Democratic National Committee** in Washington, DC, 105 pages of email records sent or received by the director of the Secret Service pertaining to Black Lives Matter protests. Portions of the release were withheld pursuant to exemptions 6, 7(C) and 7(E). (USSS Case Number 20200878)
- On June 2, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 25 pages of records consisting of email communication between DHS political appointees and members of the Career Senior Executive Service. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2020-HQFO-00143)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *The Intercept v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 2, 2020, seeking records pertaining to Intergovernmental Personnel Act appointments from January 21, 2017 to June 25, 2020. On May 27, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 841 pages of records. (Case Number 2021-HQLI-00008)
- In the matter of *Ghada Wahdan v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2020, seeking records pertaining to the requester’s DHS security file from January 1, 2018 to December 31, 2019. On May

27, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff two pages of records. (Case Number 2021-HQLI-00014)

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 4, 2018, seeking records pertaining to calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 45 pages of records. (Case Number 2019-HQLI-00018)
- In the matter of *Democracy Forward Foundation v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 9, 2020, seeking records pertaining to communications sent to or received by political appointees in the DHS Office of Public Affairs, Office of the Secretary, and Office of the Deputy Secretary from conservative broadcast organizations. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 251 pages of records. (Case Number 2020-HQLI-00033)
- In the matter of *American Civil Liberties Union v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 10, 2020, seeking records pertaining to agreements with vendors regarding government access to or receipt of data from commercial databases containing cellphone-location information. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 23 pages of records. (Case Number 2021-HQLI-00005)
- In the matter of *American Civil Liberties Union v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 24, 2018, seeking records pertaining to the monitoring and retention of immigrants' and visa applicants' social-media information for conducting extreme vetting. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 317 pages of records. (Case Number 2020-HQLI-00003)
- In the matter of *Brennan Center for Justice at NYU School of Law v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on November 5, 2018, seeking records pertaining to a Request for Records Disposition Authority submitted by ICE to the National Archives and Records Administration in January 2017. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 283 pages of records. (Case Number 2020-HQLI-00014)
- In the matter of *International Refugee Assistance Project v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2019, seeking records related to the surveillance and criminal investigation of refugees in the United States. On May 28, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 89 pages of records. (Case Number 2020-HQLI-00008)
- In the matter of *American Immigration Council v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records

pertaining to the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On June 1, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 613 pages of records. (Case Number 2018-HQLI-00036)

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 19, 2020, seeking records pertaining to DHS's response to COVID-19. On May 28, 2021, the DHS Privacy Office released to the plaintiff 270 pages of records. (Case Number 2020-HQLI-00030)
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)*, plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work Logistics Management Institute performed for CBP regarding border-fencing and related tactical infrastructure. On May 28, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 1,260 pages of records.
- In the matter of *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)*, plaintiff filed a FOIA request on March 15, 2017, seeking records pertaining to Executive Order "Border Security and Immigration Enforcement Improvements Concerning the Construction of a Physical Wall on the Southern Border of the United States" after January 25, 2017. On May 28, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 504 pages of records.
- In the matter of *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. CBP et al. (20-cv-03202-GBD)*, plaintiff filed a FOIA request on April 23, 2020, seeking records pertaining to beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa programs. On June 1, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 81 pages of records.
- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al. (19-cv-04533)*, plaintiff filed a FOIA request on August 2, 2019, requesting records pertaining to certain policies involving the Institutional Hearing Program. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 554 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v. Department of Homeland Security (DHS) et al. (1:19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, requesting records pertaining to alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 696 pages of records.
- In the matter of *American Civil Liberties Union of Pennsylvania, et al. v. U.S. Immigration and Customs Enforcement (ICE) (2:20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, requesting records of Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office from



January 1, 2017 to the present. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 754 pages of records.

- In the matter of *Immigrant Defense Project v U.S. Immigration and Customs Enforcement (ICE) et al. (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to the creation, implementation, or oversight of Population Management and other supervision programs. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 583 pages of records and one Excel spreadsheet.
- In the matter of the *National Immigrant Justice Center v U.S. Immigration and Customs Enforcement (ICE), (1:19-cv-11131)*, plaintiff filed a FOIA request on December 5, 2019, requesting records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement (ICE) and state and/or local facilities. On May 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 99 pages of records.
- In the matter of *Electronic Frontier Foundation v. U.S. Department of Homeland Security (DHS) et al. (3:19-cv-07431)*, plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE's pilot program on rapid DNA testing. On June 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 503 pages of records.
- In the matter of *Crew et al. v. U.S. Immigration and Customs Enforcement (ICE) (1:20-cv-03120-CKK)*, plaintiff filed a FOIA request on September 21, 2020, seeking records pertaining to involuntary medical procedures at the Irwin County Detention Center. On June 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 413 pages of records.
- In the matter of *American Oversight v. Immigration and U.S. Immigration and Customs Enforcement (ICE) et al. (1:19-cv-01817-RCL)*, plaintiff filed a FOIA request on February 8, 2019, requesting records pertaining to Roxsana Hernandez and Mergensana Amar. On June 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 524 pages of records.
- In the matter of *Justice Action Center v. U.S. Immigration and Customs Enforcement (ICE) et. al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to the re-calendar of DACA recipients for removal proceedings. On June 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 109 pages of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Department of Homeland Security (DHS) et al. (1:18-cv-04247)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to facilities housing detained immigrants from 2013 to present. On June 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,122 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
June 3–9, 2021  
DHS Privacy Office  
June 14, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On June 3, 2021, **Carolyn Bond**, a private individual in Denver, Colorado, requested from the United States Coast Guard (USCG) records pertaining to a sexual-assault investigation of a cadet at the United States Coast Guard Academy between June 1996 and November 12, 1997. (Case Number USCG 2021-CGFO-01421)
- On June 4, 2021, **Michael Evens**, a representative with **National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to Tamaulipas police-force training in connection to the "Se Busca" initiative that was re-launched in October 2019. (Case Number CBP-2021-070379)
- On June 04, 2021, **Michael Ravnitzky**, an individual in Silver Spring, Maryland, requested from the United States Coast Guard (USCG) records regarding the Coast Guards Office of the Chief Administrative Law Judge's authority to obligate DHS and its components to comply with the administrative appeal disposition. (Case Number USCG 2021-CGFO-01430)
- On June 4, 2021, **Kevin Mahoney**, a representative with **Kreindler & Kreindler LLP** in New York, New York, requested from the United States Coast Guard (USCG) records pertaining to the MV CONCEPTION disaster on September 2, 2019. (Case Number USCG 2021-CGFO-01429)
- On June 4, 2021, **Kimberly Guidry**, a representative with the **Palazzo Law Firm** in Gretna, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to capsizing of the SEACOR POWER in the Gulf of Mexico on April 13, 2021. (Case Number USCG 2021-CGFO-01423)
- On June 6, 2021, **Rebecca Smith**, a representative with *The Wall Street Journal* in San Francisco, California, requested from the United States Coast Guard (USCG) records pertaining to a list of land-based facilities subject to the provisions of the Marine Transportation Security Act. (Case Number USCG 2021-CGFO-01436)
- On June 7, 2021, **Robert Lansden**, a private individual in Ponchatoula, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the capsizing of the SEACOR POWER on April 13, 2021. (Case Number USCG 2021-CGFO-01446)

- On June 7, 2021, **Peter Tompkins**, a representative with **Murphy, Rogers, Sloss, Gambel, & Tompkins** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the capsizing of the SEACOR POWER on April 13, 2021. (Case Number USCG 2021-CGFO-01449)
- On June 7, 2021, **Dan Snellings**, a private individual in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the capsizing of the SEACOR POWER on April 13, 2021. (Case Number USCG 2021-CGFO-01450)
- On June 7, 2021, **Michael Evens**, a representative with **National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to a meeting between the deputy assistant commissioner for the Customs and Border Protection Office of International Affairs, and Mexican Governor Francisco Javier García Cabeza de Vaca. (Case Number CBP-2021-070912)
- On June 7, 2021, **Paul Litzher**, a private individual, requested from United States Secret Service (USSS) records sent between certain email addresses pertaining to Jeffrey Epstein or Ghislaine Maxwell. (USSS Case Number 20210698)
- On June 8, 2021, **Michael Evens**, a representative with **National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to training exercises carried out with police units from the Mexican state of Tamaulipas in November 2017 to November 2018 with the Federal Bureau of Investigation (FBI), CBP and the Texas Department of Public Safety. (Case Number CBP-2021-071376)
- On June 8, 2021, **Rob Berger**, a private individual in Washington, DC, requested from United States Secret Service (USSS) records pertaining to his complaint against an unidentified USSS employee who made inflammatory remarks to him on July 25, 2020, near the White House. (USSS Case Number 20210688)
- On June 8, 2021, **Karilyn Domer**, a representative with **National Security Archive** in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to the training of law-enforcement officials in Tamaulipas, Mexico, from 2019-2020. (Case Number TSA 2021-TSFO-00538)
- On June 8, 2021, **Jon Baker**, a private individual in Saginwa, Texas, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining airlines and/or cruise lines operating in the US or US waters regarding vaccine requirements for COVID-19 from January 2020 to June 8, 2021. (Case Number 2021-HQFO-01017)
- On June 9, 2021, **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to emails from a certain employee regarding DHS failing to address COVID-19 from January 1, 2020 to January 31, 2021. (Case Number 2021-HQFO-01020)

- On June 9, 2021, **Aaron Schaffer**, a representative with *The Washington Post* in Washington, DC, requested from the Transportation Security Administration (TSA) email records with employees of Colonial Pipeline from May 1, 2021 to present. (Case Number TSA 2021-TSFO-00541)
- On June 9, 2021, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from United States Secret Service (USSS) records pertaining to the Hillary Clinton fundraiser in La Jolla, California, on August 7, 2015. (USSS Case Number 20210720)
- On June 9, 2021, **Eric Longabardi**, a representative with *TeleMedia News Production* in Newport Beach, California, requested from the United States Coast Guard (USCG) records pertaining to the inspection report concerning the tall ship THE SPIRIT OF DNA POINT. (Case Number USCG 2021-CGFO-01473)

### Late requests

- On March 1, 2021, **Caroline Haskins**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to two procurement instrument identifiers from August 1, 2020 to the present. (Case Number CBP-2021-038128)
- On March 1, 2021, **Caroline Haskins**, a representative with *Muckrock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to four procurement instrument identifiers from January 1, 2020 to the present. (Case Number CBP-2021-038131)
- On March 3, 2021, **Seth Freed Wessler**, a representative with the **Nation Institute** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the decision by ICE to contract with the Adams County Detention Center in 2018 or 2019. (Case Number ICE 2021-ICFO-35921)
- On March 9, 2021, **Wills Robinson**, a representative with the *DailyMail.com* in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the one-night housing of an immigrant in The South Texas Family Residential Center in Dilley, Texas, and the Karnes County Residential Center in early 2020. (Case Number ICE 2021-ICFO-35985)
- On March 11, 2021, **Xochitl Hernandez**, a representative with *KNDO/KNDU News* in Kennewick, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number and location of ICE deportations in the state of Washington from 2020-2021. (Case Number ICE 2021-ICFO-36052)
- On April 19, 2021, **Wills Robinson**, a representative with *The Daily Mail* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to allegations of misconduct made against CBP employees since January 1, 2020. (Case Number CBP-2021-054613)

### III. Freedom of Information Act Releases

- On June 2, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 25 pages of records consisting of email communication between DHS political appointees and members of the Career Senior Executive Service. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number 2020-HQFO-00143)
- On June 3, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 35 pages of records consisting of email communication between Julie Kirchner and numerous government officials. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number 2021-HQFO-01135)
- On June 3, 2021, the United States Secret Service (USSS) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, six pages of records consisting of email communication sent or forwarded to stephen.miller@who.eop.gov or s.miller@who.eop.gov and other senior-level officials from January 20, 2017 to February 18, 2018. Portions of the release were withheld pursuant to exemptions 6, 7(C) and 7(E). (USSS Case Number 20200550)
- On June 4, 2021, U.S. Customs and Border Protection (CBP) released to **T. McElwee**, a representative with **Muckrock News** in Somerville, Massachusetts, 44 pages of records consisting of the alien file of the late Robert Stewart Trump. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number CBP-2020-073270)
- On June 4, 2021, U.S. Customs and Border Protection (CBP) released to **Sean Dunagan**, a representative of **Judicial Watch** in Salt Lake City, Utah, an eight-page record consisting of a memo titled “Implementation of Interim Revisions to Civil Immigration Enforcement and Removal Policies and Priorities.” Portions of this release were withheld pursuant to FOIA exemptions 6, 7(E), and 7(C). (Case Number CBP-2021-053272)
- On June 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Jason Buch**, a representative with **Underscore News** in Seattle, Washington, 23 pages of records consisting of the alien file of the late Edelio Lopez Falcon. Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2020-ICFO-26727)
- On June 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Jennings Brown**, a representative with **MuckRock News** in Somerville, Massachusetts, 15 pages of records consisting of investigations that resulted in the arrests of three Yuba County, California, residents in September 2012. Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2020-ICFO-33533)
- On June 7, 2021, U.S. Customs and Border Protection (CBP) released to **Ben Wermund**, a representative with the **Houston Chronicle** in Arlington, Virginia, one

spreadsheet consisting of complaints filed against border-patrol agents in the Rio Grande Valley Sector. Portions of this request were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case Number CBP-2021-054411)

- On June 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Hannah Gais**, a representative with *MuckRock News* in Somerville, Massachusetts, seven pages of records consisting of emails referencing Andy Ngo's Twitter account. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number 2020-HQFO-01520)
- On June 9, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, a private individual from Silver Spring, Maryland, and to **Daniel Flatley**, a representative with *Bloomberg* in Washington, DC, 15 pages of records consisting of emails to or from Secretary Chad Wolf referencing certain keywords. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2020-HQFO-01764 and Case Number 2020-HQFO-01851)
- On June 9, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Claire Harvey**, a representative with the **National Security Archive** in Washington, DC, four pages of records consisting of a document titled "Job Aid: DHS Office of Intelligence & Analysis (I&A) Activities in Furtherance of Protecting American Monuments, Memorials, Statues, and Combatting Recent Criminal Violence." This response was released in full. (Case Number 2020-HQFO-01793)
- On June 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Robert Baird**, a representative with *The New Yorker* in New York, New York, 49 pages of records consisting of emails to or from the CDC director and other senior-level officials regarding the coronavirus response. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2021-HQFO-00674)
- On June 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Heidi Perez-Moreno**, a representative with the **University of North Carolina** in Chapel Hill, North Carolina, five pages of records consisting of emails between Chad Wolf and Thomas Homan. Portions of this release were withheld pursuant to FOIA exemptions 5, 6 and 7(C). (Case Number 2020-HQFO-01875)
- On June 8, 2021, U.S. Customs and Border Protection (CBP) released to **Jesse Franzblau**, a representative with the **National Immigrant Justice Center** in the Washington, DC, a no-records response pertaining to Operation Streamline from January 1, 2017 to present. (Case Number CBP-2019-077960)
- On June 8, 2021, U.S. Customs and Border Protection (CBP) released to **Emily Gogolak**, a representative with *Pulitzer Center* in Austin, Texas, 52 pages of records consisting of statistics regarding the number of human-smuggling attempts intercepted by border-patrol agents involving commercial trucks since 1990. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2020-082090)

- On June 8, 2021, the United States Secret Service (USSS) released to **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California, five pages of records consisting of the Secret Service's decision to ground Marine One, VH-3 and VH-60 on November 10, 2018, due to inclement weather. Portions of the release were withheld pursuant to exemptions 6, 7(C) and 7(E). (USSS Case Number 20190185)
- On June 8, 2021, the United States Secret Service (USSS) released to **Andrew Solender**, a representative with *Forbes* in New York, New York, five pages of records pertaining to if the Secret Service or any government department refused or was unable to drive or transport the president to the Aisne-Marne American Cemetery during a trip to France in 2018. Portions of this release were withheld pursuant to exemptions 6, 7(C) and 7(E). (USSS Case Number 20201035)
- On June 9, 2021, U.S. Customs and Border Protection (CBP) released to **Stuart Richardson**, a private individual in New York, New York, a one-page record consisting of statistics for manifests granted confidentiality. This response was released in full. (Case Number CBP-2021-064189)
- On June 9, 2021, the Transportation Security Administration (TSA) released to **Enid Zhou**, a representative with **Electronic Privacy Information Center (EPIC)** in Washington, DC, 162 pages of records pertaining to TSA's implementation of temperature checks at U.S. airports in response to COVID-19. Portions of the release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number TSA 2020-TSCO-00031)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Immigration Council v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 19, 2020, seeking records pertaining to COVID-19 issued by the ICE Health Service Corps. On June 7, 2021, the DHS Privacy Office released to the plaintiff 155 pages of records. (Case Number 2020-HQLI-00021)
- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to emails sent or forwarded to [stephen.miller@who.eop.gov](mailto:stephen.miller@who.eop.gov) or [s.miller@who.eop.gov](mailto:s.miller@who.eop.gov); and records reflecting communication between selected custodians and White House Executive Assistant McLaurine Klingler. On June 4, 2021, the DHS Privacy Office released to the plaintiff 267 pages of records. (Case Number 2019-HQLI-00008)



- In the matter of *Make the Road New York v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 6, 2019, seeking records pertaining to how public-charge assessments have been made and implemented in the past two decades. On June 8, 2021, the DHS Privacy Office released to the plaintiff 35 pages of records. (Case Number 2018-HQLI-00030)
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen who arrive at the U.S.-Mexico border. On June 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 339 pages of records.
- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et al. (2:21-cv-00066-JAW)*, plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining to transfers of ICE detainees to or from ICE detention facilities in Maine as required by ICE's COVID-19 pandemic-response requirements. On June 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff a one-page record.
- In the matter of *Jeremy Borden v. U.S. Department of Homeland Security (DHS) et al. (:21-cv-0527-BAH)*, plaintiff filed a FOIA request on February 27, 2020, requesting records pertaining to Eckart Frahm, a Yale antiquities expert, who has assisted in an expert capacity with DHS antiquities investigations. On June 7, 2021, U.S. Immigration and Customs Enforcement (ICE) re-released to the plaintiff 445 pages of records.
- In the matter of *Knight First Amendment Institute at Columbia University v. Department of Homeland Security (DHS) et al. (1:17-cv-07572-AIC)*, plaintiff filed a FOIA request on August 7, 2017, requesting records pertaining to immigrant-vetting policies based on individuals' speech, beliefs, or associations. On June 7, 2021, Immigrations and Customs Enforcement (ICE) released to the plaintiff 58 pages of records.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records pertaining to reviews conducted by a field office director when a detainee has been held in segregation. On June 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff four Excel spreadsheets.
- In the matter of *Texas Civil Right Project, et al. v. ICE et al. (1:20-cv-02389-CJN)*, plaintiff filed a FOIA request on August 27, 2020, requesting records pertaining to ICE's role in the ACA program, the HARP program, the PACR program, or the Title 42 Expulsion Program. On June 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 63 pages of records.

### 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

**Freedom of Information Act (FOIA) Activity for the Week of  
June 10–16, 2021  
DHS Privacy Office  
June 21, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On June 10, 2021, **Harvey Claire**, a representative with **National Security Archive** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to calendar events or internal correspondence referencing DHS's decision to ban TikTok on Department-issued devices. (Case Number 2021-HQFO-01048)
- On June 11, 2021, **Kevin Herrera**, a representative with **Just Futures Law** in Canton, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to DHS contractual agreements for data services provided by RELX or Thomson Reuters. (Case Number 2021-HQFO-01051)
- On June 14, 2021, **Elle Stuart**, a representative with **K&L Gates** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to Jones Act Waivers for vessel transportation of refined petroleum products issued by DHS on May 12 and 13, 2021. (Case Number 2021-HQFO-01053)
- On June 14, 2021, **Eric Geller**, a representative with *Politico* in Arlington, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to feedback submitted to the TSA regarding Security Directive Pipeline-2021-01. (Case Number TSA 2021-TSFO-00549)
- On June 15, 2021, **Rebecca Smith**, a representative with *The Wall Street Journal* in San Francisco, California, requested from the Transportation Security Administration (TSA) records pertaining to information received by DHS and/or TSA from pipeline operators regarding compliance for pipeline security. (Case Number TSA 2021-TSFO-00555)
- On June 15, 2021, **Bob Cusack**, a representative with *The Hill* in Fairfax, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to the number of violators who did not challenge the proposed penalty regarding the face-mask mandate. (Case Number TSA 2021-TSFO-00556)
- On June 15, 2021, **Whitney Wild**, a representative with *CNN* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to documents presented by DHS intended to coordinate law-enforcement

preparation and responses to events on January 6, 2021. (Case Number 2021-HQFO-01064)

- On June 15, 2021, **Maegan Vazquez**, a representative with *CNN* in Washington, DC, requested from the United States Secret Service (USSS) records pertaining to President Joe Biden's Peloton exercise-bike routine from May 1, 2020 to the present. (USSS Case Number 20210742)
- On June 16, 2021, **Jean Guerrero**, a private individual in La Mesa, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to recidivism data for the southwest border for May 2021. (Case Number CBP-2021-074126)
- On June 16, 2021, **Ryan Ewing**, a representative with *Airline Geeks* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to enforcement actions by TSA against air passengers for failing to wear face coverings pursuant to a Centers for Disease Control and Prevention order. (Case Number TSA 2021-TSFO-00558)

#### Late requests

- On March 26, 2021, **Nomaan Merchant**, a representative with *The Associated Press* in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to documents that direct agents of DHS or its component agencies on how to expel or process expulsions of immigrant adults and children under Title 42. (Case Number ICE 2021-ICFO-36823)
- On March 26, 2021, **Jason Hopkins**, a representative with **The Immigration Reform Law Institute** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to a weekly Friday report by executive associate directors for ICE Enforcement and Removal Operations that identify enforcement action from February 18, 2021 to March 26, 2021. (Case Number ICE 2021-ICFO-36820)

### **III. Freedom of Information Act Releases**

- On June 10, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Emma Best**, a representative with *MuckRock News* in Somerville, Massachusetts, 21 pages of records consisting of emails referencing the BlueLeaks hack and the Distributed Denial of Secrets hack. Portions of this response were withheld pursuant to FOIA exemptions 6 and 7(E). (Case Number 2020-HQFO-01339)
- On June 10, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Matt Jackson**, a representative with **Scopia** in New York, New York, four pages of records consisting of emails between the Centers for Disease Control and Prevention and the World Health Organization regarding infection rates of the coronavirus in China from January 15, 2020 to February 15, 2020. Portions of this

release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2021-HQFO-00761)

- On June 10, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Damian Paletta**, a representative with *The Washington Post* in Washington, DC, four pages of records consisting of calendars/schedules from December 30, 2019 to July 26, 2020 of certain senior-level staff members at the Centers for Disease Control and Prevention. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2021-HQFO-00738)
- On June 11, 2021, U.S. Customs and Border Protection (CBP) released to **Christopher Knight**, a representative with *Argus Media* in Washington, DC, six pages of records related to the approval of Jones Act Waivers from May 1, 2021 to May 31, 2021. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C). (Case Number CBP-2021-063273)
- On June 11, 2021, the Federal Emergency management Agency (FEMA) released to **Tami Abdollah**, a representative with *The Associated Press* in Washington, DC, 930 pages of records consisting of contracts awarded to Coconut Properties LLC., Reality Realty PSC, Orphans LLC., and Prime Property Management Corporation in support of Hurricane Marian. Portions of this release were withheld pursuant to FOIA exemptions 3, 4, 5 and 6. (Case Number 2018-FEFO-00456)
- On June 11, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Kristian Madsen**, a representative with *POLITIKEN* in Washington, DC, 358 pages of records consisting of the arrest, prosecution and investigation of Kai Lundstrom Pedersen. Portions of the release were withheld pursuant to FOIA exemptions 3, 5, 6, 7(C) and 7(E). (Case Number ICE 2017- ICFO-29527)
- On June 11, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Angelina Godoy**, a representative with the **University of Washington** in Seattle, Washington, 14 pages of records consisting of the Data Management Plan for ICE Air Operations within ICE ERO. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2019-ICFO-33302)
- On June 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, four pages of records consisting of calendar entries for specific Centers for Disease Control and Prevention leadership from January 1, 2020 to present. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number HQ 2021-HQFO-00743)
- On June 14, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kirsten Berg**, a representative with *ProPublica* in Washington, DC, four pages of records consisting of calendar entries sent or received by Centers for Disease Control and Prevention (CDC) leadership related to issues with coronavirus tests at the CDC lab in Atlanta, Georgia, between February 15, 2020 and March 6, 2020. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number HQ 2021-HQFO-00914)

- On June 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Caitlin Dickerson**, a representative with *The New York Times* in New York, New York, 720 pages of records consisting of inspection reports conducted at the Allen Parish Jail in Louisiana from January 1, 2015 to present. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-14863)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On June 14, 2021, the DHS Privacy Office released to the plaintiff 374 pages of records. (Case Number 2019-HQLI-00013)
- In the matter of *Buzzfeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 1, 2020, seeking records pertaining to documents from agency decision-makers mentioning or referring to protests and George Floyd from May 25, 2020 to June 1, 2020. On June 11, 2021, the DHS Privacy Office released to the plaintiff 286 pages of records. (Case Number 2020-HQLI-00037)
- In the matter of *Citizens for Responsibility and Ethics in Washington (CREW) v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of federal law enforcement in response to racial protests along with federal authorities' treatment of protesters. On June 11, 2021, the DHS Privacy Office released to the plaintiff 50 pages of records. (Case Number (2021-HQLI-00009)
- In the matter of *Joshua Phillips v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est, the DT Threat Assessment, and any reports that discuss the threat of domestic terrorism. On June 15, 2021, the DHS Privacy Office released to the plaintiff 363 pages of records. (Case Number 2019-HQLI-00027)
- In the matter of *BuzzFeed News v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner pertaining to meetings attended, summaries of meetings, calendar-book entries, and phone-call logs. On

June 16, 2021 the DHS Privacy Office released to the plaintiff 172 pages of record. (Case Number 2018-HQLI-00033)

- In the matter of *Sidley Austin LLP v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on May 1, 2019, seeking records pertaining to documents related to the investigation or prosecution of Huawei or Meng Wanzhou in relation to the United States-China trade relationship. On June 16, 2021, the DHS Privacy Office released to the plaintiff 57 pages of records. (Case Number (2021-HQLI-00002)
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requesting records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of the *IDP v. ICE (ICE) et al. (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records pertaining to civil-immigration arrests by U.S. Immigration and Customs Enforcement (ICE) agents that occur at or near New York State courthouses. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 514 pages of records.
- In the matter of *Graham v. U.S. Dept. of Homeland Security (2:19-cv-02429-TLN-JDP)*, plaintiff filed a FOIA request on December 4, 2019, seeking records related to documents that describe ICE's policies and procedures. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 431 pages of records.
- In the matter of the *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, requesting records pertaining to agreements with vendors regarding government access to or receipt of data from commercial databases containing cell-phone-location information. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 400 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to individuals who died in ICE custody. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 737 pages of records.
- In the matter of *Hannah Rapple and NBC Universal Media v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking records pertaining to individuals who died in ICE custody. On June 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 737 pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking

records related to ICE's use of Clearview AI technology and facial-recognition software. On June 11, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 20 pages of records.

- In the matter of *Make the Road New York & Center for Constitutional Rights v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-04607-BMC)*, plaintiff filed a FOIA request on June 21, 2018, requesting records pertaining to a notice of proposed rulemaking titled “Inadmissibility on Public Charge Grounds.” On June 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 87 pages of records.
- In the matter of *American Immigration Council et.al v. USCIS, et. al; 20-cv-03266- DMR*, plaintiff filed a FOIA request on December 21, 2019, requesting records relating to instructions, directives, or guidance to U.S. Department of Homeland Security (DHS) employees on migrant-protection protocols from December 2019 to the present. On June 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 197 pages of records.
- In the matter of *Project on Government Oversight Inc. v. ICE, et. al.; 1:21-cv-00250*, plaintiff filed a FOIA request on January 27, 2021, requesting records pertaining to emails regarding a Fox News tour of ICE’s Adelanto detention center in the summer of 2019 from January 20, 2017 to the present. On June 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 94 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States’ treatment of Mexican journalist Emilio Gutierrez-Soto; his son, Oscar Emilio Gutierrez-Soto; and their attorney, Eduardo Beckett. On June 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 262 supplemental pages of records.
- In the matter of *Center for Gender & Refugee Studies v U.S. Immigration and Customs Enforcement (ICE) et al. (4:21-cv-01065-DMR)*, plaintiff filed a FOIA request on February 12, 2021, requesting records pertaining to policies relating to asylum and withholding of removal claims based in whole or in part on a “gender-alone” particular social group. On June 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 246 pages of records.



## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
July 1-7, 2021  
DHS Privacy Office  
July 12, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On July 1, 2021, **Leah Watch**, a representative with **American Civil Liberties Union** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to Antifa, Black Lives Matter, or The Peoples Revolution identifying which DHS agents or personnel were on duty in Kenosha, Wisconsin. (Case Number CBP-2021-079700)
- On July 1, 2021, **Hugh Lambert**, a representative with **The Lambert Firm** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to incidents involving COVID-19 exposure aboard vessels owned and/or operated by Westbank Fishing LLC between January 2020 and October 2020. (Case Number USCG 2021-CGFO-01704)
- On July 1, 2021, **Daniel Monk**, a representative with **ABC 9 WCPO** in Cincinnati, Ohio, requested from the United States Coast Guard (USCG) records pertaining to Coast Guard inspections and revocation or forfeiture of certificates of inspection at Queen City Riverboats. (Case Number USCG 2021-CGFO-01698)
- On July 1, 2021, **Hannah Gais**, a representative with the **Southern Poverty Law Center** in Montgomery, Alabama, requested from the Transportation Security Administration (TSA) records pertaining to white nationalist Nicholas J. Fuentes being on TSA's no-fly list or in possession of "selectee" status. (Case Number TSA 2021-TSFO-00595)
- On July 1, 2021, **Eric Geller**, a representative with **Politico** in Arlington, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to vulnerability-assessment reports submitted by pipeline owners/operators pursuant to Security Directive Pipeline-2021-01. (Case Number TSA 2021-TSFO-00597)
- On July 1, 2021, **Perry Beeman**, a representative with the **Iowa Capital Dispatch** in Des Moines, Iowa, requested from the Transportation Security Administration (TSA) records pertaining to the arrest or other legal action by TSA over the past five years involving Brad Zaun. (Case Number TSA 2021-TSFO-00599)
- On July 1, 2021, **Nathaniel Serslev**, a representative with **Americans for Public Trust** in Alexandria, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to documents maintained by the Office of

the Secretary detailing meetings with Hartina Flournoy from January 20, 2021 to July 7, 2021. (Case Number 2021-HQFO-01180)

- On July 2, 2021, **Michael Taylor**, a private individual in Spotsylvania, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the number of equal employment opportunity settlements CBP agreed to since 2016 in the U.S. Office of Special Counsel Prohibited Personnel Practice. (Case Number 2021-HQFO-01168)
- On July 6, 2021, **Allison Mollenkamp**, a representative with *NPR* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to disability-related traveler complaints TSA received from January 1, 2018 to December 31, 2020. (Case Number TSA 2021-TSFO-00609)
- On July 6, 2021, **Allison Mollenkamp**, a representative with *NPR* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to disability-related traveler complaints regarding TSA responses and investigations and any disciplinary action taken against TSA officers or other TSA employees. (Case Number TSA 2021-TSFO-00610)
- On July 6, 2021, **Allison Mollenkamp**, a representative with *NPR* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to disability-related traveler complaints regarding TSA responses and investigations and any disciplinary action taken against TSA officers or other TSA employees. (Case Number TSA 2021-TSFO-00611)
- On July 6, 2021, **Ignangeli Salinas-Muniz**, a private individual in Ann Arbor, Michigan, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to which members of Congress contacted DHS from January 2007 to January 2021 and the subject of their inquiry. (Case Number 2021-HQFO-01171)
- On July 7, 2021, **Nicole Gaudiano**, a representative with the *Insider* in Arlington, Virginia, requested from the Transportation Security Administration (TSA) records pertaining to the number of incidents from January 2019 to the present involving TSA employees being physically assaulted and reports of alleged incidents. (Case Number TSA 2021-TSFO-00607)
- On July 7, 2021, **Jared Odessky**, a representative with **Legal Aid Work** in San Francisco, California, requested from the United States Coast Guard (USCG) records pertaining to military-separation codes used from October 1, 1949 to September 20, 2011, identifying military personnel for perceived sexual perversion. (Case Number USCG 2021-CGFO-01736)
- On July 7, 2021, **Jackson Hicks**, a representative with *Gray Television & Investigate TV*, requested from the United States Coast Guard (USCG) records pertaining to the amount paid by transportation-service providers for damage claims from 2015 to 2019. (Case Number USCG 2021-CGFO-01735)
- On July 7, 2021, **Stephen Hobbs**, a representative with *Post and Courier* in Charleston, South Carolina, requested from the United States Coast Guard (USCG)

records pertaining to reports generated by U.S. Coast Guard officials in response to a boat crash on February 24, 2019, in Port Royal, South Carolina. (Case Number USCG 2021-CGFO-01706)

### Late requests

- On June 3, 2021, **Rachael Levy**, a representative with *The Wall Street Journal* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to a 2016 inspection report of the late Samuel James Cassidy. (Case Number CBP-2021-070074)

### III. Freedom of Information Act Releases

- On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Martha Bellisle**, a representative with *Associated Press* in Seattle, Washington, 141 pages of records and one Excel spreadsheet pertaining to negligent or accidental discharges by ICE agents from January 1, 2012 to May 22, 2018. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-38529)
- On July 1, 2021, the Federal Emergency Management Agency (FEMA) released to **Gregory Korte**, a representative with *Bloomberg News* in Washington, DC, 38 pages of records consisting of letters from FEMA Administrator Pete Gaynor regarding voluntary agreements. The records were released in full. (Case Number 2021-FEFO-00707)
- On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Nicholas Brewer**, a representative with *MuckRock News* in Somerville, Massachusetts, two pages of records pertaining to Electronic Questionnaires for Investigations Processing (E-QIP) policy and credit criteria for workers in immigration-detention centers. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number ICE 2018- ICFO-35019)
- On July 2, 2021, U.S. Customs and Border Protection (CBP) released to **Matthew Drange**, a representative with *Protocol Media* in San Francisco, California, 172 pages of records consisting of contracts and other agreements with vendors regarding government access to data from commercial databases containing cell-phone-location information. Portions of this release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C), and 7(E). (Case Number CBP-2020-038158)
- On July 2, 2021, U.S. Customs and Border Protection (CBP) released to **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, 172 pages of records consisting of contracts and other agreements with vendors regarding government access to data from commercial databases containing cell-phone-location information. Portions of this release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C) and 7(E). (Case Number CBP-2020-079063)
- On July 2, 2021, U.S. Customs and Border Protection (CBP) released to **Carolina Haskins**, a representative with *MuckRock News* in Somerville, Massachusetts, 172

pages of records consisting of the use of the word "Venntel." Portions of this release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C) and 7(E). (Case Number CBP-2021-038125)

- On July 2, 2021, U.S. Customs and Border Protection (CBP) released to **Bryan Tau**, a representative with *The Wall Street Journal* in Washington, DC, 172 pages of records consisting of CBP's targeting and analysis systems program referencing Venntel Inc. Portions of this release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C), and 7(E). (Case Number CBP-2020-041951)
- On July 2, 2021, the United States Coast Guard (USCG) released to **Jonathan Neumann**, a representative with **Kessler, Topaz, Meltzer, and Check LLP** in Radnor, Pennsylvania, 145 pages of records consisting of information from the USCG related to Carnival Corporation, its subsidiaries, and the COVID-19 pandemic. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case Number USCG 2021-CGFO-00839)
- On July 6, 2021, the Federal Emergency Management Agency (FEMA) released to **Malcolm Meye**, a representative with *WGME-TV* in Portland, Maine, one Excel spreadsheet consisting of COVID-19-funeral-related expenses between January 1, 2021, and May 21, 2021. This release was released in full. (Case Number 2021-FEFO-00693)
- On July 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to **J. Ader**, a representative with *MuckRock News* in Somerville, Massachusetts, two pages of records consisting of an email inquiry from a DHS employee via OPSEC@hq.dhs.gov. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2021-HQFO-00060)
- On July 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *Muckrock News* in Somerville, Massachusetts, 163 pages of records consisting of email messages from an ICE trial attorney between May 17, 2018, and August 8, 2018, mentioning the word "Morley" or "Castro-Tum" or "Castro Tum." Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO- 22181)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to calendar entries for specified individuals maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison

since January 20, 2017. On July 1, 2021, the DHS Privacy Office released to the plaintiff 115 pages of records. (Case Number 2019-HQLI-00013)

- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to calendar entries for specified individuals maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On July 1, 2021, the DHS Privacy Office released to the plaintiff 169 pages of records. (Case Number 2019-HQLI-00013)
- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 23, 2020, seeking records pertaining to federal agencies' response to the coronavirus pandemic regarding the procurement and distribution of equipment and supplies. On July 6, 2021, the DHS Privacy Office released to the plaintiff 56 pages of records. (Case Number (2020-HQLI-00029)
- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 17, 2019, seeking records pertaining to email communication by DHS advisor Katie Gorka regarding violent extremism. On July 7, 2021, the DHS Privacy Office released to the plaintiff six pages of records. (Case Number 2020-HQLI-00013)
- In the matter of *Open Society Justice Initiative v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 24, 2020, seeking records pertaining to communications with Congress, governors, and the World Health Organization regarding efforts to counter SARS-CoV-2 and COVID-19. On July 7, 2021, the Department of Homeland Security (DHS) Privacy Office released to the plaintiff 1,210 pages of records. (Case Number 2021-HQLI-00001)
- In the matter of *American Civil Liberties Union v. DHS, U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE) (1:20-cv-10083)*, plaintiff filed a FOIA request on February 10, 2020, seeking records pertaining to agreements with vendors regarding government access to data from commercial databases containing cell-phone-location information. On July 2, 2021, CBP released to the plaintiff 72 pages of records.
- In the matter of *Justice & Diversity Center of the Bar Association of San Francisco v. DHS et al. (19-cv-04533)*, plaintiff filed a FOIA request on August 2, 2019, requesting records pertaining to certain program's administration, policies, and practices involving the Institutional Hearing Program. On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 669 pages of records.
- In the matter of *Justice Action Center v. ICE et al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to the government's policies and instructions regarding the re-calendaring of Deferred Action for Childhood Arrivals recipients for removal proceedings. On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 86 pages of records.

- In the matter of *Texas Civil Right Project et al. v. ICE et al. (1:20-cv-02389-CJN)*, plaintiff filed a FOIA request on August 27, 2020, requesting records pertaining to ICE's role in the ACA program, the HARP program, the PACR program, or the Title 42 Expulsion program. On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 30 pages of records.
- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to the creation, implementation, or oversight of Population Management, Alternatives to Detention, and other supervision programs. On July 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 402 pages of records and six Excel spreadsheets.
- In the matter of *CREW et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-03120-CKK)*, plaintiff filed a FOIA request on September 21, 2020, seeking records related to involuntary medical procedures at the Irwin County Detention Center. On July 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 482 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, requesting records pertaining to agreements with vendors regarding government access to data from commercial databases containing cell-phone-location information. On July 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 368 pages of records.
- In the matter of *Albaladejo v. ICE et al. (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to medical summaries for individuals transported between 2003 and present by ICE Air Operations of Enforcement and Removal Operations. On July 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 87 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed a FOIA request on August 6, 2018, seeking records pertaining to healthcare provided to people held under immigration laws in Kenosha County, Wisconsin. On July 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 526 pages of records.
- In the matter of *Freddy Martinez v. U.S. Department of Homeland Security et al. (No. 21-0341 (JEB))*, plaintiff filed a FOIA request on February 8, 2021, pertaining to documents that show the scope, purpose, and objectives of Operation Palladium. On July 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 463 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On July 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 511 pages of records.

- In the matter of *Hannah Rappleye and NBC Universal Media v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On July 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 511 pages of records.



## 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

**Freedom of Information Act (FOIA) Activity for the Week of**  
**July 8-14, 2021**  
**DHS Privacy Office**  
**July 19, 2021**  
**Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On July 7, 2021, **T. McElwee**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to Jovenel Moïse, the late president of Haiti. (Case Number USCG 2021-CGFO-01751)
- On July 7, 2021, **Julia Sulek**, a representative with *San Jose Mercury News* in San Jose, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to a memo distributed within DHS on or after May 26, 2021, describing a 2016 incident between CBP agents and Samuel Cassidy. (Case Number CBP-2021-081749)
- On July 7, 2021, **T. McElwee**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to the activities of Haiti's former president Jovenel Moïse. (Case Number CBP-2021-081800)
- On July 8, 2021, **Chris McCrory**, a representative with *WWL-TV Digital* in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to communications between the United States Coast Guard District 8 and SEACOR Holdings regarding rescue and recovery efforts for SEACOR Power on or after April 13, 2021. (Case Number USCG 2021-CGFO-01143)
- On July 8, 2021, **Gary English**, a representative with **Maersk Line Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to captain of the port orders or documents providing policy guidance regarding 33 CFR § 160.216 and/or 42 CFR § 71.1. (Case Number USCG 2020-CGFO-02737)
- On July 9, 2021, **Eric Geller**, a representative with *Politico* in Washington, DC, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to election-related profiles produced by the Office of Cyber and Infrastructure Analysis and documents mentioned in DHS's incident report log. (Case Number 2021-HQFO-01214)
- On July 12, 2021, **Robert Osborne**, a private individual, requested from the United States Coast Guard (USCG) records pertaining to the investigation into the drowning

of Rob Stewart on the vessel PISCES on January 31, 2017. (Case Number USCG 2021-CGFO-01772)

- On July 12, 2021, **Thomas Discon**, a representative with **Discon Law Firm L.L.C.** in Mandeville, Louisiana, requested from the United States Coast Guard (USCG) records pertaining to the capsizing of the SEACOR POWER.(Case Number USCG 2021-CGFO-01783)
- On July 12, 2021, **Tony Guild**, a representative with **Maritime Technical Services L.L.C.** in San Rafael, California, requested from the United States Coast Guard (USCG) records pertaining to the Marine Vessel CONCEPTION. (Case Number USCG 2021-CGFO-01782)
- On July 12, 2021, **Hannah Gais**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from United States Secret Service (USSS) records pertaining to communications from various US field offices mentioning videographers surrounding the racial-justice protests in the summer of 2020 containing keywords from specific Twitter accounts. (USSS Case Number 20210792)
- On July 12, 2021, **Lynn Hackman**, a representative with **Epoch Times Media Group** in Irvine, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to an incident involving border protection and the sheriff's department on Sunday, July 12, 2021, near Balboa Blvd. in Newport Beach, CA. (Case Number CBP-2021-083052)
- On July 12, 2021, **Nicole Nguyen**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to education materials for the Department's Regional Prevention Coordinators under the Center for Prevention Programs and Partnerships from January 1, 2020 to July 12, 2021. (Case Number 2021-HQFO-01208)
- On July 12, 2021, **Lex Barker**, a private individual in Miami, Florida, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to documents and messages from Khamraj Lall's phones and computers from January 2011 to December 2019. (Case Number 2021-HQFO-01205)
- On July 13, 2021, **Joanne Dauphars**, a private individual in Wrightstown, New Jersey, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to identifying components of DHS and/or DHS contractors who use or test directed-energy weapon(s) and/or similar types of "non-lethal" weapons. (Case Number 2021-HQFO-01202)
- On July 13, 2021, **Mehreen Rasheed**, a representative with **American Oversight** in Washington, DC, requested from the United States Coast Guard (USCG) records pertaining to incidents of white supremacy or similar ideology among military personnel and any ensuing action recommended or executed by the United States Coast Guard from January 1, 2017, to the present. (Case Number USCG 2021-CGFO-01790)

- On July 13, 2021, **Chris Knight**, a representative with *Argus Media* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to the responses TSA received from oil and gas pipeline companies as a result of Security Directive 2021-01. (Case Number TSA 2021-TSFO-00614)
- On July 14, 2021, **Paul Litzher**, a private individual in Arlington, Virginia, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to emails between staff for then-Deputy Secretary of DHS Mayorkas and Jeff Bezos' regarding a certain 2016 citizenship ceremony. (Case Number 2021-HQFO-01191)
- On July, 14, 2021, **Grant Burningham**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communication used to write the article on the DHS website "We Must Secure The Border And Build The Wall To Make America Safe Again" published on February 15, 2018. (Case Number 2021-HQFO-01221)
- On July 14, 2021, **Tim Marchman**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to digital communications from anyone at U.S. Citizenship and Immigration Services (USCIS) who granted parole to Venezuelan nationals in September 2020 containing the terms "Ballard," "Operation Underground Railroad," or "Venezuela." (Case Number 2021-HQFO-01193)
- On July 14, 2021, **Rebecca Smith**, a representative with *The Wall Street Journal* in San Francisco, California, requested from the Transportation Security Administration (TSA) records submitted by pipeline companies in response to the May 28, 2021, directive titled "Security Directive Pipeline 2021-01" and "Enhancing Pipeline Security." (Case Number TSA 2021-TSFO-00622)
- On July 14, 2021, **Michelle Malkin**, a representative with *Creators Syndicate* in Hermosa Beach, California, requested from the Transportation Security Administration (TSA) records pertaining to communications with the Federal Bureau of Investigation (FBI) regarding attendees of the January 6, 2021 Capitol rally and their inclusion on the no-fly list . (Case Number TSA 2021-TSFO-00626)

#### Late requests

- On February 22, 2021, **Angelika Albaladejo**, a representative with **Capital & Main** in Westminster, Colorado, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the processing of a certain FOIA request for records related to alleged misconduct by employees of the ICE Air Operations (IAO) division of the Office of Enforcement and Removal Operations (ERO). . (Case Number ICE 2021-ICFO-37667)
- On April 2, 2021, **Andrea Castillo**, a representative with *The Los Angeles Times* in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement(ICE) records pertaining to the death of ICE detainee Martin Vargas

Arellano who died on March 8, 2021. (Case Number ICE 2021- ICFO-37673)

- On April 7, 2021, **Andrea Castillo**, a representative with *The Los Angeles Times* in Los Angeles, California, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the number of judicial probable-cause determinations, warrants or other orders signed by a federal or state judicial officer and obtained by ICE for the transfer of inmates in custody at California law-enforcement agencies. (Case Number ICE 2021- ICFO-37657)

### III. Freedom of Information Act Releases

- On July 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Kristina Cooke**, a representative with *Thomson Reuters* in San Francisco, California, 371 pages of records pertaining to the late Zeresenay Ermias Testfatsion. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018- ICFO-62639)
- On July 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Enid Zhou**, a representative with *the Electronic Information Privacy Center* in Washington, DC, 13 pages of records and five Excel spreadsheets related to ICE's computer-based Risk Classification Assessment Tool. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018- ICFO-53997)
- On July 12, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Morrissey**, a representative with the *San Diego Union Tribune* in San Diego, California, 12 pages of records and one Excel spreadsheet consisting of documents detailing the reason detainees are in segregation at the San Diego ICE field office. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-20094)
- On July 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Josh Slowiczek**, a representative with *Richmond Confidential* in Richmond, California, 1,289 pages of records and five Excel spreadsheets consisting of detainee-grievance forms submitted between January 1, 2013 to February 5, 2018, from various ICE detention centers in California. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2018- ICFO-19544)
- On July 13, 2021, United States Secret Service (USSS) released to **Curt Devine**, a representative with *CNN* in Washington, DC, 94 pages of records consisting of email correspondence sent by the USSS protective operations or advance personnel since January 1, 2019 that mention "@mail.mil" "@montgomerycountymd.gov" or "@dc.gov." Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number USSS 20200807)
- On July 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Mica Rosenberg**, a representative with *Thomson Reuters* in New York, New York, one Excel spreadsheet consisting of call logs made to the ICE Enforcement and Removal Operations Detention Reporting and Information Line pertaining to the separation of a minor child and other parental-related issues from 2018 and 2019. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C),

and 7(E). (Case Number ICE 2020-ICFO-02955)

- On July 14, 2021, U.S. Customs and Border Protection (CBP) released to **Julia Sulek**, a representative with the *San Jose Mercury News* in San Jose, California, a public link to review the 2016 inspection records of deceased US citizen Samuel Cassidy. Portions of the record were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-081749)
- On July 14, 2021, U.S. Customs and Border Protection (CBP) released to **Rachel Levy**, a representative with *The Wall Street Journal*, a public link to review the 2016 inspection records of deceased US citizen Samuel Cassidy. Portions of the release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-070074)
- On June 14, 2021, the Transportation Security Administration (TSA) released to **Eric Richey**, a representative with *KSDK* in St Louis, Missouri, 21 pages of records consisting of photos of confiscated firearms and weapons seized at TSA checkpoints at St. Louis Lambert International Airport and MidAmerica St. Louis Airport from 2015 to 2018. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number TSA 2019-TSFO-00135)
- On July 15, 2021, the United States Coast Guard (USCG) released to **Stephen Hobbs**, a representative with *Post and Courier* in Charleston, South Carolina, 38 pages of records consisting of Marine Information for Safety and Law Enforcement System printouts and Incident Management Activity Number 6631201 with enclosures. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number USCG 2021-CGFO-01706)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to emails sent or forwarded to stephen.miller@who.eop.gov or s.miller@who.eop.gov as well as communication between selected custodians and McLaurine Klingler. On July 8, 2021, the DHS Privacy Office released to the plaintiff 322 pages of records. (Case Number 2019-HQLI-00008)
- In the matter of *American Oversight v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On July 14, 2021, the DHS Privacy Office released to the plaintiff 309 pages of records. (Case Number 2019-HQLI-00013)

- In the matter of *Lawyers' Committee for Civil Rights v. the U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 24, 2017, seeking records pertaining to communications since January 20, 2017, between any DHS personnel and certain people associated with the Presidential Commission on Election Integrity. On July 14, 2021, the DHS Privacy Office released to the plaintiff 514 pages of records. (Case Number 2018-HQLI-00014)
- In the matter of *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. CBP et al (20-cv-03202-GBD)*, plaintiff filed a FOIA request on November 13, 2019, seeking records pertaining to beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa programs. On July 9, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 87 pages of records.
- In the matter of *Palmer Biezup & Henderson LLP v. CBP et al (20-cv-02225-PD)*, plaintiff filed a FOIA request on September 15, 2020, seeking records pertaining to CBP Area Port of Philadelphia's decision to require the posting of private security guards at the gangway of the Motor Vessel LMZ ARIEL. On July 14, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff three pages of records.
- In the matter of *Lindsay Nash v. ICE (1:21-cv-04288-JPC)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to administrative arrest warrants and administrative subpoenas. On July 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 10 pages of records and one Excel spreadsheet.
- In the matter of the *IDP v. ICE (ICE) et al. (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records pertaining to civil-immigration arrests by U.S. Immigration and Customs Enforcement (ICE) agents that occur at or near New York State courthouses. On July 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 510 pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of Clearview AI technology and ICE use of facial-recognition software. On July 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff six pages of records.
- In the matter of the *Electronic Frontier Foundation v U.S. Department of Homeland Security (DHS) et al. (3:19-cv-07431)*, plaintiff filed a FOIA request on July 12, 2019, requesting records pertaining to ICE's pilot program on rapid DNA testing. On July 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 519 pages of records.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
July 15-21, 2021  
DHS Privacy Office  
July 26, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On July 15, 2021, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) records from June 1, 2015 to December 31, 2015 pertaining to communications regarding a Hillary Clinton for President fundraiser in La Jolla, California. (USSS Case Number 20210798)
- On July 15, 2021, **Michael Ravnitzky**, a private individual in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations of the mystery seed packages received during 2020 and Congressional correspondence regarding these packages. (Case Number CBP-2021-084681)
- On July 15, 2021, **Asher Wildman**, a representative with **News 13** in Orlando, Florida, requested from the Transportation Security Administration (TSA) records pertaining to a security breach at the Sanford Orlando Airport from June 1, 2021 to July 12, 2021, involving a TSA explosive specialist. (Case Number TSA 2021-TSFO-00629)
- On July 15, 2021, **Asher Wildman**, a representative with **News 13** in Orlando, Florida, requested from the Transportation Security Administration (TSA) records pertaining to employee misconduct at Sanford Orlando Airport. (Case Number TSA 2021-TSFO-00630)
- On July 15, 2021, **Rasheed Mehreen**, a representative with **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to email communication between Stephen Miller and other senior-level government officials from January 1, 2018 to July 19, 2021. (Case Number 2021-HQFO-01232)
- On July 16, 2021, **Bradley Phillips**, a representative with **Munger, Tolles & Olson, LLP** in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to Title 42 expulsions of asylum seekers as well as policies and statistics on unaccompanied children at the southwest border from 2017 to the present. (Case Number CBP-2021-085029)

- On July 16, 2021, **Peter Thomas**, a private individual in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to communications between the deputy secretary and the Office of the Governor of Virginia from December 23, 2013 to October 28, 2016. (Case Number 2021-HQFO-01219)
- On July 16, 2021, **Maria Vizcaino**, a representative with *Bloomberg News*, requested from the United States Coast Guard (USCG) records pertaining to individuals who were under the custody of the USCG in May of 2021. (Case Number USCG 2021-CGFO-01826)
- On July 19, 2021, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) records pertaining to communications involving British national Ghislaine Maxwell meeting with President Bill Clinton in 2003. (USSS Case Number 20210808)
- On July 19, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office correspondence between Secretary Alejandro Mayorkas and U.S. Congressman Scott Perry from February 2, 2021 to June 30, 2021. (Case Number 2021-HQFO-01225)
- On July 19, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to complaints regarding CoreCivic (and its employees) submitted to the Inspector General's office from January 1, 2004 to December 31, 2008. (Case Number 2021-HQFO-01224)
- On July 19, 2021, **T. McElwee**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) travel records of the late William Henry Regnery II. (Case Number CBP-2021-085264)
- On July 19, 2021, **Ty Clevenger**, a private individual in Plano, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to social-media manipulations and electronic surveillance of US citizens and government officials. (Case Number CBP-2021-085693)
- On July 19, 2021, **Gary English**, a representative with **Maersk Line Limited** in Norfolk, Virginia, requested from the United States Coast Guard (USCG) records pertaining to communication between the United States Coast Guard Hearing Office and United States Coast Guard FOIA Office from June 1, 2020 to July 19, 2021. (Case Number USCG 2021-CGFO-01836)
- On July 20, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the United States Coast Guard (USCG) Congressional correspondence between the Office of the Commandant of the Coast Guard and various individuals from July 12, 2019 to July 20, 2021. (Case Number USCG 2021-CGFO-01861)
- On July 20, 2021, **Jeremy Jong**, a private individual with **Al Otro Lado** in Maywood, California, requested from U.S. Customs and Border Protection (CBP)

records pertaining to injuries sustained by falling or dropping from the border wall between January 1, 2019 to the present. (Case Number CBP-2021-0860856)

- On July 20, 2021, **Abraham Payton**, a representative with **Due Diligence Group** in Lakeville, Minnesota, requested from the United States Secret Service (USSS) correspondence between Director James M. Murray and U.S. Congressman Scott Perry from May 1, 2019 to July 20, 2021. (USSS Case Number 20210816)

#### Late requests

- On June 4, 2021, **Andrea Guzman**, a representative with *Mother Jones* in San Francisco, California, requested from U.S. Customs and Border Protection (CBP) records pertaining to body-cavity searches conducted at McAllen, Falfurrias, and San Clemente Stations and other checkpoints from January 1, 2018 to December 31, 2020. (Case Number CBP-2021-070456)
- On June 6, 2021, **Keith Alexander**, a representative with *The Washington Post* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to liability claims filed against Officer Gonsalves. (Case Number CBP-2021-070891)
- On July 12, 2021, **Erin Siegal McIntyre**, a private individual in Chapel Hill, North Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the organizational chart of current border patrol structure reflecting positions and/or names of individuals from 2010 to 2021. (Case Number CBP-2021-083132)

### III. Freedom of Information Act Releases

- On July 15, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, 13 pages of records consisting of emails from a USSS FOIA officer pertaining to certain media personalities from November 3, 2020 to December 31, 2020. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number USSS 20210540)
- On July 15, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, 18 pages of records consisting of emails of Secret Service employee (b)(6),(b)(7)(C) pertaining to certain media personalities from September 1, 2020 to December 31, 2020. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number USSS-20210541)
- On July 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Zack Kopplin**, a representative with **Government Accountability Project** in New Orleans, Louisiana, 261 pages of records consisting of emails of ICE HQ employees to or from heritage.org. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number ICE 2018-ICFO-18091)

- On July 15, 2021, U.S. Customs and Border Protection (CBP) released to **Wayne Ma**, a representative with *The Information*, three pages of records consisting of statistics related to seized AirPods. Portions of this release were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2021-080839)
- On July 16, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, 21 pages of records consisting of emails of Secret Service employee [REDACTED] (b)(6), (b)(7)(C) he pertaining to certain media personalities from January 1, 2020 to September 12, 2020. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number USSS-20210100)
- On July 19, 2021, U.S. Customs and Border Protection (CBP) released to **Andrew Calderon**, a representative with *The Marshall Project* in East Elmhurst, New York, a full denial pertaining to the number of BORSTAR staff from the inception of the program to the present. These records were withheld pursuant to FOIA exemption 7(E). (Case Number CBP-2021-077863)
- On July 19, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, 13 pages of records consisting of emails from John Barsa mentioning immigration and Latin American. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2019-HQFO-00707)
- On July 19, 2021, U.S. Customs and Border Protection (CBP) released to **Sachi McClendon**, a representative with *The Big Bend Sentinel* in Marfa, Texas, a full denial regarding the internal investigation into the shooting of an undocumented immigrant in the Big Bend Sector near Dryden, Texas, on October 22, 2019. These records were withheld pursuant to FOIA exemption 7(A). (Case Number CBP-2021-075602)
- On July 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Lauren Dillon**, a representative with **Democratic National Committee** in Washington, DC, 13 pages of records consisting of emails sent or received by Kevin McAleenan and Brandon Wales with keywords Facebook, Escobar, or Ocasio from July 1, 2019 to September 17, 2019. Portions of this release were withheld pursuant to FOIA exemptions 5, 6 and 7(C). (Case Number 2019-HQFO-01239)
- On July 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Sean Dunagan**, a representative with **Judicial Watch** in Salt Lake City, Utah, eight pages of records consisting of emails relating to Iranian citizenship grants. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2021-HQFO-00212)
- On July 21, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, two pages of records consisting of emails for Secret Service employee [REDACTED] (b)(6) pertaining to certain media personalities from August 13, 2020 to December 31, 2020. Portions of

this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number 20210542)

- On July 21, 2021, U.S. Customs and Border Protection (CBP) released to **Dave Hendricks**, a representative with *MuckRock News* in Somerville, Massachusetts, 169 pages of records consisting of news releases and photographs disseminated by the Rio Grande Valley Border Patrol Sector from January 1 to December 31, 2014. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2018-061770)
- On July 21, 2021, U.S. Customs and Border Protection (CBP) released to **Andrea Guzman**, a representative with *Mother Jones* in San Francisco, California, a no-records response pertaining to body-cavity searches conducted at McAllen, Falfurrias, and San Clemente stations and associated checkpoints from January 1, 2018 to December 31, 2020. (Case Number CBP-2021-070456)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Joshua Phillips v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 24, 2019, seeking records pertaining to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and any reports that discuss the threat of domestic. On July 15, 2021, the DHS Privacy Office released to the plaintiff 56 pages of records. (Case Number 2019-HQLI-00027)
- In the matter of *BuzzFeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 11, 2018, seeking records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner including meetings attended, summaries for meetings, calendar-book entries, and phone-call logs. On July 15, 2021, the DHS Privacy Office released to the plaintiff 124 pages of records. (Case Number 2018-HQLI-00033)
- In the matter of *BuzzFeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to emails dated January 1, 2018 to June 22, 2018 sent or received by Secretary Kirstjen Nielsen related to immigration. On July 15, 2021, the DHS Privacy Office released to the plaintiff 126 pages of records. (Case Number 2018-HQLI-00039)
- In the matter of *Sirine Shebay with Muslim Advocates and the Center for Constitutional Rights in v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on January 23, 2018, seeking records pertaining to waiver provisions of President Donald Trump's September 24, 2017, Proclamation 9645

titled "Presidential Proclamation Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats." On July 16, 2021, the DHS Privacy Office released to the plaintiff 94 pages of records. (Case Number 2018-HQLI-00034)

- In the matter of *Open Society Justice Initiative v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 24, 2020, seeking records pertaining to COVID-19. On July 20, 2021, the DHS Privacy Office released to the plaintiff 366 pages of records. (Case Number 2021-HQLI-00001)
- In the matter of *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. CBP et al. (20-cv-03202-GBD)*, the plaintiff filed a FOIA request on April 23, 2020, seeking records pertaining to intended beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa programs. On July 9, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 87 pages of A-File records.
- In the matter of *Palmer, Biezup & Henderson, LLP v. CBP (21-cv-02225)*, plaintiff filed a FOIA request on May 17, 2021, seeking records pertaining to a security detail that was implemented on the TMZ Ariel vessel. On July 14, 2021, U.S. Customs and Border Protection (CBP) released to the plaintiff 19 pages of records.
- In the matter of *American Oversight v. DHS et al. (1:20-cv-02018-BAH)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to Healthcare and Security Compliance Analysis reports completed by or for ICE Office of Professional Responsibility as part of the detainee death reviews for individuals who died in custody. On July 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 36 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. (3:20-cv-05208)*, plaintiff filed a FOIA request on January 31, 2020, seeking records pertaining to the Alternatives to Detention Program from U.S. Immigration and Customs Enforcement. On July 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 660 pages of records.
- In the matter of *Immigrant Legal Resource Center v. U.S. Department of Homeland Security (DHS) et al. (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, seeking records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On July 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 677 pages of records.
- In the matter of *Open Society Justice Initiative v. ICE Case (1:20-cv-00706-RC)*, plaintiff filed a FOIA request on January 28, 2021 seeking records pertaining to the implementation of denaturalization efforts in the United States. On July 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 600 pages of records.
- In the matter of *Louise Trauma Center, LLC v. ICE et al. (1:20-cv-03787-TSC)*, plaintiff filed a FOIA request on December 22, 2020, seeking records pertaining to training manuals given to ICE lawyers at the Office of Chief Council in Baltimore, Maryland, from January 1, 2020, to the present. On July 20, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff eight pages of records.

- In the matter of *Asian Americans Advancing Justice-Asian Law Caucus v. DHS (3:21-cv-02844)*, plaintiff filed a FOIA request on April 20, 2021, seeking records pertaining to the 2020 agreement between the United States and Vietnam regarding the repatriation of Vietnamese nationals who entered the United States before July 12, 1995, and were ordered removed. On July 20, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff eight pages.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
July 22-28, 2021  
DHS Privacy Office  
August 2, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On July 22, 2021, **Amy Peck**, a representative with **Jackson Lewis P.C.** in Omaha, Nebraska, requested from U. S Citizenship and Immigration Services (USCIS) records pertaining to USCIS COVID-19 policies regarding Form I-9 from March 20, 2020, to the present. (Case Number USCIS COW2021002807)
- On July 22, 2021, **David Bixenspan**, a representative with **Mel Magazine** in Brooklyn, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the alien file of the late Ion William Croitoru. (Case Number USCIS COW2021002818)
- On July 22, 2021, **Al Lado**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records pertaining to documents used to prepare the OIG-21-46 "Violations of ICE Detention Standards at Adams County Correctional Center" report. (Case Number 2021-IGFO-00199)
- On July 22, 2021, **Andrea Rogers**, a representative with **Infiniti Investigations LLC** requested from the United States Coast Guard (USCG) records pertaining to the vessel SEACOR POWER that capsized on April 13, 2021. (Case Number USCG 2021-CGFO-01902)
- On July 22, 2021, **Fernanda Oliveira**, a representative with **Project on Government Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications sent and received between May 28, 2020 and June 3, 2020, regarding Lafayette Park protests. (Case Number CBP-2021-086865)
- On July 23, 2021, **David Bier**, a representative with the **Cato Institute** in Alexandria, Virginia, requested from U.S. Customs and Border Protection (CBP) records pertaining to migration statistics for Honduras from January 1, 2014 to Present. (Case Number CBP-2021-087244)
- On July 23, 2021, **Terry Collingsworth**, a representative with **International Rights Advocates** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations of child labor in the Ivory Coast. (Case Number CBP-2021-087284)

- On July 23, 2021, **Geoffrey Ziezulewicz**, a representative with the *Military Times* in Tysons, Virginia, requested from the United States Coast Guard (USCG) records pertaining to investigations into an individual who resigned from the U.S. Coast Guard Academy in April 2021. (Case Number USCG 2021-CGFO-01905)
- On July 23, 2021, **Joanna McCall**, a representative with **Cogeny Global Inc.** in Washington, DC, requested from the US Department of Homeland Security (DHS) Privacy Office records pertaining to FOIA requests between January 2020 and July 2021 for DHS contracts or task orders awarded to North American Rescue LLC. (Case Number 2021-HQFO-01261)
- On July 23, 2021, **Erica Moser**, a representative with *The Day*, requested from the United States Coast Guard (USCG) records regarding the investigation into complaints against an individual from the U.S. Coast Guard Academy. (Case Number USCG 2021-CGFO-01907)
- On July 23, 2021, **Martha Zuq**, a private individual, requested from United States Secret Service (USSS) records pertaining to communications sent or received by USSS staff over the past 10 years that contain "Jeffrey Epstein," "Ghislaine Maxwell," "Joshua Kushner," "Josh Kushner," "Charlie Kushner," or "Charles Kushner." (USSS Case Number 20210831)
- On July 26, 2021, **E. Shore**, a private individual in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to the latest version of the border wall technical specification captured in the Tactical Infrastructure Design Standards document. (Case Number CBP-2021-087532)
- On July 26, 2021, **Martha Zuq**, a private individual, requested from United States Secret Service (USSS) records pertaining to communications sent or received by USSS staff over the past 10 years that contain "Josh Kushner," "David Geffen," "Joshua Kushner," "Kushner," or "Jeff Bezos." (Case Number USSS 20210843)
- On July 26, 2021, **Martha Zuq**, a private individual, requested from the United States Secret Service (USSS) records pertaining to communications sent or received by USSS staff over the past 10 years that contain "Ghislaine Maxwell" and "Jeffrey Epstein." (Case Number USSS 20210845)
- On July 26, 2021, **Greg Morton**, a representative with *ProPublica* in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to Form I-129 and documents filed on behalf of a P-1A classified athlete from 2004 to 2021. (Case Number USCIS COW2021002849)
- On July 26, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Transportation Security Administration (TSA) email communications sent to and from the account of David Pekoske that mention "CLEAR," "Sullivan," "Cuccinelli," or "Registered Traveler" between September 1-30, 2020. (Case Number TSA 2021-TSFO-00670)
- On July 26, 2021, **Robin Bravender**, a representative with *Business Insider* in Washington, DC, requested from the Transportation Security Administration (TSA) email correspondence between DHS officials David Pekoske and Ken Cuccinelli that

mentions the word "CLEAR" between May 1, 2020, and September 30, 2020. (Case Number TSA 2021-TSFO-00671)

- On July 27, 2021, **Gene Hamilton**, a representative with **America First Legal** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications to or from the email "@who.eop.gov" regarding the practice of issuing notice to appear forms to aliens apprehended along the southwest border. (Case Number CBP-2021-087953)
- On July 27, 2021, **Christina Urso**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to Stop-the-Steal rallies held at multiple state capitals from October of 2020 to January of 2021. (Case Number 2021-HQFO-01272)
- On July 27, 2021, **Reed Rubinstein**, a representative with **America First Legal** in Washington, DC, requested from the U.S. Department of Homeland Security (DHS) Privacy Office records pertaining to communications with email addresses ending in "@who.eop.gov" related to the practice of issuing a notice to appear form to aliens apprehended along the southwest border from January 20, 2021 to August 1, 2021.
- On July 28, 2021, **Sabrina Schnur**, a representative with **Las Vegas Review-Journal** in Las Vegas, Nevada, requested from the Transportation Security Administration (TSA) a list of prohibited items seized at McCarran International Airport. (Case Number TSA 2021-TSFO-00679)

#### Late requests

- On January 24, 2020, **Carolyn O'Connor**, a representative with **Texas Civil Rights Project** in Alamo, Texas, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records pertaining to documents of immigrant children dying while in Custom and Border Protection custody. (Case Number 2021-IGFO-00203)
- On April 4, 2021, **Wills Robinson**, a representative with **DailyMail.com** in New York, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to ICE housing migrants in hotels who crossed the border since January 20, 2021. (Case Number ICE 2021-ICFO-37950)
- On July 14, 2021, **Eunice Cho**, a representative with **American Civil Liberties Union** in Washington, DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records maintained by Immigration and Customs Enforcement or the Department of Homeland Security Office of Inspector General regarding the release of hospitalized detainees from custody prior to their death from January 1, 2019 to July 22, 2021. (Case Number 2021-IGFO-00200)
- On July 20, 2021, **Ty Clevenger**, a representative with **The Transparency Project** in Dallas, Texas, requested from U.S. Citizenship and Immigration Services (USCIS)

records pertaining to communications regarding social-media manipulation and domestic surveillance. (Case Number USCIS COW2021002765)

- On July 21, 2021, **Michelle Garcia**, a representative with **Economic Hardship Reporting Project** in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to education statistics for asylum seekers from Guatemala, El Salvador, Honduras, and Nicaragua from January 1, 2014, through 2020. (Case Number USCIS COW2021002799)

### III. Freedom of Information Act Releases

- On July 22, 2020, U.S. Immigration and Customs Enforcement (ICE) released to **Will Fitzgibbon**, a representative with **The International Consortium of Investigative Journalism** in Washington, DC, 90 pages of records related to the Money Service Business Initiative for 2018, 2019 and 2020. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-51677)
- On July 22, 2021, the Transportation Security Administration (TSA) released to **CJ Ciaramella**, a representative with **MuckRock News** in Somerville, Massachusetts, 128 pages of records pertaining to agency memoranda, bulletins, and training materials regarding the "Quiet Skies" program from March 1, 2018 to July 29, 2018. Portions of this release were withheld pursuant to FOIA exemptions 1, 3, 5, 6 and 7(C). (Case Number TSA 2018-TSFO-00372)
- On July 22, 2020, U.S. Immigration and Customs Enforcement (ICE) released to **Shirso Dasgupta**, a representative with **McClatchy DC Bureau** in Washington, DC, one Excel spreadsheet consisting of data on arrests of ICE employees from 2010 to 2018. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-51868)
- On July 23, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, three pages of records consisting of emails from a Secret Service employee that mention media personalities Kathy Griffin, Jason Leopold, or Kohl Harrington from January 1, 2021 to March 31, 2021. Portions of the release were withheld pursuant to FOIA exemptions 6 and 7C. (Case Number USSS 20210543)
- On July 23, 2021, U.S. Immigration and Customs Enforcement released to **Adolfo Flores**, a representative with **BuzzFeed News** in Los Angeles, California, 323 pages of records consisting of reports for 2017 ICE detainee deaths. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-19730)
- On July 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Roberto Daza**, a representative with **VICE News** in New York, New York, one Excel spreadsheet consisting of call logs for the Victims of Immigration Crime Engagement hotline from January 1, 2018 to June 20, 2018. Portions of this release were withheld

pursuant to FOIA exemptions 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-45608)

- On July 26, 2021, the Transportation Security Administration (TSA) released to **David Londo**, a representative with the **Air Marshal National Council** in Plymouth, Massachusetts, seven pages of records pertaining to pay bonuses and or monetary awards from 2019, 2020, and 2021, issued to the Seattle and Dallas Field Office Special Agent in Charge. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number TSA 2021-TSFO-00204)
- On July 27, 2021, U.S. Customs and Border Protection (CBP) released to **David Bier**, a representative with the **Cato Institute** in Washington, DC, five pages of records consisting of the number of deaths in the southwest border patrol sector from FY 1998 to FY 2021. (Case Number CBP-2020-016916)
- On July 27, 2021, the Transportation Security Administration (TSA) released to **Edward Hasbrouck**, a representative with **The Identity Project** in Oakland, California, 238 pages of records pertaining to the Real-ID Act of 2005. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number TSA 2016-TSFO-00120)
- On July 28, 2021, U.S. Customs and Border Protection (CBP) released to **Ty Clevenger**, a representative with **The Transparency Project** in Plano, Texas, a no-records determination pertaining to social-media manipulation and domestic surveillance from January 1, 2012 to the present. (Case Number CBP-2021-085693)
- On July 28, 2021, the United States Secret Service (USSS) released to **Kohl Harrington**, a private individual in Beverly Hills, California, 38 pages of email records from a Secret Service employee mentioning media personalities Kathy Griffin, Jason Leopold, or Kohl Harrington from September 13, 2020 to December 31, 2020. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(A) 7(C) and 7(E). (Case Number USSS 20210303)
- On July 28, 2021, the Federal Emergency Management Agency (FEMA) released to **Rachel Leven**, a representative with **The Center for Public Integrity** in Washington, DC, 1,653 pages of records consisting of plans for road and bridge repairs. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number 2019-FEFO-00542)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Citizens for Responsibility and Ethics in Washington (CREW v. U.S. Department of Homeland Security (DHS))*, plaintiff filed a FOIA request on

January 10, 2021, seeking records pertaining to documents related to demonstrations, gatherings, disruptions, attacks, or riots in Washington, DC, on January 6, 2021. On July 26, 2021, the Department of Justice (DOJ) released to the plaintiff 128 pages of records. (Case Number 2021-HQLI-00020)

- In the matter of *VICE News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 28, 2015, seeking records pertaining to Jacob Appelbaum and other related subjects. On July 23, 2021, the DHS Privacy Office released to the plaintiff 13 pages of records. (Case Number 2016-HQLI-00004)
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (1:20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking copies of all form I-924As filed by EB-5 Regional Centers for fiscal year 2017. On July 22, 2021, USCIS released to the plaintiff 648 pages of records.
- In the matter of *American Immigration Council, v. DHS et al. (18-cv-01390-RDM)*, plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to metering and/or asylum communications regarding policy and guidance. On July 28, 2020, CBP released to the plaintiff 281 pages of records.
- In the matter of *Safe Passage Project v. CBP and USCIS (21-cv-3288-VEC)*, plaintiff filed a FOIA request on April 23, 2021, seeking records pertaining to U.S. Customs and Border Protection (CBP) Form 93, the “Unaccompanied Alien Child Screening Addendum.” On July 26, 2021, CBP released to the plaintiff six pages of records.
- In the matter of *Jeremy Borden v. U.S. Department of Homeland Security (DHS) et al. (:21-cv-0527-BAH)*, plaintiff filed a FOIA request on February 27, 2020, seeking records related to reports retained by the Department authored or involving Eckart Frahm, a Yale antiquities expert who has assisted in an expert capacity with DHS antiquities investigations. On July 23, 2021, U.S. Immigration and Customs Enforcement (ICE) re-released to the plaintiff 399 pages of records.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records pertaining to the United States’ treatment of Mexican journalist Emilio Gutierrez-Soto; his son, Oscar Emilio Gutierrez-Soto; and their attorney, Eduardo Beckett. On July 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 191 pages of records.
- In the matter of *American Civil Liberties Union of Pennsylvania, et al. v. U.S. Immigration and Customs Enforcement (ICE) (2:20-cv-02363)*, plaintiff filed a FOIA request on August 7, 2019, seeking records pertaining to Form I-213s prepared by any agent or employee under the supervision of the Philadelphia Field Office and sub-offices between January 1, 2017 to the present. On July 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of *Lila Hassan v. DHS, No. 1:21-cv-00877-RCL*, plaintiff filed a FOIA request on April 1, 2021, seeking records pertaining to the locations and dates of individuals arrested for critical-incident weapons discharges over the past five years. On

July 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff seven pages of records.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
July 29-August 4, 2021  
DHS Privacy Office  
August 9, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On July 27, 2021, **Eric Stone**, a representative with **Infiniti Investigations LLC**, requested from the United States Coast Guard (USCG) records pertaining to the incident involving the vessel MOUNT PAVLOF that sank on July 18, 2021. (Case Number USCG 2021-CGFO-01953)
- On July 28, 2021, **Samantha Kummerer**, a representative with **CBS News** in Durham, North Carolina, requested from the Transportation Security Administration (TSA) records pertaining to items confiscated at the Raleigh-Durham Airport from 2018 to the present. (Case Number TSA 2021-TSFO-00680)
- On July 29, 2021, **Kathy Curran**, a representative with **WCVB-TV** in Auburndale, Massachusetts, requested from the Transportation Security Administration (TSA) records pertaining to data or reports reflecting weapons or other items seized at TSA security checkpoints at Logan International Airport for FY 2018, 2019 and 2020. (Case Number TSA 2021-TSFO-00683)
- On July 29, 2021, **Jody Barr**, a representative with **WJZY-Fox Charlotte** in Charlotte, North Carolina, requested from the Transportation Security Administration (TSA) records pertaining to the personnel file of a former TSA security officer employed at Charlotte-Douglas International Airport. (Case Number TSA 2021-TSFO-00684)
- On July 29, 2021, **Justin McCarthy** a representative with **Judicial Watch** in Washington, DC, requested from the United States Secret Service (USSS) records pertaining to the use of U.S. Government funds to provide security and/or other services to President Biden and any companions on their July 9-11, 2021, trip to Wilmington, Delaware. (Case Number USSS 20210850)
- On July 29, 2021, **Valerie Gonzalez**, a representative with **The Monitor** in Edinburg, Texas, requested from U.S. Customs and Border Protection (CBP) records pertaining to communications from a chief patrol agent from the Rio Grande Valley Border Patrol Sector to Border Patrol headquarters officials between July 26, 2021 to July 29, 2021. (Case Number CBP-2021-089026)

- On July 30, 2021, **Austin Evers**, a representative with *American Oversight* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records regarding CBP's vaccination rate. (Case Number CBP-2021-089554)
- On July 30, 2021, **Aaron Schaffer**, a representative with *The Washington Post* in Washington, DC, requested from the Transportation Security Administration (TSA) records pertaining to the Security Directive Pipeline-2021-02: "Pipeline Cybersecurity Mitigation Actions, Contingency Planning, and Testing." (Case Number TSA 2021-TSFO-00688)
- On July 30, 2021, **Derek Miloff**, a representative with *WJZY-Fox 46* in Charlotte, North Carolina, requested from the Transportation Security Administration (TSA) records pertaining to civil penalties issued for firearms on February 13, 2021, at Asheville Regional Airport. (Case Number TSA 2021-TSFO-00689)
- On August 2, 2021, **Brian Flanagan**, a representative with **Citizen for Responsibility and Ethics** in Washington, DC, requested from the United States Secret Service (USSS) records from December 1, 2020 to January 6, 2021 pertaining to securing the U.S. Capitol Building on January 6, 2021. (Case Number 20210856)
- On August 2, 2021, **Brianna Sacks**, a representative with *BuzzFeed News* in Denver, Colorado, requested from the Transportation Security Administration (TSA) records pertaining to an incident that occurred on February 13, 2021, involving Representative Madison Cawthorn at Asheville Regional Airport in North Carolina. (Case Number TSA 2021-TSFO-00686)
- On August 2, 2021, **Stephan Dinan**, a representative with the *Washington Times* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to a report transmitted to Congress on February 12, 2021, addressing migrant deaths. (Case Number 2021-HQFO-01314)
- On August 2, 2021, **David Sherfinski**, a representative with *Thomson Reuters Foundation* in Fairfax, Virginia, requested from U.S. Customs and Border Protection records pertaining to communications between employees or representatives of LEO Technologies and employees of CBP between January 1, 2005, and August 2, 2021. (Case Number CBP-2021-090063)
- On August 3, 2021, **Jacob Fenton**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to Form 3155 describing incidents that occurred in Portland, Oregon, on July 26, 2020, filed by agents or contractors to the Federal Protective Services (FPS) or Customs and Border Patrol (CBP). (Case Number CBP-2021-090643)

#### Late requests

- No late requests during this reporting period.

### III. Freedom of Information Act Releases

- On July 29, 2021, U.S. Customs and Border Protection (CBP) released to **Tracie Hunte**, a representative with *New York Public Radio* in New York, New York, 186 pages of records pertaining to activities conducted in and around Bowie High School between 1985 and 1994. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2018-017886)
- On July 30, 2021, the United States Coast Guard (USCG) released to **Edwin Reyes**, a representative with **McDowell Owens Engineering Inc.** in Houston, Texas, 14 pages of records consisting of incident and inspection documents. These records were released in full. (Case Number USCG 2021-CGFO-01349)
- On August 2, 2021, U.S. Customs and Border Protection (CBP) released to **Kristin Macleod-Ball**, a representative with **National Immigration Litigation Alliance** in Brookline, Massachusetts, 54 pages of records consisting of the U.S. Border Patrol Medical Directive Implementation Plan, the approval memo, and the National Standards on Transport, Escort, and Detention. Portions of this release were withheld pursuant to FOIA exemption 6 and 7(C). (Case Number CBP-2021-043699)
- On August 2, 2021, U.S. Customs and Border Protection (CBP) released to **Jose Pagliery**, a representative with *The Daily Beast* in New York, New York, 26 pages of records pertaining to the coordination of the mid-April 2019 visit of Congressman Matt Gaetz to the U.S.-Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2021-060870)
- On August 3, 2021, U.S. Customs and Border Protection (CBP) released to **Emily Siegel**, a representative with *NBC News* in New York, New York, 57 pages of records pertaining to a September 11, 2020, interaction between U.S. Border Patrol and NBC reporters in the Organ Pipe Cactus National Monument. Portions of this release were withheld pursuant to FOIA exemptions 2, 5, 6, 7(C), and 7(E). (Case number CBP-2021-001254)
- On August 3, 2021, U.S. Customs and Border Protection (CBP) released to **Isabela Dias**, a representative with *Mother Jones* in San Francisco, California, a one-page record consisting of the Border Patrol Search, Trauma, and Rescue Unit's (BORSTAR) annual budget broken down by fiscal year from FY2015 to FY2021. This record was released in full. (Case Number CBP-2021-078723)
- On August 4, 2021, U.S. Customs and Border Protection (CBP) released to **Yesenia Ramirez**, a private individual in Dallas, Texas, 33 pages of records consisting of photographs, emails, reports, and text messages pertaining to an individual who was found deceased in the desert. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2018-045257)
- On August 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Haynes**, a representative with **publicintelligence.net** in Santa Rosa, California, four pages of records pertaining to [REDACTED] (b)(6) [REDACTED]. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-07027)

- On August 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Bill Conroy**, a representative with *Investigative Reporters and Editors* in Seattle, Washington, six pages of records consisting of documents maintained by the Department of Homeland Security, U.S. Customs and Immigration Enforcement (ICE) pertaining to [REDACTED] Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-47505)
- On August 4, 2021, the United States Coast Guard (USCG) released to **Stephen Hobbs**, a representative with **McDowell Owens Engineering Inc.** in Houston, Texas, 14 pages of records consisting of Marine Information for Safety and Law Enforcement System printouts. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number USCG 2021-CGFO-01706)
- On August 4, 2021, the United States Coast Guard (USCG) released to **Don Monk**, a representative with *WCPO 9* in Cincinnati, Ohio, 296 pages of records consisting of Marine Information for Safety and Law Enforcement System printouts. Portions of this release were withheld pursuant to FOIA exemption 6. (Case Number USCG 2021-CGFO-01698)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Immigration Council v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on April 3, 2018, seeking records pertaining to data capturing the number of children separated from their families and the number of adult family members who were referred for criminal prosecution. On July 30, 2021, the DHS Privacy Office released to the plaintiff 113 pages of records. (Case Number 2018-HQLI-00036)
- In the matter of *International Refugee Assistance Project v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on February 25, 2019, seeking records pertaining to the surveillance and criminal investigation of refugees in the United States. On July 30, 2021, the DHS Privacy Office released to the plaintiff 299 pages of records. (Case Number 2020-HQLI-00008)
- In the matter of *American Oversight v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on March 20, 2020, seeking records pertaining to COVID-19. On July 30, 2021, the DHS Privacy Office released to the plaintiff 501 pages of records. (Case Number 2020-HQLI-00030)
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on July 30, 2017, seeking records pertaining to emails, notes, meeting minutes, calendar and appointment books, and phone-call logs sent or

received by former Secretary John Kelly from January 21, 2017 to July 31, 2017. On July 30, 2021, the DHS Privacy Office released to the plaintiff 358 pages of records. (Case Number 2018-HQLI-00001)

- In the matter of *Just Futures Law, et al. v. U.S. Department of Homeland Security, et al. Civil Action No. 21-0430 (TSC) Justice Action Center v. ICE et al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 16, 2020, requesting records pertaining how to federal and local governments are using technologies to expand data surveillance during the COVID-19 pandemic. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 314 pages of records.
- In the matter of *American Immigration Council v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, requesting records pertaining to the treatment of noncitizen families who arrive at the U.S.-Mexico border. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 93 pages of records.
- In the matter of *Graham v. U.S. Dept. of Homeland Security (2:19-cv-02429-TLN-JDP)*, plaintiff filed a FOIA request on December 4, 2019, seeking records related to documents that describe ICE's policies and procedures. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 369 pages of records.
- In the matter of *Center for Gender & Refugee Studies v. U.S. Immigration and Customs Enforcement (ICE) et al. (4:21-cv-01065-DMR)*, plaintiff filed a FOIA request on February 12, 2021, seeking records pertaining to policies relating to asylum and withholding of removal claims based in whole or in part on a “gender alone” particular social group. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 19 pages of records.
- In the matter of *Justice and Diversity Ctr v. ICE, No. 3:20-cv-05208*, plaintiff filed a FOIA request on January 31, 2020, seeking records pertaining to the Alternatives to Detention Program. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 199 pages of records.
- In the matter of *National Immigrant Justice Center v. U.S. Department of Homeland Security (DHS) et al. (1:18-cv-04247)*, plaintiff filed a FOIA request on June 19, 2018, seeking records pertaining to facilities housing detained immigrants from 2013 to present. On July 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,183 pages of records.
- In the matter of *American Oversight v. Immigration and U.S. Immigration Customs Enforcement (ICE) et al. (1:19-cv-01817-RCL)*, plaintiff filed a FOIA request on February 8, 2019, seeking records pertaining to Roxsana Hernandez and Mergensana Amar. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 225 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v. Department of Homeland Security (DHS) et al. (1:19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, seeking records relating to profiling individuals as alleged gang

members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1066 pages of records.

- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020, seeking records from November 1, 2019 to the present pertaining to policies/procedures for COVID-19 in specific detention facilities. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 113 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, seeking records pertaining to policies and other agreements with vendors concerning government access to or receipt of data from commercial databases containing cell-phone-location information. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 91 pages of records.
- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et al. (2:21-cv-00066-JAW)*, plaintiff filed a FOIA request on March 3, 2021, seeking records pertaining to transfers of ICE detainees to or from ICE detention facilities in Maine as required by ICE's COVID-19 pandemic-response requirements. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 245 pages of records.
- In the matter of the *National Immigrant Justice Center v. U.S. Immigration and Customs Enforcement (ICE), (1:19-cv-11131)*, plaintiff filed a FOIA request on December 5, 2019, seeking records pertaining to intergovernmental service agreements between Immigration and Customs Enforcement ("ICE") and state and/or local facilities. On July 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 171 pages of records.
- In the matter of *Crew et al. v. U.S. Immigration and Customs Enforcement (ICE) (1:20-cv-03120-CKK)*, plaintiff filed a FOIA request on September 21, 2020, seeking records pertaining to involuntary medical procedures at the Irwin County Detention Center. On August 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 518 pages of records.
- In the matter of *Immigrant Defense Project v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, seeking records pertaining to the creation of Population Management, Alternatives to Detention and other supervision programs. On August 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,313 pages of records.
- In the matter of *Buzzfeed INC. v. U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, seeking records pertaining to notices sent to each ICE field office director for when a detainee has been held continuously in segregation. On August 4, 2021, U.S.

Immigration and Customs Enforcement (ICE) released to the plaintiff 20 Excel spreadsheets.

- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE)*, (1:20-cv-02553-TJK), plaintiff filed a FOIA request on September 11, 2020, seeking records pertaining to decision to deploy federal agents to Portland, Oregon, and Chicago, Illinois. On August 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 110 pages of records.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
August 5-11, 2021  
DHS Privacy Office  
August 16, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On August 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to correspondence sent by government officials or employees containing the terms Operation Capiro, Title 42, T-42, Public Health Safety Act, PHS, close the border, open the border, reopen the border, nonessential travel. (Case Number CBP-2021-091759)
- On August 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to communications between government officials and the White House with an email address ending in @who.eop.gov regarding the expulsion of migrants under Title 42. (Case Number CBP-2021-091769)
- On August 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to testing migrants for the coronavirus and the diseases it causes prior to their expulsion from the United States under Title 42. (Case Number CBP-2021-091773)
- On August 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to guidance ending the expulsion of migrants under Title 42. (Case Number CBP-2021-091774)
- On August 5, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to the collection and use of biometrics for migrants who are expelled from the United States under Title 42. (Case Number CBP-2021-091777)
- On August 5, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) emails sent by USCIS officials from March 1, 2020 to the present containing the terms Operation Capiro, Title 42, T-42, Public Health Safety Act, PHS, close the border, open the border, reopen the border, nonessential travel. (Case Number USCIS COW2021003020)

- On August 5, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to email communications between multiple USCIS leaders regarding expulsion of migrants and Title 42 from March 1, 2020 to August 6, 2021. (Case Number USCIS COW2021003022)
- On August 5, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to communications regarding COVID-19 between multiple USCIS leaders regarding expulsion of migrants and Title 42 from March 1, 2020 to August 10, 2021. (Case Number USCIS COW2021003030)
- On August 5, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to the use of biometrics of migrants between multiple USCIS leaders regarding expulsion of migrants and Title 42 from March 1, 2020 to August 10, 2021. (Case Number USCIS COW2021003031)
- On August 5, 2021, **Hart Wood**, a representative with **American Oversight** in Washington, DC, requested from the U.S. Citizenship and Immigration Services (USCIS) records pertaining to the decision to end the expulsion of migrants between multiple USCIS leaders under Title 42 from March 1, 2020, to August 10, 2021. (Case Number USCIS COW2021003033)
- On August 8, 2021, **Thomas Volscho**, a representative with *ABC News* in West Orange, New Jersey, requested from U.S. Customs and Border Protection records pertaining to FOIA requests submitted by two requestors from January 1, 2000 to July 1, 2021. (Case Number CBP-2021-092421)
- On August 9, 2021, **Stephen Dinan**, a representative with *The Washington Times* in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the updated citizenship test from USCIS leadership from January 1, 2021 to August 11, 2021. (Case Number USCIS COW2021003065)
- On August 10, 2021, **Craig Samtmann**, a representative with **Immigration Reform Law institute** in Washington, DC, requested from U.S. Customs and Border Protection records pertaining to the transportation of non-citizen unaccompanied children via aircraft from April 1, 2021 to August 9, 2021. (Case Number CBP-2021-092919)

#### Late requests

- On August 2, 2021, **Valerie Gonzalez**, a representative with *The Monitor* in Edinburg, Texas, requested from U.S. Customs and Border Protection records pertaining to guidance on changes to Title 42 enforcement or operations from July 28, 2021 to Sunday, August 1, 2021. (Case Number CBP-2021-090059)
- On August 4, 2021, **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records pertaining to proposed contracts, bids, unsolicited proposals, and/or

documents justifying contracting without full and open competition relating to contract award ID 70B03C19F00000847. (Case Number CBP-2021-090951)

- On August 4, 2021, **Denise Doran**, a private individual in Loxahatchee, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to the number of non-U.S. citizens encountered on the U.S. side of the U.S.-Mexican border given a vaccine for COVID-19 while in U.S. custody or being processed by a U.S. agency. (Case Number CBP-2021-091096)

### III. Freedom of Information Act Releases

- On August 5, 2021, U.S. Customs and Border Patrol (CBP) released to **Mike Levine**, a representative with *ABC News* in Chevy Chase, Maryland, a no-records response in regard to his request for photos depicting conditions inside federal facilities detaining or housing unaccompanied minors. (Case Number CBP-2021-043742)
- On August 5, 2021, the Transportation Security Administration (TSA) released to **Tiffany Sherrod**, a representative with *11 Alive* in Atlanta, Georgia, four video clips consisting of an incident occurring on March 23, 2021, at Hartsfield Jackson Airport involving three adult male passengers. These records were released in full. (Case Number TSA 2021-TSFO-00349)
- On August 5, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Mehreen Rasheed**, a representative with **American Oversight** in Washington, DC, six pages of records consisting of a memorandum signed by Acting Secretary Chad Wolf. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2021-HQFO-00303)
- On August 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Kavitha Surana**, a representative with *ProPublica* in New York, New York, 43 pages of records related to the closing of ICE's Office of Detention Policy and Planning from January 1, 2017 to March 20, 2018. Portions of this release were withheld pursuant to FOIA exemptions 5, 6 and 7(C). (Case Number ICE 2018-ICFO-27528)
- On August 6, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Lauren Dillon**, a representative with **Democratic National Committee** in Washington, DC, 39 pages of records consisting of emails between John Kelly, Kirstjen Nielsen, Kevin Carroll, and Gene Hamilton from White House Deputy Cabinet Secretary John K. Mashburn. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2018-HQFO-00198)
- On August 6, 2021, U.S. Customs and Border Protection (CBP) released to **Valerie Gonzalez**, a representative with *The Monitor* in Edinburg, Texas, a one-page record consisting of an email pertaining to changes to Title 42 enforcement or operations. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number CBP-2021-090059)
- On August 6, 2021, U.S. Customs and Border Patrol (CBP) released to **Denise Doran**, a private individual in Loxahatchee, Florida, a no-records response in regard to her request for the number of non-U.S. citizens encountered on the U.S. side of the

U.S.-Mexican border given a vaccine for COVID-19 while in U.S. custody or being processed by a U.S. agency. (Case Number CBP-2021-091096)

- On August 6, 2021, the Federal Emergency Management Agency released to **Janie Boschma**, a representative with *CNN* in Washington, DC, one Excel spreadsheet pertaining to COVID-19 funeral assistance data. This response was released in full. (Case Number 2021-FEFO-00601)
- On August 6, 2021, the Federal Emergency Management Agency released to **Tami Abdollah**, a representative with *The Associated Press* in Washington, DC, 744 pages of records consisting of contract documents and emails. Portions of this release were withheld pursuant to FOIA exemptions 3, 4, 5, and 6. (Case Number 2018-FEFO-00306)
- On August 6, 2021, the Federal Emergency Management Agency released to **Glenn Thrush**, a representative with *The New York Times* in Washington, DC, 744 pages of records consisting of contract documents and emails. Portions of this release were withheld pursuant to FOIA exemptions 3, 4, 5, and 6. (Case Number 2018-FEFO-00082)
- On August 10, 2021, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a private individual in Salt Lake City, Utah, 990 pages of records consisting of statistics and analysis pertaining to CAD-Cleared Shelf Initiative data regarding contract services for background investigations. Portions of this release were withheld pursuant to FOIA exemptions 2, 3, 4, 6, 7(C), and 7(E). (Case Number CBP-2016-018579)
- On August 10, 2021, U.S. Customs and Border Protection (CBP) released to **Salvador Hernandez**, a representative with *BuzzFeed News* in Los Angeles, California, 68 pages of records consisting of emails and attachments pertaining to Chief Provost's testimony at the June 21, 2017, Senate Judiciary Committee titled "The MS-13 Problem: Investigating Gang Membership, It's Nexus to Illegal Immigration, and Federal Efforts to End the Threat." Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case Number CBP-2017-070830)
- On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Kevin**, a representative with *MuckRock News* in Somerville, Massachusetts, 17 pages of records consisting of the roster and schedule for DHS Citizens Academies operating within the cities of Tampa, Florida; Chicago, Illinois; and New York, New York from 2018-2020. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2021-ICFO-32421)
- On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Seth Freed Wessler**, a representative with **The Nation Institute** in New York, New York, 17 pages of records related to the decision by ICE to contract with the Adams County Detention Center. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case Number ICE 2021-ICFO-35921)

- On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Sergio Hernandez**, a representative with *CNN* in Atlanta, Georgia, 67 pages of records and four Excel workbooks pertaining to ICE Director Sarah R. Saldana's March 19, 2015, testimony before the U.S. House of Representatives Committee on Oversight and Government Reform. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number ICE 2017-ICFO-10092)
- On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Jacob Rosenberg**, a representative with *Mother Jones Magazine* in San Francisco, California, 64 pages of records consisting of correspondence between U.S. Immigration and Customs Enforcement and Senator Cory Booker's office between January 1, 2013, and the present. Portions of this release were withheld pursuant to FOIA exemptions 5, 6 and 7(C). (Case Number ICE 2019-ICFO-33616)
- On August 11, 2021, U.S. Customs and Border Protection (CBP) released to **Michael Ravnitzky**, 92 pages of records consisting of communication between CBP and Congressman Beto O'Rourke. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number CBP-2021-033499)
- On August 11, 2021, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 27 pages of records consisting of email communications from Lawrence "Rusty" Payne, Roderick Kise, Thomas Gresback, Cecilia Barreda, and Justin Long, Tripwires and Triggers, Border Patrol Union, and Tim Wilkins from March 10, 2021 to March 13, 2021. Portions of this release were withheld pursuant to FOIA exemptions 6 and 7(C). (Case Number CBP-2021-057126)
- On August 11, 2021, the Federal Emergency Management Agency released to **Adam Mahoney**, a representative with *Grist* in Chicago, Illinois, one Excel spreadsheet consisting of data pertaining to reimbursement requests from cities and counties participating in the program. This response was released in full. (Case Number 2021-FEFO-00615)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Oversight v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on October 17, 2018, seeking records pertaining to calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On August 13, 2021, the DHS Privacy Office released to the plaintiff 315 pages of

records. Portions of this release were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2019-HQLI-00013)

- In the matter of *Texas Civil Rights Project v. the Department of Homeland Security (DHS)*, plaintiff filed a FOIA request on June 24, 2020, seeking records pertaining to the ACA Program, the HARP Program, the PACR Program, and the Title 42 Expulsion Program. On August 6, 2021, the DHS Privacy Office released to the plaintiff 406 pages of records. Portions of this response were withheld pursuant to FOIA exemptions 5, 6, 7(E). (Case Number 2020-HQLI-00040)
- In the matter of *Catholic Legal Immigration Network, Inc. et al. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (8:20-cv-02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to Temporary Protected Status from January 20, 2017, to August 12, 2019. On August 6, 2021, USCIS released to the plaintiff 325 pages of records.
- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al. (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On August 5, 2021, USCIS released to the plaintiff 1,137 pages of records.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al. (1:20-cv-02348)*, plaintiff filed a FOIA request on April 18, 2020, seeking records pertaining to special training for Iraqi and Syria cases given to asylum officers from January 1, 2018, to the present. On August 6, 2021, USCIS released to the plaintiff of 627 pages of records.
- In the matter of *American Oversight v. United States Citizenship and Immigration Services (USCIS) et al. (1:19-cv-00774-RC)*, plaintiff filed a FOIA request on August 29, 2018, seeking records pertaining to communications from White House Adviser Stephen Miller and his former executive assistant McLaurine Klingler on behalf of the current administration. On August 9, 2021, USCIS released to the plaintiff 1,694 pages of records.
- In the matter of *Manatt v. U.S. Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS) et al. (Case No. 2:18-cv-01163-WB)*, plaintiff filed a FOIA request on October 23, 2018, seeking records regarding "Zero-Tolerance Policy for Criminal Entry." On August 11, 2021, USCIS released to the plaintiff 3,260 pages of records.
- In the matter of *Albaladejo v. ICE et al., (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking records pertaining to ICE medical summaries for individuals transported between 2003 and present by ICE Air Operations of

Enforcement and Removal Operations. On August 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 188 pages of records.

- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, seeking records pertaining to family reunification and the release of a minor from U.S. Department of Homeland Security custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On August 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 655 pages of records.
- In the matter of *Justice Action Center v. ICE et al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 19, 2018, requesting records pertaining to the federal government's policies regarding the re-calendar of Deferred Action for Childhood Arrivals. On August 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 234 pages of records.
- In the matter of *Freddy Martinez v. U.S. Department of Homeland Security, et al; No. 21-0341 (JEB)*, plaintiff filed a FOIA request on February 8, 2021, seeking records pertaining to the scope, purpose, and objectives of Operation Palladium. On August 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff five pages of records.
- In the matter of the *IDP v. ICE (ICE) et al. (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records pertaining to civil immigration arrests by U.S. Immigration and Customs Enforcement agents that occur within or near New York State courthouses. On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 500 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v. U.S. Department of Homeland Security (DHS) et al. (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 659 pages of records.
- In the matter of *Hannah Rapple and NBC Universal Media v. U.S. Department of Homeland Security (DHS) et al. (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking records pertaining to multiple individuals who died while in ICE custody. On August 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 659 pages of records.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
September 2 - 8, 2021  
DHS Privacy Office  
September 13, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On September 2, 2021, **Andrew Free**, a representative of **Al Otro Lado** in San Ysidro, California, requested from the Department of Homeland Security (DHS) Privacy Office records related to FOIA Significant Release Notifications, FOIA Weekly Significant Activity Reports, and FOIA Monthly Reports from January 2017 to January 2021. (Case Number HQ 2021-HQFO-01442)
- On September 2, 2021, **Emma North-Best**, a representative of **MuckRock News** in Somerville, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office records related to a certain NOC Media Monitoring Capability Item of Interest. (Case Number HQ 2021-HQFO-01443)
- On September 2, 2021, **J. Weston Phippen**, a representative with **Politico Magazine** in Santa Fe, New Mexico, requested from U.S. Customs and Border Protection (CBP) documents related to the performance of any equipment supplied to CBP or Border Patrol by Anduril (Anduril Industries, Inc.) at the U.S.-Mexico border, including the Sentry Tower, Lattice System, and UAS drones. (Case number CBP-2021-101979)
- On September 3, 2021, **Rebecca Smith** a representative with **The Wall Street Journal** in San Francisco, California, requested from the Transportation Security Administration (TSA) correspondence related to testimony of Patricia Cogswell before the Senate Committee on Science, Commerce and Transportation on Sept. 11, 2019. (Case Number TSA 2021-TSFO-00741)
- On September 3, 2021, **Rebecca Smith** a representative with **The Wall Street Journal** in San Francisco, California, requested from the Transportation Security Administration (TSA) documents created by the Surface Transportation Security Advisory Committee, which was stood up in April 2019 in response to the TSA Modernization Act of 2018, as well as documents submitted to the group for its consideration or education by others. (Case Number TSA 2021-TSFO-00743)
- On September 5, 2021, **Charlotte Cuthbertson**, a representative with **The Epoch Times Magazine** in New York, New York, requested from U.S. Customs and Border Protection (CBP) records for the last 10 years regarding U.S. Border Patrol retirements, resignations, applicants, and new agents employed. (Case number CBP-2021-102686).
- On September 7, 2021, **Daniel Bauman** a representative with **The Chronicle of Higher Education** in Washington, DC, requested from the Transportation Security

Administration (TSA) records generated as a result of an incident or incidents at the Tampa International Airport on August 22, 2021, concerning women traveling domestically who were interviewed or investigated by employees of the TSA as a result of their suspected attempts to illegally transport firearm ammunition by air travel. (Case Number TSA 2021-TSFO-00745)

- On September 7, 2021, **Janine Weisman**, an independent journalist in Newport, Rhode Island, requested from the United States Coast Guard (USCG) records related to the search/rescue/recovery operation of the sailboat FREE SPIRIT, lost in June 2006 off Nova Scotia and DAD'S DREAM, that occurred after the Coast Guard initiated the search for FREE SPIRIT. (Case Number USCG 2021-CGFO-02149)
- On September 8, 2021, **Dru Foster**, a representative at **Office of Disciplinary Counsel**, in Washington, DC, requested from the United States Coast Guard (USCG) records in the possession of the Office of Military Justice related to the residual clemency action in U.S. v. CDT Michael Shermot. (Case Number USCG 2021-CGFO-02160)

#### Late requests

- On May 28, 2021, **Richard Caldarone**, a representative of **Tahirih Justice Center** in Falls Church, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records dated on or after January 20, 2021, pertaining to the so-called "Dedicated Docket" announced in a joint press release on May 28, 2021. (Case Number HQ 2021-HQFO-01074)
- On August 10, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office dated on or after January 20, 2021, pertaining to the so-called "Dedicated Docket" records from January 20, 2021, to September 7, 2021, related to the separation of children from parents at the border. (Case Number HQ 2021-HQFO-01456)
- On August 16, 2021, **Brittany Suszan**, a private individual, requested from the United States Coast Guard (USCG) standard language or terms contained in settlement agreements to resolve Title IX complaints involving the university and/or its employees or agents. (Case Number USCG 2021-CGFO-02158).

### **III. Freedom of Information Act Releases**

- On August 31, 2021, U.S. Customs and Border Protection (CBP) released to **Jason A. Huffman**, a representative with *Undercurrent News* in Silver Spring, Maryland, a no records response in regard to his request for penalty notices issued under the Jones Act for harvesting, processing or transporting pollock off the coast of Alaska in 2021. (Case number CBP-2021-100541).
- On September 3, 2021, the Department of Homeland Security (DHS) released to **Taylor Amarel**, a representative with **MuckRock News** in Somerville, MA, 15 pages of emails sent to, from, or copied to Kevin McAleenan from January 1, 2019, to June 1, 2019, containing the keywords: "meritorious," "unlawful," "POTUS," "Miller," "congress," or

"Judiciary Committee." Portions of this response were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number 2020-HQFO-00125)

- On September 3, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Maryum Jordan**, a representative with **Lawyers' Committee for Civil Rights Under Law** in Washington, DC, 15 pages of email from January 1, 2017, to April 15, 2019, between Stephen Miller and political appointees involving Libyans and deferred departure. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2020-HQFO-00313)
- On September 7, 2021, the Cybersecurity and Infrastructure Security Agency (CISA) released to **Susan Greenhalgh**, a private individual, 2,581 pages of email and other correspondence with Kennesaw State University Center for Elections, the National Association of Secretaries of State, and the National Association of State Election Directors. Portions of this response will be withheld pursuant to FOIA exemptions 4, 5, 6, and 7(E). (Case Number 2021-NPFO-00117)
- On September 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Glass**, a representative with **MuckRock News** in Somerville, Massachusetts, 435 pages of records relating to the several government contracts with the GEO Group. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C) and 7(E). (Case Number ICE 2019-ICFO-39460)
- On September 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Austin Evers**, a representative with **American Oversight** in Washington, DC, 101 pages of records pertaining to any independent autopsies of certain individuals who died in ICE custody. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2021-ICFO-33350)
- On September 7, 2021, the Federal Emergency Management Agency released to Nikhel Sus, a representative of Citizens for Responsibility in Washington (CREW) in Washington, D.C., 19 pages consisting of letters and email records pertaining to the February 2021 severe winter storm and FEMA vaccination efforts. Portions of this release were withheld pursuant to FOIA exemption 6.
- On September 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, an individual from Silver Spring, MD, 10 pages of records consisting of emails from the Office of Legislative Affairs staff with the key words: "CAPITAL," "CAPITOL," "POLICE," "ATTACK," "MOB," "VIOLENCE," or "TRUMP." Portions of this response were withheld pursuant to FOIA exemptions 5, 6 and 7(E). (Case Number HQ 2021-HQFO-00558)
- On September 8, 2021, the Department of Homeland Security (DHS) released to **Michael Ravnitzky**, an individual from Silver Spring, Maryland, 95 pages of records consisting of the Real Property "Asset Management Plan" from 2010. Portions of this response were withheld pursuant to FOIA exemptions 5 and 7(E). (Case Number HQ 2021-HQFO-00516)
- On September 8, 2021, U.S. Customs and Border Protection (CBP) released to **Mark Heller**, a representative for **Advocates for Basic Legal Equality**, in Toledo, Ohio, 111

pages of I-213's, regarding the Sandusky Bay Station's practices and procedures relating to apprehension, arrest, and/or seizure, detention, and/or custody, racial profiling, and collaborations with state and local law enforcement. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-041934)

#### **IV. Freedom of Information Act Appeals**

- NSTR

#### **V. Freedom of Information Act Appeals Releases**

- NSTR

#### **VI. Litigation**

- In the matter of *ACLU v. DHS 20-cv-10083*, on February 10, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 287 pages to plaintiff.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-10083)* the plaintiff filed a FOIA request on December 2, 2020 requesting all records, policies, communications, contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On September 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 22 pages of records.
- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et. al. (2:21-cv-00066-JAW)* the plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining to the transfer of U.S. Immigration and Customs Enforcement (ICE) detainees to or from detention facilities in Maine. On September 6, 2021, ICE released to the plaintiff 227 pages of records.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records for the time period beginning January 1, 2016, all written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On September 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 6 excel spreadsheets.
- In the matter of *Albaladejo v. ICE et al., (1:19-cv-03806-RC)*, the plaintiff filed a FOIA request on December 26, 2019, seeking all records of U.S. Immigration and Customs Enforcement (ICE) medical summaries for individuals transported between 2003 and present

by ICE Air Operations. On September 8, 2021, ICE released to the plaintiff 467 pages of records.

- In the matter of *BUZZFEED INC. v. DHS 20-cv-02508*, on September 16, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records regarding recent protests in the wake of the killing of George Floyd and the government's response. On September 7, 2021, the Department of Homeland Security (DHS) Privacy Office released 57 pages to plaintiff.
- In the matter of *Texas Civil Right Project, et al. v. ICE et al., 1:20-cv-02389-CJN*, the plaintiff filed a FOIA request on August 27, 2020, requesting any records describing the U.S. Immigration and Customs Enforcement's (ICE) role in the Affordable Care Act program, the Prompt Asylum Claim Review (PACR) program, and the Humanitarian Asylum Review Process (HARP) program, or the Title 42 expulsion program. On September 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 209 pages of records.

## 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

**Freedom of Information Act (FOIA) Activity for the Week of  
August 12-18, 2021  
DHS Privacy Office  
August 23, 2021  
Weekly FOIA Report**

- I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:
- On August 12, 2021, the United States Coast Guard (USCG) FOIA office posted to the USCG FOIA Library, records concerning a missing person and the vessel SIREN SONG (46 pages).

**II. Freedom of Information Act Requests**

- On August 11, 2021, **Aly Panjwani**, an individual in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) records and memorandums relating to the implementation of facial biometrics at air and land ports. (Case Number CBP-2021-093490)
- On August 12, 2021, **Greg Morton**, a media representative with *ProPublica* in Mitchellville, Maryland, requested from U.S Citizenship and Immigration Services data consisting of information from Form I-129 receipt files with P-1 visa status for specified petitioner firm names from January 1, 2002, through January 1, 2007, and from August 12, 2016, through the present. (Case Number USCIS COW2021003184)
- On August 15, 2021, **Denise A. Cathey**, a representative with *The Brownsville Herald*, requested from U.S. Customs and Border Protection data of the number of people crossing the U.S.-Mexico border illegally in the Rio Grande Valley Sector from March 13, 2021, to August 30, 2021. (Case Number CBP-2021-094992)
- On August 16, 2021, **Adam Federman**, an independent journalist in Cornwall, Vermont, requested from U.S. Customs and Border Protection reports submitted to local Federal land managers from April 2006 to the present regarding the use of wilderness lands as stipulated in a 2006 Memorandum of Understanding with the Department of the Interior. (Case Number CBP-2021-095079)
- On August 18, **Allan Blutstein**, a representative of **Americans Rising** in Washington, DC, requested from the Department of Homeland Security Privacy Office emails sent by Secretary Mayorkas that mention "Afghanistan" or the "Taliban" from August 13, 2021, through August 17, 2021. (Case Number HQ 2021-HQFO-01336)

**Late requests**

- On July 08, 2021, **David Collins**, a representative with *The Day*, requested from the United States Coast Guard (USCG), a copy of the Defense Organizational Climate Survey/ Defense Equal Opportunity Management Institute survey for 2021 of the United

States Coast Guard Academy's Medical Division. (Case Number USCG 2021-CGFO-02012)

- On July 13, 2021, **Jody Barr** a representative with **WJZY/FOX** in Charlotte, North Carolina, requested from the Transportation Security Administration Security (TSA) video recordings depicting the security screening areas located at checkpoints A and B of the Charlotte Douglas International Airport on July 16, 2021 between 5:45 and 6:45 a.m. (Case Number TSA 2021-TSFO-00711)

### III. Freedom of Information Act Releases

- On August 16, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Emily Ryo**, a representative with **Gould School of Law** in Los Angeles, California, ten Excel spreadsheets of records pertaining to USCIS N-400 applications. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number USCIS COW2021003012)
- On August 16, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Aaron Schaffer**, a representative with **The Washington Post** in Washington, DC, 26 pages of records consisting of a document titled "CISA 2020: Forging a New Future-Conceptual Blueprint for Organizational Change Management." Portions of this release were withheld pursuant to FOIA exemption 5. (Case Number CISA 2021-NPFO-00103)
- On August 16, 2021, U.S. Customs and Border Protection (CBP) released to **Sean Sullivan**, a representative of **Procopio, Cory, Hargreaves & Savitch, LLP**, in San Diego, California, 63 pages of contract documents between CBP and Cerrudo Services for Comprehensive Tactical Infrastructure Maintenance and Repair (CTIMR) along the southwest border and surrounding areas. Portions of this release were withheld pursuant to FOIA exemptions 4, 6, 7(C), and 7(E). (Case number CBP-2021-061895)
- On August 18, 2021, U.S. Customs and Border Protection (CBP) released to **Jean Guerrero**, an independent journalist, in La Mesa, California, 110 pages of email communications between Kevin McAleenan and Stephen Miller from January 1, 2017, through December 31, 2018. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2021-065431)
- On August 18, 2021, U.S. Customs and Border Protection (CBP) released to **Taylor Scott Amarel**, a representative with **MuckRock News**, in Somerville, Massachusetts, 20 pages of emails from Acting CBP Commissioner Mark Morgan, from July 1, 2019 to August 15, 2019 containing any of the following terms: "Trump Properties", "POTUS", "Eric Trump", "Trump Organization", "Mar-a-Lago", "Trump National Golf Club", "golf" or "Pine Hill." Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2021-075828)
- On August 18, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Mehreen Rasheed**, a representative from **American Oversight** in Washington DC, 69 pages of records consisting of Memorandums and correspondence written or signed by CISA Director Chris Krebs or Deputy Director Matt Travis. Portions of this response were withheld pursuant to FOIA exemptions 5, 6 and 7E. (Request Number 2021-NPFO-00011)



#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of the *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. CBP et al (20-cv-03202-GBD)*, the plaintiff submitted a complaint on April 23, 2020, seeking release of records regarding the intended beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa (SIV) programs. On August 11, 2021, U.S. Customs and Border Protection (CBP) released 48 pages of A-file records.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA ("IIUSA") v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850)*, plaintiff filed a FOIA request on September 3, 2019, seeking records consisting of copies of all form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On August 12, 2021, USCIS released to the plaintiff 308 pages of records.
- In the matter of the *Safe Passage Project v. CBP and USCIS (21-cv-3288-VEC)*, the plaintiff submitted a complaint on April 23, 2021, seeking release of records related to the CBP Form 93, the "Unaccompanied Alien Child Screening Addendum." On August 12, 2021, U.S. Customs and Border Protection (CBP) released 4 pages of correspondence related to CBP Form 93 and replaced 4 pages from the first interim release.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA ("IIUSA") v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850)*, plaintiff filed a FOIA request on March 11, 2020, seeking records consisting of copies of all form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2019. On August 12, 2021, USCIS released to the plaintiff 539 pages of records.
- In the matter of *Lawyers for Civil Rights v. United States Citizenship and Immigration Services (USCIS) et al., (20-cv-11777)*, plaintiff filed a FOIA request on July 2, 2018, seeking records pertaining to drafting of the "public charge" regulation provision of the Immigration and Nationality Act. On August 13, 2021, USCIS released to the plaintiff 668 pages of records.
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. DHS et al. (1:19-cv-3438-CJN)*, plaintiff filed a FOIA request on May 31, 2019, seeking all policies, procedures, guidelines and communications relating to the screening, inspection or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. On August 13, 2021, CBP released 8 pages of records to the plaintiff.

- In the matter of *American Oversight v. DHS (19-cv-00912)*, on October 17, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records of calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who served as White House liaison since January 20, 2017. On August 13, 2021, the Department of Homeland Security (DHS) Privacy Office released 315 pages to plaintiff.
- In the matter of *Joshua Phillips v. DHS*, on February 24, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to correspondence referring to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and/or any other reports that discuss the threat of domestic terrorism. On August 16, 2021, the Department of Homeland Security (DHS) Privacy Office released 611 pages to the plaintiff.
- In the matter of *Buzzfeed Inc. vs. DHS (18-cv-01523)*, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to emails sent or received by USCIS ombudsman Julie Kirchner, meetings attended, summaries for meetings, calendar-book entries, and phone-call logs. On August 13, 2021, the Department of Homeland Security (DHS) Privacy Office released 188 pages to plaintiff.
- In the matter of *CREW et al. v. DHS et al. (20-cv-02553-TJK)*, on July 23, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records relating to the deployment of federal law enforcement in response to protests for racial justice across the country. On August 13, 2021, the Department of Homeland Security (DHS) Privacy Office released 85 pages to plaintiff.
- In the matter of *Crew v. DHS (19-cv-03544)*, on August 18, 2017, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office certain records related to Katharine Gorka, including calendars and communication with Seb Gorka or his deputy, and documents reflecting DHS' 2017 review of the Countering Violent Extremism (CVE) program. On August 13, 2021 the Department of Homeland Security (DHS) Privacy released 169 pages to plaintiff.
- In the matter of *Immigrant Investors Association, Inc. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), (1:20-cv-02082)*, plaintiff filed a FOIA request on March 6, 2018, seeking copies of all form I-924As filed by EB-5 Regional Centers for fiscal year 2017. On August 16, 2021, USCIS released to the plaintiff 219 pages of records.
- In the matter of *Leopold/Buzzfeed v. DHS (20-cv-2179)*, on June 1, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records from May 25, 2020 to June 1, 2020, involving agency decision-makers and political appointees mentioning or referring to protests and George Floyd. On August 16, 2021, the Department of Homeland Security (DHS) released 258 pages to plaintiff.
- In the matter of *Leopold Inc. v. DHS (18-cv-01957)*, on June 19, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office all emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland

Secretary Kirstjen Nielsen related to immigration. On August 16, 2021, the Department of Homeland Security (DHS) Privacy Office released 222 pages to plaintiff.

- In the matter of *American Oversight vs DHS (19-CV-00774)*, on August 29, 2018, plaintiff requested communications with or about Stephen Miller. On August 17, 2021, the Department of Homeland Security (DHS) released 324 pages to plaintiff.
- In the matter of *Muslim Advocates, et al. v. DHS, et al. (17-cv-02080-TSC)*, on June 27, 2017, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to a request for documents, communications, and all other materials related to the implementation of the waiver of provisions of President Trump's March 6, 2017 Executive Order (EO), EO 13780. On August 18, 2021, the Department of Homeland Security (DHS) Privacy Office released 316 pages to plaintiff.
- In the matter of *CREW v DHS (17-cv-02080-TSC)*, on January 10, 2021, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records from December 1, 2020 to January 6, 2021 related to planned demonstrations, gatherings, disruptions, attacks, or riots in Washington, D.C. on January 6, 2021. On August 18, 2021, the Department of Homeland Security Privacy Office released 44 pages to 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

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**Exemption 8:** information relating to the supervision of financial institutions

**Exemption 9:** geological information on wells

**Freedom of Information Act (FOIA) Activity for the Week of  
August 26- September 1, 2021  
DHS Privacy Office  
September 7, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- On

**II. Freedom of Information Act Requests**

- On August 26, 2021, **Ryan Melogy**, a representative with **Maritime Legal Aid Society**, requested from the United States Coast Guard (USCG) records concerning the reporting of sexual assaults aboard U.S. documented vessels from 2000 to present. (Case Number USCG 2021-CGFO-02053)
- On August 30, 2021, **Drew C. Ensign**, Deputy Solicitor General, Counsel **State of Arizona** in Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) information about the National Environmental Policy Act, 42 U.S.C. §§ 4321-4370h, environmental analysis, and correspondence records for any projects related to the existing or intended future of the Border Wall construction. (Case number CBP-2021-100237)
- On August 30, 2021, **Algernon D’ammassa**, a representative with **Las Cruces Sun-News**, requested from U.S. Customs and Border Protection (CBP) current CBP directive 4510-26, Emergency driving, including vehicular pursuits. (Case number CBP-2021-100260)
- On August 30, 2021, **Nicholas Erickson**, a representative with **Republican National Conference**, requested from U.S. Customs and Border Protection (CBP) emails, attachments, training manuals, monthly reports, and presentations that were sent to or received between Marguerite Lise Clavel and Troy Miller that mention the terms: "covid data," "covid positive," "testing procedures," "covid testing," "CBP care," or "covid statistics." (Case number CBP-2021-100284)
- On August 30, 2021, **Nicholas Erickson**, a representative with **Republican National Conference**, requested from U.S. Customs and Border Protection (CBP) emails, attachments, data, training manuals, monthly reports, and presentations that were sent to or received between Marguerite Lise Clavel and Troy Miller that mention the terms: "seized," "seize," "guns," "ammunition," or "weapons." (Case number CBP-2021-100282)
- On August 30, 2021, **Jason A. Huffman**, a representative with **Undercurrent News** in Silver Spring, Maryland, requested from U.S. Customs and Border Protection (CBP) penalty notices issued under the Jones Act for harvesting, processing or transporting pollock off the coast of Alaska in 2021. (Case number CBP-2021-100541)

- On August 30, 2021, **Ken Silva**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office the training video titled “Countering Terrorists Exploitation of Social Media and the Internet.” (Case Number HQ 2021-HQFO-01433)
- On August 30, 2021, **Mariah Congedo**, a representative with *WTOC*, requested from the United States Coast Guard (USCG) documents used in the investigation of the boat crash that happened on the Savannah River on August 27. (Case Number USCG 2021-CGFO-02095)
- On August 31, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested of the Department of Homeland Security (DHS) Privacy Office email from September 1, 2020, through January 20, 2021 between former Acting Secretary Chad Wolf and any person communicating on behalf of Council for National Policy (CNP) or CNP Action, Inc. (Case Number HQ 2021-HQFO-01429)
- On August 31, 2021, **Reed Rubenstein**, a representative of **America First Legal**, requested of the Department of Homeland Security (DHS) Privacy Office certain records related to the screening and resettlement of individuals evacuated from Afghanistan. (Case Number HQ 2021-HQFO-01432)
- On August 31, 2021, **Ryan Serpico** a representative with the *San Antonio Express-News* in San Antonio, Texas, requested from the Transportation Security Administration Security (TSA) 2021 passenger data and fire arm catches for all TSA checkpoints in Texas. (Case Number TSA 2021-TSFO-00734)
- On September 1, 2021, **Kif Leswing** a representative with *CNBC* in San Antonio, Texas, requested from the Transportation Security Administration Security (TSA) documents related to Apple Wallet ID card program. (Case Number TSA 2021-TSFO-00737)
- On September 1, 2021, **Ginger McCall**, a representative of **Demand Progress** in Washington, DC, requested of the Department of Homeland Security (DHS) Privacy Office certain records referenced in the Science and Technology Directorate (S&T) Data Analytics Technology Center (DA-TC) Privacy Impact Analysis. (Case Number HQ 2021-HQFO-01436)

#### Late requests

- On August 25, 2021, **Daniel Golden**, a representative with *ProPublica* in Belmont, Massachusetts, requested from the Department of Homeland Security Privacy Office records related to Professor Joseph Tsien, a prominent neuroscientist and former professor at Augusta University/Medical College of Georgia. (Case Number HQ 2021-HQFO-01437)

### **III. Freedom of Information Act Releases**

- On August 27, 2021, U.S. Customs and Border Protection (CBP) released to **Laura Strickler**, a representative with *CBS News* in Washington, DC, 57 pages of calendar appointments from April 1, 2017 to April 23, 2018 for Border Patrol Chief Carla Provost. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2018-049978)

- On August 27, 2021, U.S. Customs and Border Protection (CBP) released to **Jason Buch**, a freelance reporter in Seattle, Washington, seven pages of memos pertaining to transportation check operations. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-065943)
- On August 27, 2021, U.S. Customs and Border Protection (CBP) released to **Belisa Morillo**, a representative with **Telemundo**, in Miami, Florida a three-page list of all medication administered at the Center for Border Protection Central Processing Station in McAllen, Texas from April 01, 2018 – July 01, 2018. This record was released in full. (Case number CBP-2018-073437)
- On August 27, 2021, U.S. Customs and Border Protection (CBP) issued to **Keith Alexander**, a representative with **The Washington Post**, in Washington, DC, a full denial in regard to his request records related to a tort claim and general liability claim pertaining to Officer Ryan Gonsalves. These records were withheld in full pursuant to FOIA exemptions 6, 7(A) and 7(C). (Case number CBP-2021-070891)
- On August 27, 2021, U.S. Customs and Border Protection (CBP) released to **Carolina Cuellar**, a representative with the **Texas Public Radio** in Edinburg, Texas, 31 pages of records pertaining to blood plasma donation related to B1/B2 visas in the Laredo Field Office. Portions of this release were withheld pursuant to FOIA exemptions 4, 5, 6, 7(C) and 7(E). (Case number CBP-2021-075410)
- On August 31, 2021, U.S. Customs and Border Protection (CBP) released to **Scott McFarlane**, a representative with **NBC Universal** in Washington, DC, 32 pages consisting of reports of investigation into misuse of a government vehicle. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2018-091104)
- On August 31, 2021, the Federal Emergency Management Agency released to **J Ader**, a representative with the **MuckRock News** in Somerville, Massachusetts, six pages pertaining to emails sent to and from OPSEC@hq.dhs.gov. Portions of this release were withheld in part pursuant to FOIA Exemption 6. (Case Number 2021-FEFO-00762)
- On September 1, 2021, the Transportation Security Administration (TSA) released to **Eric Geller**, a representative with **Politico** in Arlington, Virginia, 16 pages consisting of feedback submitted to the TSA regarding Security Directive Pipeline-2021-01, including all feedback sent via email to SurfOps-SD@tsa.dhs.gov. Portions of the release were withheld pursuant to FOIA Exemptions 3 and 6. (Case Number TSA 2021-TSFO-00549)
- On September 1, 2021, U.S. Customs and Border Protection (CBP) released to **Michael Balsamo**, a representative with **The Associated Press** in Los Angeles, California. 317 pages of significant incident reports pertaining to lost or stolen firearms reported by CBP employees. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2017-024938)
- On September 1, 2021, U.S. Customs and Border Protection (CBP) released to **Denis Cathey**, a representative with **The Brownsville Herald** in Brownsville, Texas, 1 excel sheet containing 938,521 lines of data regarding the number of people crossing the U.S.-Mexico border illegally in Starr, Hidalgo, and Cameron County from January 1, 2015, to

March 12, 2021. Portions of this release were withheld pursuant to FOIA exemptions 7(E). (Case number CBP-2021-042043)

#### **IV. Freedom of Information Act Appeals**

- NSTR

#### **V. Freedom of Information Act Appeals Releases**

- NSTR

#### **VI. Litigation**

- In the matter of *Open Society Justice Initiative vs. DHS, 20-cv-06359*, on June 24, 2021, plaintiff requested communications about SARS-CoV-2 or COVID-19, created on or after December 1, 2019. On August 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 348 pages to plaintiff.
- In the matter of *Worth Rises, et al vs. DVS, 20-cv-01876*, on July, 23, 2019, requested records pertaining to private prison operators and other companies that stand to benefit financially from federal detention and incarceration have exercised powerful influence over federal policymakers in recent years. On August, 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 9 pages to plaintiff.
- In the matter of *Jason Leopold and Buzzfeed Inc. v. DHS, et. al., 19-cv-03028* on July 2, 2019, plaintiff requested records related to 27 individuals who died while in custody of U.S. Immigration and Customs Enforcement (ICE). On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released to seven pages to plaintiff.
- In the matter of *American Oversight v. DHS 18-cv-00534*, on November 2, 2017, plaintiff requested calendar entries for the following individuals from January 20, 2017, through present: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary's Conference Room, and the Deputy Secretary's Conference Room. On September 1, 2021, the Department of Homeland Security (DHS) released 33 pages to plaintiff.
- In the matter of *Open Society Justice Initiative et al. v. DHS et al. 20-cv-00706-RC*, on August 13, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records concerning the implementation of denaturalization efforts in the United States. On August 31, 2021, DHS released 29 pages to plaintiff.
- In the matter of *Huawei et al. v. DHS et al. 20-cv-03155*, on May 1, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office communications pertaining to the investigation or prosecution of Huawei or Meng Wanzhou in relation to the United States-China trade relationship, or 5G technology or competition. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 76 pages to plaintiff.
- In the matter of *American Immigration Council vs. DHS 18-cv-01531*, on April 3, 2018, plaintiff requested records related to the processing and treatment of noncitizen families



who arrive at the border, particularly the United States - Mexico border. On August 31, 2021, the Department of Homeland Security (DHS) released 593 pages to plaintiff.

- In the matter of *IRAP vs FBI 19-cv-06809*, on February 25, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the surveillance and criminal investigation of refugees in the United States of America. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 235 pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL., 19-CV-00290*, on May 24, 2018, plaintiff requested records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the purpose of conducting "extreme vetting." On August 31, 2021, the Department of Homeland Security (DHS) released 163 pages to plaintiff.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On August 31, 2021, CBP issued 1,220 pages of emails, meeting notes and attachments to plaintiff.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On August 31, 2021, CBP issued 581 pages of emails, meeting agendas and notes, briefings, and reports to plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al. 20, cv-01367-RCL*, on March 20, 2020, plaintiff requested records pertaining to COVID-19. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 404 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912*, on October 17, 2018, **Austin Evers**, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars or calendar entries maintained on behalf of Kirstjen Nielsen, other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 102 pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL., 19-CV-00290*, on May 24, 2018, plaintiff requested records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the purpose of conducting "extreme vetting." On September 1, 2021, the Department of Homeland Security (DHS) released 32 pages to plaintiff.
- In the matter of *Leopold v DHS 15-cv-999*, on April 28, 2015, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office, records about Jacob

Appelbaum and other related subjects. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 18 pages to plaintiff.

- In the matter of *ACLU v. DHS 20-cv-10083*, on February 10, 2020, plaintiff requested contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information.. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 287 pages to plaintiff.

## Freedom of Information Act Exemptions

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- II. Freedom of Information Act Requests**
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#### **IV. Freedom of Information Act Appeals**

- NSTR

#### **V. Freedom of Information Act Appeals Releases**

- NSTR

#### **VI. Litigation**

- In the matter of *Open Society Justice Initiative vs. DHS, 20-cv-06359*, on June 24, 2021, plaintiff requested communications about SARS-CoV-2 or COVID-19, created on or after December 1, 2019. On August 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 348 pages to plaintiff.
- In the matter of *Worth Rises, et al vs. DVS, 20-cv-01876*, on July, 23, 2019, requested records pertaining to private prison operators and other companies that stand to benefit financially from federal detention and incarceration have exercised powerful influence over federal policymakers in recent years. On August, 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 9 pages to plaintiff.
- In the matter of *Jason Leopold and BuzzFeed Inc. v. DHS, et. al., 19-cv-03028* on July 2, 2019, plaintiff requested records related to 27 individuals who died while in custody of U.S. Immigration and Customs Enforcement (ICE). On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released to seven pages to plaintiff.
- In the matter of *American Oversight v. DHS 18-cv-00534*, on November 2, 2017, plaintiff requested calendar entries for the following individuals from January 20, 2017, through present: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary's Conference Room, and the Deputy Secretary's Conference Room. On September 1, 2021, the Department of Homeland Security (DHS) released 33 pages to plaintiff.
- In the matter of *Open Society Justice Initiative et al. v. DHS et al. 20-cv-00706-RC*, on August 13, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records concerning the implementation of denaturalization efforts in the United States. On August 31, 2021, DHS released 29 pages to plaintiff.
- In the matter of *Huawei et al. v. DHS et al. 20-cv-03155*, on May 1, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office communications pertaining to the investigation or prosecution of Huawei or Meng Wanzhou in relation to the United States-China trade relationship, or 5G technology or competition. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 76 pages to plaintiff.

- In the matter of *American Immigration Council vs. DHS 18-cv-01531*, on April 3, 2018, plaintiff requested records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States - Mexico border. On August 31, 2021, the Department of Homeland Security (DHS) released 593 pages to plaintiff.
- In the matter of *IRAP vs FBI 19-cv-06809*, on February 25, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the surveillance and criminal investigation of refugees in the United States of America. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 235 pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL., 19-CV-00290*, on May 24, 2018, plaintiff requested records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the purpose of conducting "extreme vetting." On August 31, 2021, the Department of Homeland Security (DHS) released 163 pages to plaintiff.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On August 31, 2021, CBP issued 1,220 pages of emails, meeting notes and attachments to plaintiff.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On August 31, 2021, CBP issued 581 pages of emails, meeting agendas and notes, briefings, and reports to plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al. 20, cv-01367-RCL*, on March 20, 2020, plaintiff requested records pertaining to COVID-19. On August 31, 2021, the Department of Homeland Security (DHS) Privacy Office released 404 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912*, on October 17, 2018, **Austin Evers**, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars or calendar entries maintained on behalf of Kirstjen Nielsen, other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 102 pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL., 19-CV-00290*, on May 24, 2018, plaintiff requested records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the purpose of conducting "extreme vetting." On September 1, 2021, the Department of Homeland Security (DHS) released 32 pages to plaintiff.



- In the matter of *Leopold v DHS 15-cv-999*, on April 28, 2015, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office, records about Jacob Appelbaum and other related subjects. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 18 pages to plaintiff.
- In the matter of *ACLU v. DHS 20-cv-10083*, on February 10, 2020, plaintiff requested contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information.. On September 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 287 pages to 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

**Freedom of Information Act (FOIA) Activity for the Week of  
September 9 - 15, 2021  
DHS Privacy Office  
September 20, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On September 9, 2021, **Valerie Gonzalez**, a representative with *The Monitor* in Edinburg, Texas, requested from U.S. Customs and Border Protection (CBP) emails sent by former Border Patrol Chief Rodney Scott from July 22, 2021 to July 30, 2021 regarding the impacts of the EO directing border wall/barrier constructions pause. (Case Number CBP-2021-103754)
- On September 10, 2021, **Adam Janofsky**, a representative of *The Record*, requested from the Cybersecurity and Infrastructure Security Agency (CISA) records for the years 2018, 2019, 2020 and 2021 documenting CISA employees who retired, were terminated, or left the agency for any reason, and records documenting the new employees hired to work for CISA in the years 2018, 2019, 2020 and 2021. (Case Number HQ 2021-HQFO-01485)
- On September 10, 2021, **Samantha Beauvais**, a representative of *Human Rights Defense Center (HRDC)*, formerly *Prison Legal News*, in Lake Worth, Florida requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records, and investigation documents in the case of a death of an ICE detainee that occurred at the North East Ohio Correctional Center in Youngstown, Ohio. (Case Number 2021-IGFO-00226)
- On September 13, 2021, **Nancy Stedman** a representative with the *Philadelphia Inquirer* in Philadelphia, Pennsylvania, requested from the Transportation Security Administration (TSA) the number of disruptive airline passenger incidents at TSA checkpoints in Philadelphia International Airport for 2019, 2020, and 2021, and the number of warning letters and possible fines for refusal to wear masks at these checkpoints for February 2021 until August 31, 2021. (Case Number TSA 2021-TSFO-00755)
- On September 13, 2021, **Liliana Soto**, a representative with *ABC15/KNXV* of Phoenix, Arizona, requested from U.S. Customs and Border Protection (CBP) documents related to the U.S. Border Patrol Critical Incident Team. (Case number CBP-2021-105060)
- On September 13, 2021, **Michael Quinn**, a representative with *MuckRock* of Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP)

correspondence disseminated internally from September 1, 2021 to September 11, 2021 pertaining to any September 11, 2001 memorial. (Case number CBP-2021-105152)

- On September 13, 2021, **Commander Jeff Janaro**, Chief of the Defense Services Division **Office of Legal Assistance and Defense** requested from the United States Coast Guard (USCG) documents related to court-marital case of United States v. SN Ethan Tucker. (Case Number USCG 2021-CGFO-02231)
- On September 13, 2021, **Charles Gifford**, a representative of **Marine Safety Consultants, Inc.**, requested from the United States Coast Guard (USCG) correspondence between USCG Sector Mobile and SKANSK USA. (Case Number USCG 2021-CGFO-02233)
- On September 14, 2021, **Sara Duvisac**, a representative with **Oxfam America**, in New York, New York, requested from U.S. Citizenship and Immigration Services (USCIS) data pertaining to asylum claims made by asylum seekers from January 2021 through the present. (Case Number USICS COW2021003714)
- On September 14, 2021, **Bessie Fakhri**, a representative of **Seyfarth Shaw LLP**, in Washington, DC, requested from the United States Coast Guard (USCG) documents regarding establishing, amending and/or proposing to establish or amend any security zone in, around and/or including the Jardine Water Treatment Plant, Navy Pier. (Case Number USCG 2021-CGFO-02240)

#### Late requests

- On April 14, 2021, **Elizabeth Trovall**, a representative with **Houston Public Media** in Houston, Texas, requested from U.S. Immigration and Customs Enforcement (ICE) the number of ICE detainees who have received COVID-19 vaccinations in ICE detention facilities as of April 23, 2021. (Case Number ICE 2021-ICFO-39050)
- On April 22, 2021, **Esmey Jimenez**, a representative with **KUOW** in Seattle, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the Intergovernmental Service Agreement for the housing and detention of immigrant youth at the Northwestern Regional Juvenile Detention Center located at 145 Fort Collier Rd. in Winchester, VA 22603. (Case Number ICE 2021-ICFO-39441)
- On April 22, 2021, **Ayano Nagaishi**, a representative with **The USA Today Network** in Staunton, Virginia, requested from U.S. Immigration and Customs Enforcement (ICE) certain records related to detainees that have gone through the Alamance County Detention Center since January 2019. (Case Number ICE 2021-ICFO-39440)
- On September 7, 2021, **Robert Benincasa**, a representative with **National Public Radio**, in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) information regarding Mariel Boatlift individuals. (Case Number USCIS COW2021003669)

### **III. Freedom of Information Act Releases**

- On September 9, 2021, the United States Coast Guard (USCG) released to **John Walthers**, a representative with **1st Responder Newspaper** in New York, New York, 12 pages of records consisting of case reports, broadcasts, communications logs, and maps. These records were released in full. (Case Number USCG 2021-CGFO-01970)

- On September 9, 2021, U.S. Customs and Border Protection (CBP) released to **Ricky Vazquez**, a representative with *KVOA-TV* in Tucson, Arizona, 11 pages of records related to an incident involving a helicopter and an Unmanned Aircraft System in Tucson, Arizona on February 9, 2021. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2021-078614)
- On September 9, 2021, the Federal Emergency Management Agency (FEMA) released to **Robert Schultz**, a representative of **The Republican National Committee** in Washington, DC, seven pages of email correspondence regarding coronavirus response communications between Administrator Gaynor and State representatives. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2020-FECS-00004)
- On September 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Salvador Hernandez**, a representative with *BuzzFeed News* in Los Angeles, California, 85 pages consisting of the last 50 emails sent and received by Homeland Security Investigations Acting Executive Associate Director Derek Benner as of June 21, 2017, 9 p.m. ET, and the last 50 emails sent and received by Homeland Security Investigations Acting Executive Associate Director Derek Benner as of Aug. 2, 2017, 9 p.m. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number ICE 2017-ICFO-42643)
- On September 13, 2021, the Department of Homeland Security (DHS) Cybersecurity and Infrastructure Security Agency (CISA) released to **Susan Greenhalgh**, an individual, 449 pages of records consisting of email and other correspondence between DHS and Kennesaw State University Center for Elections, the National Association of Secretaries of State, and the National Association of State Election Directors. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number 2021-NPFO-00117)
- On September 13, 2021, the Transportation Security Administration (TSA) released to **Aaron Schaffer**, a representative with the *Washington Post* in Washington, DC, 24 pages pertaining to the Security Directive Pipeline-2021-02: Pipeline Cybersecurity Mitigation Actions, Contingency Planning, and Testing. Portions of the release were withheld pursuant to FOIA Exemption 3. (Case Number TSA 2021-TSFO-00688)
- On September 14, 2021, the Department of Homeland Security's (DHS) Federal Protective Service (FPS) released to **Fernanda Oliveira**, a representative for **Project on Government Oversight** in Burr Ridge, Illinois, 12 pages consisting of emails sent and received between May 28 and June 3, 2020 between FPS and the U.S. Park Police and the United States Secret Service concerning the Lafayette Park protests in Washington, DC. Portions of this response were withheld pursuant to FOIA Exemptions 5, 6, 7(C), 7(E), and 7(F). (Case Number FPS 2021-FPFO-00200)
- September 14, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Taylor Amarel**, a representative with *Muck Rock News* in Somerville, Massachusetts, 715 pages of records pertaining to any electronic records sent to, sent from, or copied to [ImmigranInvestorProgram@uscis.dhs.gov](mailto:ImmigranInvestorProgram@uscis.dhs.gov) from January 1, 2016, through the present,

containing the keyword “Trump.” Portions of the release are withheld pursuant to FOIA Exemptions 4, 5, and 6. (Case Number USCIS COW2017001105)

- On September 15, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Anthony Posada**, a representative with **The Legal Aid Society**, in New York, New York, five pages of records consisting of documents, guidelines and regulations pertaining to gangs. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW2017001395)
- On September 15, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Tom Jones**, a researcher with **Cannon Research Group** in Annapolis, Maryland five pages of Congressional correspondence with Congressman Michael McCaul (TX-10) or his staff since January 1, 2013. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case Number HQ 2021-HQFO-00766)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Lindsay Nash v. ICE (1:21-cv-04288-JPC)*, plaintiff filed a FOIA request on December 26, 2019, seeking data regarding administrative arrest warrants and administrative subpoenas. On September 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1 Excel Spreadsheet.
- In the matter of *Advancement Project v DHS (1:19-cv-00052-RC)*, plaintiff filed a FOIA request on December 8, 2017, seeking all records that were prepared, received, transmitted, collected and/or maintained by U.S. Immigration and Customs Enforcement (ICE), that describe, refer or relate to the implementation of visa sanctions on Cambodia, Eritrea, Guinea, and Sierra Leone announced on September 13, 2017. On September 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 2 re-release pages of records.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of Clearview AI technology and ICE use of facial recognition software. On September 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 77 pages of records.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al, (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On September 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 491 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al, (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records pertaining to multiple individuals who

died while in ICE custody. On September 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 491 pages of records.

- In the matter of *Safe Horizon v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (21-cv-02328)*, plaintiff filed a FOIA request on February 19, 2020, seeking records pertaining to an applicant's prior criminal contact in the adjudication of petitions for U nonimmigrant status and applications for adjustment of status for U nonimmigrants based on an underlying U nonimmigrant visa. On September 10, 2021, USCIS released to the plaintiff 1,202 pages of records.
- In the matter of *Invest in the USA v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al., (20-cv-02472)*, plaintiff filed a FOIA request on August 3, 2020, seeking records related to the immigrant investor program Policy Manual for redeployment. On September 13, 2021, USCIS released to the plaintiff 788 pages of records. This is a re-release of records from July 2021's production since the plaintiff did not receive it.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars or calendar entries maintained on behalf of Kirstjen Nielsen, other senior-level DHS officials, and anyone who has served as White House Liaison since January 20, 2017. On September 14, 2021, the DHS Privacy Office released 337 pages of calendars entries to the plaintiff.
- In the matter of the *IDP v ICE (ICE) et al., (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records related to civil immigration arrests by U.S. Immigration and Customs Enforcement (ICE) agents that occur within, on the property of, or within two city blocks of New York State courthouses. On September 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 500 pages of records.
- In the matter of *Project South v. ICE; (1:21-cv-00960)*, plaintiff filed a FOIA request on April 7, 2021, requesting records related to detainers issued by U.S. Immigration and Customs Enforcement (ICE) to any Alabama, Arkansas, Louisiana, Mississippi, and Tennessee state or local law enforcement entity on or after February 3, 2015 to present. On September 15, 2021, ICE released to the plaintiff 515 pages of records.
- In the matter of *CREW v. DHS 19-cv-03544*, on August 18, 2017, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendar records for Katharine Gorka, records related to Ms. Gorka's responsibilities at DHS, and records related to her involvement with the Countering Violent Extremism grant program. On September 15, 2021 the DHS Privacy Office released 86 pages to the plaintiff.
- In the matter of *Buzzfeed Inc. vs. DHS 18-cv-01523 (2018-HQFO-00489)*, on January 11, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office emails sent or received by USCIS Ombudsman Julie Kirchner, as well records associated with Ms. Kirchner's meetings. On September 15, 2021 the DHS Privacy Office released 220 pages to plaintiff.
- In the matter of *American Oversight vs DHS 18-CV-02846 (2018-HQFO-01112)*, on June 20, 2018, plaintiff requested from the Department of Homeland Security (PRH

Privacy Office records consisting of email communications to and from members of DHS leadership with certain keywords generally associated with child separation. On September 15, 2021, the DHS Privacy Office released 25 pages to plaintiff.

- In the matter of *Buzzfeed/Leopold Inc. v. DHS 18-cv-01957 (2018-HQFO-01033)*, on June 19, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office all emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On September 15, 2021, the DHS Privacy Office released 374 pages to plaintiff.
- In the matter of *Joshua Phillips v. DHS 19-cv-1971 (2019-IAFO-00084/2019-HQLI-00027)*, on February 24, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records mentioning or referring to the Domestic Terrorism Intel Estimate, the Dom Terr Nat Intelligence Est (DT-NIE), the DT Threat Assessment, and/or any other reports that discuss the threat of domestic terrorism. On September 15, 2021 the DHS Privacy Office released 309 pages to plaintiff.
- In the matter of *ACLU of Maine Foundation v. U.S. Citizenship and Immigration Services (USCIS) et al., (2:20-cv-00422-JA)*, the plaintiff filed a FOIA request on August 5, 2019, seeking information pertaining to approvals, referrals, and denials of affirmative asylum cases arising out of the Newark Asylum Office and Boston Asylum Sub-Office. On September 15, 2021, USCIS released to the plaintiff 417 pages of records and 2 Excel spreadsheets.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA (“IIUSA”) v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850)*, plaintiff filed a FOIA request on September 3, 2019, seeking records consisting of copies of all form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2018. On September 15, 2021, USCIS released to the plaintiff 259 pages of records.
- In the matter of *Immigrant Investors Association, INC., dba Invest In The USA (“IIUSA”) v. U.S. Citizenship and Immigration Services (USCIS), United States Department of Homeland Security (DHS) et al., (1:20-cv-02850)*, plaintiff filed a FOIA request on March 11, 2020, seeking records consisting of copies of all form I-924As filed by EB-5 Regional Centers pursuant to program requirements for FY 2019. On September 15, 2021, USCIS released to the plaintiff 789 pages of records.

## 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



**Freedom of Information Act (FOIA) Activity for the Week of  
September 16 - 22, 2021  
DHS Privacy Office  
September 27, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On September 16, 2021, **Justin Glawe**, a representative of the **Tech Transparency Project** in Savannah, Georgia, requested from the Department of Homeland Security (DHS) Privacy Office communications from January 21, 2021 to the present to and from email addresses ending in @amazon.com, @facebook.com, @fb.com, @apple.com, and @franklinsquaregroup.com. (Case Number HQ 2021-HQFO-01490)
- On September 17, 2021, **Bill Speir**, a representative with **Plasma Protein Therapeutics Association** in Annapolis, Maryland, requested from U.S. Customs and Border Protection (CBP) records related to the decision to prohibit individuals from crossing the U.S.-Mexico border on a B-1 or B-2 visa for the purpose of donating plasma. (Case Number CBP-2021-106841)
- On September 17, 2021, **Rio Lacanlale**, a representative with the **Las Vegas Review-Journal** in Las Vegas, Nevada, requested from the Department of Homeland Security (DHS) Privacy Office video footage dated June 1, 2020, of a shooting at the Lloyd D. George Federal Courthouse in Las Vegas, Nevada. (Case Number HQ 2021-FPFO-00222)
- On September 17, 2021, **Robert Moore**, a private individual, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) reports and other records concerning the May 20, 2019, death of Carlos Hernandez Vasquez, 16, while in the custody of the U.S. Border Patrol in Weslaco, Texas. (Case Number 2021-IGFO-00228)
- On September 19, 2021, **Natalie Johnson**, an individual in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records related to the Border Patrol shooting on October 2, 2012, in Naco, Arizona. (Case Number CBP-2021-107194)
- On September 20, 2021, **Tom Shelby**, an individual in Coon Rapids, Minnesota, requested from U.S. Customs and Border Protection (CBP) incident reports from September 17, 2021, to September 20, 2021, regarding operations in Del Rio, specifically dealing with the Haitian migrants who were trying to cross the Rio Grande River (Case Number CBP-2021-107639)
- On September 20, 2021, **Ari Schneider**, a freelance journalist, requested from the Department of Homeland Security (DHS) Privacy Office requested records from the

investigation into alleged human trafficking at an illegal marijuana operation in the town of Kerby, Josephine County, Oregon. (Case Number HQ 2021-HQFO-01507)

- On September 21, 2021, **Richard Lardner**, a representative of the *Associated Press* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communication from January 20, 2017, to January 20, 2021, between current and former Department of Homeland Security officials and Stephen Miller that contain the key terms, “Afghan Special Immigrant Visa,” “Afghan SIV,” “SIV,” “Afghan immigrants,” “Afghan refugees,” “Afghan linguists” and “Afghan interpreters.” (Case Number HQ 2021-HQFO-01501)
- On September 21, 2021, **Joseph Lloyd**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2008, to September 20, 2021, related to the hacker movement Anonymous (hacker movement). Anonymous. (Case Number 2021-HQFO-01512)
- On September 21, 2021, **Joseph Lloyd**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office records from January 1, 2015, to September 20, 2021, related to VTB Bank and VTB Group. (Case Number 2021-HQFO-01513)
- On September 21, 2021, **Kenneth Topp**, an individual in New Rochelle, New York, requested from U.S. Customs and Border Protection records related to border patrol requests for a Temporary Flight Restriction in the Del Rio area. (Case Number CBP-2021-107671)
- On September 21, 2021, **Grace Ferguson**, a representative with *The Daily Dot* in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records regarding guidelines/training materials for the use, maintenance, and care of horses by US Border Patrol. (Case Number CBP-2021-107743)
- On September 21, 2021, **Curt Devine**, a representative with *CNN* in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) correspondence sent or received by U.S. Border Patrol Chief Raul Ortiz and/or Chief Counsel Scott K. Falk between September 19, 2021 and September 21, 2021 that includes any of the following terms: “rein,” “reins,” “cord,” “cords,” “whip,” “whips,” or “whipping.” (Case Number CBP-2021-108033)
- On September 22, 2021, **Michael Quinn** a representative with *MuckRock News* in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) emails pertaining to the 9/11 anniversary across all Department of Homeland Security components. (Case Number TSA 2021-TSFO-00776)
- On September 22, 2021, **Ananda V. Burra**, a representative of **Emery Celli Brinckerhoff Abady Ward & Maazel LLP**, in New York, New York, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records relating to the Office of the Inspector General’s investigation into the death of Carlos Hernandez Vasquez on May 20, 2019 at the Border Patrol Station in Weslaco, Texas. (Case Number 2021-IGFO-00229)

### Late requests

- On August 3, 2021, **Joseph Cox**, a representative with **MuckRock News** in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records related to Award ID 70B03C20F00001282. (Case Number CBP-2021-090950)
- On August 28, 2021, **Simon Lester**, a representative with **China Trade Monitor** in Falls Church, Virginia, requested from U.S. Customs and Border Protection (CBP) emails from January 1, 2020, to August 28, 2021, to or from specified individuals that mention “Hoshine” and/or “Solar.” (Case Number CBP-2021-100062)
- On September 15, 2021, **James LaPorta**, a representative with **The Associated Press**, requested from the United States Coast Guard (USCG) records concerning Defense Equal Opportunity Management Institute Command Climate Surveys (DOECS) for USCGC YELLOWFIN and USCGC ANVIL for 2017, 2018, 2019, and 2020 (Case Number USCG 2021-CGFO-02279)

### III. Freedom of Information Act Releases

- On September 16, 2021 the Department of Homeland Security Privacy Office (DHS PRIV) released to **Jennifer Jones**, a representative of the **American Civil Liberties Union of Northern California**, 37 pages of records, documents and correspondence related to the purchase order or contract entered into between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, and 7(C). (Case Number HQ 2021-HQFO-00091)
- On September 16, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Zack Kopplin**, a representative with the **Government Accountability Project** in New Orleans, Louisiana, 38 pages of records related to a certain blog post on his organization’s website. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6 and 7(C). (Case Number ICE 2018-ICFO-00394)
- On September 16, 2021, the Federal Emergency Management Agency (FEMA) released to **Alex Lubben**, a representative of **Columbia University – Center for Public Integrity** in Washington, DC, one spreadsheet consisting of properties acquired by the government using FEMA funding. This spreadsheet was released in full. (Case Number 2021-FEFO-00893)
- On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Neil Cosgrove**, a representative with **The Hibernian Digest** in New York, New York, 330 pages of records regarding the deportation of Malachy McAllister including (but not limited to); 1) all emails and press releases generated by Emilio Dabul, spokesman for ICE’s district office in Newark concerning the June 10th deportation of Malachy McAllister. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-56457)
- On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Karl Frisch**, a representative with **Allied Progress** in Washington, DC, 34 pages of emails involving Kathleen “Kathy” Kraninger and the U.S. Immigration and Customs Enforcement (ICE) Office of Congressional Relations. Portions of the release were

withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-55431)

- On September 17, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Valerie Bauman**, a representative of *The Daily Mail* in New York, New York, 94 pages of records on annual spending on ICE Air Transports, number of flights per year and a list of vendors from October 2005 to July 2018. The records were released in full. (Case Number ICE 2018-ICFO-53740)
- On September 20, 2021, U.S. Customs and Border Protection (CBP) released to **Kit Norton**, a representative with the *VT Digger*, in Montpelier, Vermont, 121 pages consisting of the I-213's from the 37 family apprehensions that took place in the Swanton Sector of the Northern Border in fiscal year 2017. Portions of this release were withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2018-081209)
- On September 20, 2021, the Federal Emergency Management Agency (FEMA) released to **Jason Pohl**, a representative of *The Sacramento Bee* in Sacramento, California two excel spreadsheets pertaining to households receiving individual and household assistance in areas in Texas covering August 1, 2017 through April 2, 2019. The records were released in full. (Case Number FEMA 2021-FEFO-00022)
- On September 21, 2021, U.S. Customs and Border Protection (CBP) released to **Lance Sims**, a representative with **Project on Government Oversight** in Arlington, Virginia, 55 pages of policy documents pertaining to his request for records related to the CBP Use of Force Policy. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2017-034698)
- On September 21, 2021, U.S. Customs and Border Protection (CBP) released to **Daniel Van Schooten**, a representative with **Project on Government Oversight** in Washington, DC, 609 pages of emails and attachments pertaining to the construction of a border wall on the U.S. - Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2017-044543)
- On September 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Michael Ravnitzky**, an individual from Silver Spring, Maryland, 130 pages consisting of the meeting minutes and agendas from each meeting of the Government Facilities Sector - Election Infrastructure Subsector between November 1, 2019 and February 11, 2020.. Portions of this response were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number CISA 2020-NPFO-00106)
- On September 21, 2021, the Department of Homeland Security (DHS) Privacy Office released to Eleni Kyriakides, a representative with **Electron Privacy Information Center** in Washington, DC, 14 pages of records consisting of emails and correspondence relating to a Privacy Act System of Records Notice and Deferred Action for Childhood Arrivals (DACA) related information. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number HQ 2021-HQFO-00519)
- On September 21, 2021, the Department of Homeland Security (DHS) released to **Ken Klippenstein**, a representative with *The Intercept* in Madison, Wisconsin, 59 pages of records consisting of emails sent by the DHS Press Secretary, Assistant Secretary, Office of Public Affairs, Deputy Assistant Secretary, Media Operations and the Deputy

Assistant Secretary, Strategic Communications relating to the deployment of federal law enforcement assets relating to the protests. Portions of this response were withheld pursuant to FOIA exemptions 5, 6 and 7(E).

- On September 21, 2021, the Department of Homeland Security (DHS) released to **Michael Ravnitzky**, an individual from Silver Spring, MD, 2 pages of records consisting of a Senior Watch Officer (SWO) log. This response was released in full. (Case Number Case Number HQ 2021-HQFO-00866)
- On September 21, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Stef Kight**, a representative with *Axios* in Arlington, Virginia, 161 pages of complaints submitted between January 1, 2016, through the current date with regards to South Texas Family Residential Center in Dilley, Texas, Karnes County Residential Center in Karnes City, Texas and Berks Family Residential Center in Leesport, Pennsylvania. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-39907)
- On September 22, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Jack Date**, a representative with *ABC News* in Washington, DC, eight pages of correspondence sent to Secret Service Director James Murray regarding mask wearing policy from December 1, 2021 through October 5, 2020. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number HQ 2021-HQFO-00892)
- On September 22, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Jennifer Franklin**, a representative with **Americans for Public Trust** in Alexandria, Virginia, 2 pages of records consisting of email communications between Esther Olavarria and Karen Olick. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number HQ 2021-HQFO-00592)
- On September 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Sejal Zota**, a representative with **The National Immigration Project** in Boston, Massachusetts, 798 pages in response to their request for all records pertaining to policies, training and compliance with 8 U.S.C. § 1367(c) and INA § 239(e). Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-65755)
- On September 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Carl Levin**, a representative with **Honigman Miller Schwartz and Cohn LLP** in Detroit, Michigan, 450 pages of records related to the repatriation, removal, or deportation of Iraqi nationals residing in the United States to the Republic of Iraq or elsewhere. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICAP-00249)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

## VI. Litigation

- In the matter of *Buzzfeed/Leopold Inc. v. DHS 18-cv-01957 (2018-HQFO-01033)*, on June 19, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office all emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Secretary Kirstjen Nielsen related to immigration. On September 15, 2021, the DHS Privacy Office released 374 pages to plaintiff.
- In the matter of *American Civil Liberties Union of Northern California et al v. DHS et al (21-cv-02632-DMR)*, the plaintiff submitted a complaint on April 14, 2021, seeking records related to the acquisition and use of Clearview AI facial recognition software. On September 16, 2021, U.S. Customs and Border Protection (CBP) issued the third interim release, consisting of 27 pages of documents.
- In the matter of *Open Society Justice Initiative v. ICE Case 1:20-cv-00706-RC*, plaintiff filed FOIA requests on January 28, 2021, seeking records concerning the implementation of denaturalization efforts in the United States, including the impact on derivative children and spouses, the removal of denaturalized citizens and the identification, impact and consideration of those considered stateless. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 503 pages of records.
- In the matter of *Center for Immigration Studies vs ICE (1:21-cv-01761-APM)*, plaintiff filed a FOIA request on July 1, 2021, requesting records of certain ICE employees regarding the OPT Employment Compliance Unit, STEM OPT or CPT programs. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 503 pages.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. DHS et al., (1:21-cv-10486-JGD)*, plaintiff filed a FOIA request on March 22, 2021, requesting records related to the implementation of the Nationwide Policy and National Qualified Representative Program (“NQRP”) by the U.S. Department of Homeland Security (“DHS”), the U.S. Immigration and Customs Enforcement (“ICE”), and the U.S. Customs and Border Protection (“CBP”) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 120 pages of records.
- In the matter of *American Civil Liberties Union of Northern California v. ICE and DHS 21-cv-02632-DMR*, plaintiff filed a FOIA request on April 17, 2021, requesting the purchase order or contract entered into between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130 (the “Contract”), along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request. and grant applications. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 176 pages of records.
- In the matter of *American Federation of Government Employees Local 527 v. ICE, (1:21-cv-21992-KMM)*, plaintiff filed a FOIA request on May 27, 2021, seeking the current Office of Professional Responsibility (OPR) Special Agent Guidebook/Handbook. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 129 pages of records.

- In the matter of *Immigrant Defense Project, et al. v. DHS, et al.*; **1:20-cv-10625**, plaintiff filed a FOIA request on December 16, 2020, requesting records pertaining to DHS and ICE policies, memos, or guidances, relating to Operation Palladium. On September 17, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 63 pages of records.
- In the matter of *BuzzFeed News 21-cv-00545 (2021-HQLI-00017)*, on January 11, 2021, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office documents related to the planning of protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump. On September 17, 2021 the Department of Homeland Security (DHS) Privacy Office released 272 pages to plaintiff.
- In the matter of *Brennan Center V. DHS ET AL. 20-cv-00427 (2020-HQLI-00014)*, on November 5, 2018, plaintiff requested records named and described in a Request for Records Disposition Authority submitted by U.S. Immigration and Customs Enforcement (ICE) to the National Archives and Records Administration (NARA) in January 2017. On September 17, 2021, the Department of Homeland Security (DHS) Privacy Office released to 95 pages to plaintiff.
- In the matter of *National Press Club Journalism Institute and Kathy Kiely v U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a FOIA request on May 18, 2018, seeking records concerning the United States' treatment of Mexican journalist Emilio Gutierrez-Soto, his son, Oscar Emilio Gutierrez-Soto, and their attorney, Eduardo Beckett. On September 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 174 of records.
- In the matter of *WyoSayNo, Sierra Club and Natural Resources Defense Council, Inc. v U.S. Immigration and Customs Enforcement (1:21-cv-05663)*, plaintiff filed a FOIA request on June 30, 2021, requesting records reflecting any plans to build and/or operate an immigration detention center in or near Evanston, Wyoming, including, but not limited to, correspondence and contracts with CoreCivic and MTC; and (2) reflecting past, ongoing, and future environmental review of the facility, including scoping or other records prepared or submitted under NEPA, 42 U.S.C. § 4321 et seq. On September 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 503 pages of records.
- In the matter of *American Oversight v. DHS 19- CV-00774 (2018-HQFO-01431)*, on August 29, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office certain emails of Stephen Miller and email between selected custodians and McLaurine Klingler, Executive Assistant in the White House Office within the Executive Office of the President. On September 22, 2021, the DHS Privacy Office released to 326 pages to 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



**Freedom of Information Act (FOIA) Activity for the Week of  
September 23 - 29, 2021  
DHS Privacy Office  
October 4, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On September 23, 2021, **Max Frumes**, a representative with **Leveraged Finance Intelligence**, requested from the United States Coast Guard (USCG) records related to “Cornerstone Chemical.” (Case Number USCG 2021-CGFO-02405)
- On September 23, 2021, **Randolph Waits**, a private individual in New Orleans, Louisiana, requested from the United States Coast Guard (USCG) records related to the barge breakaway near mile marker 155-160 on the Lower Mississippi River. (Case Number USCG 2021-CGF-02409)
- On September 24, 2021, the organization **Al Otro Lado** in Maywood, California, requested from U.S. Customs and Border Protection (CBP) all memoranda, directives, emails, understanding or other agreements, including all modifications regarding the CBP One™ Mobile Application. (Case Number CBP-2021-109650)
- On September 24, 2021, **James Stout**, a freelance writer in San Diego, California, requested from U.S. Customs and Border Protection (CBP) all records related to the uniform and less lethal weapons regulations of CBP officers operating in the Del Rio sector; records related to policies for the use of horses, the acceptable tack to be used on those horses, and any requirements for officers to wear PPE including; and records pertaining to the use of reins, whips, or other equine-specific less lethal weapons. (Case Number CBP-2021-107727)
- On September 24, 2021, **Pamela Spees**, a representative with the **Center for Constitutional Rights**, in New York, New York, requested from the United States Coast Guard (USCG) the database and GIS data of all “targets,” or pollution incidents received or responded to by the U.S. Coast Guard leading up to and following Hurricane Ida from August 23, 2021. (Case Number USCG 2021-CGFO-02411)
- On September 24, 2021, **Daniel Twohig**, a private individual, requested from the United States Coast Guard (USCG) the electronic case file for CG S&R 00-0839 (Hoskins). (Case Number USCG 2021-CGFO-02413)
- On September 24, 2021, **James Beal**, a representative of **The Sun** in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office records related to protection provided to Prince Harry and Meghan Markle in New York City. (Case Number HQ 2021-FPFO-00225)

- On September 24, 2021, **Kif Leswing** a representative with *CNBC* in Somerville, Massachusetts, requested from the Transportation Security Administration Security (TSA) the Memorandum of Agreement (MOA) with Apple regarding the Apple Wallet ID program. (Case Number TSA 2021-TSFO-00782)
- On September 24, 2021, Silvia Vinas, a representative of *Radio Ambulante*, in Saint Albans, Hertfordshire(*United Kingdom*) requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) information regarding an investigation into an alleged sexual assault of two Guatemalan sisters in July 2016 in a CBP office in Presidio, Texas. (Case Number 2021-IGFO-00233)
- On September 25, 2021, Bradley P. Moss, a representative of *The James Madison Project*, in Washington, D.C. requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) a copy of the DHS OIG's report investigating the appropriateness of actions by the DHS Office of Intelligence and Analysis during protests in Portland, Oregon, in 2020. (Case Number 2021-IGFO-00234)
- On September 26, 2021, **Cassie Semyon**, a representative with *WBOC 16*, requested from the United States Coast Guard (USCG) reports of a watercraft incident in Rehoboth Bay at Conquest Road for a 21-foot boat. (Case Number USCG 2021-CGFO-02412)
- On September 27, 2021, **Ryan Luther**, a private individual in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office requested records from January 1, 20210, through September 27, 2021, concerning the defense contractor Juliet Marine Systems, Inc. of Portsmouth, New Hampshire. (Case Number HQ 2021-HQFO-01531)
- On September 27, 2021, **Ruth Styles**, a representative with *DailyMail* in Los Angeles, California requested from U.S. Customs and Border Protection (CBP) the names and job titles of the CBP agents seen chasing Haitian migrants on horseback in Del Rio between September 18 and 22, 2021. (Case Number CBP-2021-110244)
- On September 28, 2021, **Nikhel Sus**, a representative with **Citizens for Responsibility and Ethics in Washington** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records relating to CBP's deployment or use of the encrypted messaging App Wickr for official agency business. (Case Number CBP-2021-110485)
- On September 28, 2021, **Natalia Ospina**, a representative of the **Natural Resources Defense Council** in Santa Monica, California, requested from the Department of Homeland Security (DHS) Privacy Office records reflecting any plans to build and/or operate an immigration detention facility in or near Evanston, Wyoming. (Case Number HQ 2021-HQFO-01546)
- On September 28, 2021, **Paul Litzher**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office bills from Amazon Web Services (AWS) over the past 10 years. (Case Number HQ 2021-HQFO-01556)
- On September 28, 2021, **Ben Wermund**, a representative of the *Houston Chronicle* in Arlington, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office communication from September 1, 2021, to September 29, 2021, between certain officials related to activities in Del Rio on the southern border. (Case Number HQ 2021-HQFO-01547)
- On September 28, 2021, **Jack Paulson**, a representative of the **Tech Transparency Project** in Humble, Texas, requested from the Department of Homeland Security (DHS)

Privacy Office certain contracts with the National Academy of Sciences and communication related to this award. (Case Number HQ 2021-HQFO-01548)

- On September 29 2021, **Kevin Beauchamp Smith**, a representative with **Kevin Beauchamp Law Office**, in Seattle, Washington, requested from the United States Coast Guard (USCG) documents and communications relating to the grounding, subsequent sinking, and removal of the MV NORWESTER off Stuart Island in the San Juan group of Islands off Washington State on April 17, 2021. (Case Number USCG 2021-CGFO-02415).
- On September 29, 2021, **Justin Glawe**, a representative of the **Tech Transparency Project** in Savannah, Georgia, requested from the Department of Homeland Security (DHS) Privacy Office records related to a September 29, 2021, appearance by Jody Harding at a webinar hosted by the Center for Strategic and International Studies. (Case Number HQ 2021-HQFO-01561)
- On September 29, 2021, **Justin Glawe**, a representative of the **Tech Transparency Project** in Savannah, Georgia, requested from the Department of Homeland Security (DHS) Privacy Office records related to a September 29, 2021, appearance by John Boyd at a webinar hosted by the Center for Strategic and International Studies. (Case Number HQ 2021-HQFO-01562)

#### Late requests

- On September 22, 2021, **Jacob Jarvis**, a representative with *Newsweek* in London, United Kingdom, requested from U.S. Customs and Border Protection (CBP) all training manuals and instructions provided to border patrol guards in the Mounted Horse Unit. (Case Number CBP-2021-108226)
- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all investigative files created, obtained, or maintained by CBP or any of its contractors between January 1, 2001, and December 31, 2007, that relate to Union Pacific trains traveling across the Texas-Mexico border. (Case Number CBP-2021-108351)
- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all investigative files created, obtained, or maintained by CBP or any of its contractors between January 1, 2008, and December 31, 2014, that relate to Union Pacific trains traveling across the Texas-Mexico border. (Case Number CBP-2021-108353)
- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all investigative files created, obtained, or maintained by CBP or any of its contractors between January 1, 2015, and the date this request is completed that relate to Union Pacific trains traveling across the Texas-Mexico border. (Case Number CBP-2021-108355)
- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all investigative

files associated with the CBP's discovery of 11 tons of marijuana on a Union Pacific train in Eagle Pass, Texas, in November of 2010. (Case Number CBP-2021-108367)

- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all correspondences sent by representatives of CBP or received from representatives of the U.S. Department of Justice, the U.S. Department of Homeland Security, or Union Pacific Corp. related to the \$500 million fine CBP levied on Union Pacific in 2010. (Case Number CBP-2021-108370)
- On September 22, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all audio recordings, video recordings, transcripts, or minutes for meetings between CBP officials and any representatives of the U.S. Department of Justice, the U.S. Department of Homeland Security, or Union Pacific Corp. related to CBP reducing in 2011 a \$500 million Union Pacific fine to \$50 million. (Case Number CBP-2021-108377)

### III. Freedom of Information Act Releases

- On September 23, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Juan Garcia**, a representative with *El Nuevo Herald* in Doral, Florida, 147 pages of records related to GEO Group contracts for the continued management of the company-owned Broward Transition Center among 2014 and the current 2018. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-32037)
- On September 23, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Jose Olivares**, a representative with *The Takeaway* in New York, New York, 46 pages of records related to the detainee death review pertaining to Efrain Romero de la Rosa, who died in the Stewart Detention Facility in Lumpkin, Georgia. Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-14166)
- On September 23, 2021, U.S. Customs and Border Protection (CBP) released to **Aaron Reichlin-Melnick**, a representative with the **American Immigration Council**, in Washington, DC, 31 pages consisting of emails and memorandums pertaining to the expansion of the Expedited Removal process. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2017-044848)
- On September 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Kevin Collier**, a representative from *NBC News*, 6 pages of records consisting of emails from Heather Swift with the keywords "Iowa," "Shadow," "IDP," "Troy," or "Price" Portions of this response were withheld pursuant to FOIA exemptions 6 and 7(E). (Case Number 2020-HQFO-00644)
- On September 24, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Lauren Dillon**, a representative with **The Democratic National Committee** in Washington, DC, 141 pages of records pertaining to meetings involving the Director (Thomas D. Homan), Chief of Staff (Thomas Blank), Deputy Director (Peter T. Edge), Executive Associate Director of Enforcement and Removal Operations (Matthew

Albence), and Principal Legal Advisor (Tracy Short) regarding the Deferred Action for Childhood Arrivals, also known as "DACA," from July 1, 2017 to December 31, 2017. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-29893)

- On September 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Jonathan Walczak**, a journalist from New Orleans, Louisiana, 26 pages of records consisting of emails between Ken Cuccinelli and the Department of Health and Human Services (HHS) Centers for Disease Control and Prevention (CDC) relating to the coronavirus. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number 2021-HQFO-01130)
- On September 24, 2021, the Department of Homeland Security (DHS) Privacy Office released to **John Greenwald**, a representative with **The Black Vault, Inc.** in Castaic, California, 6 pages of email records from the Office of Legislative Affairs to the United States Secret Service about a *Washington Post* article. Portions of this response were withheld pursuant to FOIA exemptions 5 and 6. (Case Number HQ 2021-HQFO-01338)
- On September 27, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Andrew Free**, a representative from **Muckrock** in Somerville, Massachusetts, 12 pages consisting of the administrative file for a FOIA request he previously filed for email from an employee in the Office of Public Affairs related to family separation. Portions of this response were withheld pursuant to FOIA exemption 6. (Case Number 2021-HQFO-01289)
- On September 28, 2021 the Department of Homeland Security (DHS) Privacy Office released to **Andrew Free**, a representative with **MuckRock News** in Somerville, Massachusetts, 178 pages of records consisting of emails sent by Katie Waldman between May 1, 2018, and September 1, 2018, containing the terms "family separation" or "zero tolerance" Portions of this response were withheld pursuant to FOIA exemptions 5, 6 7(C) and 7(E). (Case Number HQ 2019-HQFO-01265)
- On September 28, 2021, the Department of Homeland Security (DHS) released to **Samantha Manning**, a representative with **CMG Washington News** in Washington, DC, 19 pages of email records relating to the January 6, 2021 protests. Portions of this response were withheld pursuant to FOIA exemptions 5, 6, 7(C) and 7(E). (Case Number HQ 2021-HQFO-00456)
- On September 28, 2021, U.S. Customs and Border Protection (CBP) released to **Silvia Vinas**, a representative with **Radio Ambulante**, in St. Albans, Herfordshire, United Kingdom, 39 pages consisting of training records, a memo on the implementation of the CBP National Standards on Transport, Escort, Detention, and Search (TEDS), and the TEDS policy in regard to her request for records pertaining to an alleged sexual assault of two Guatemalan sisters while in CBP custody in Presidio, Texas, in July of 2016. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2018-050192)
- On September 29, 2021, U.S. Customs and Border Protection (CBP) issued to **Ruth A. Styles**, a representative with the **DailyMail.com** in Los Angeles, California, a full denial

in regard to her request for the names and job titles of the CBP agents seen chasing Haitian migrants on horseback in Del Rio between September 18 - 22, 2021. The records were withheld in full pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2021-110244)

- On September 29, 2021, the Transportation Security Administration (TSA) released to **Scott MacFarlane**, a representative with *NBC4* in Washington, DC, 376 pages of emails pertaining to the following keywords: Scott Friedman, Eva Parks, NBC, Tom Costello, KXAS, WRC, Dallas or Scott MacFarlane. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number TSA 2016-TSFO-00506)
- On September 29, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Katie Shepherd**, a representative with **American Immigration Council** in Washington, DC, 37 pages of certain records related to family separation at the US-Mexico border. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number ICE 2019-ICFO-19999)
- On September 29, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *DocuFreedom, Inc.* in Overland Park, Kansas, 5 pages of records related to "Operation Janus." Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICAP-00042)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Reed Smith v. DHS et al (21-cv-01701-CJN)*, plaintiff submitted a complaint on June 25, 2021, seeking release of records regarding policies, procedures, directives and training for immigration and/or bus transportation checks or stops that occur at checkpoints, temporary checkpoints, tactical checkpoints, traffic checkpoints and at non-checkpoint locations in the Spokane Sector. On September 24, 2021, U.S. Customs and Border Protection (CBP) released 31 pages of documents to plaintiff.
- In the matter of *ACLU v. DHS (20-cv-10083)*, on February 10, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On September 27, 2021, the DHS Privacy Office released 286 pages to plaintiff.
- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al., (3:17-cv-06029)*, plaintiff filed a FOIA request on June 22, 2017, requested records pertaining to the involvement of city and county law enforcement in

the detention and deportation of immigrants and other ICE enforcement activities. On September 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 865 pages of records.

- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification and the release of the minor from the U.S. Department of Homeland Security (“DHS”) custody and/or facilities, as required by Paragraph 18 of the Flores Settlement. On September 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement, et al. 21-cv-03462*, plaintiff filed a FOIA request on September 20, 2021, seeking records related to Documents that describe ICE's policies and procedures (including training manuals, rules, guidelines, court rulings, administrative rulings, etc.). On September 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 609 pages of records.
- In the matter of *American Oversight v. DHS, et al. 18-cv-02842-CKK (2019-HQLI-00010)*, on December 18, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to emails from Gene Hamilton and Cameron Quinn related to family separations. On September 28, 2021, the DHS Privacy Office released 31 pages to plaintiff.
- In the matter of *Leopold/Buzzfeed v. DHS 17-cv-2175 (2017-HQFO-01371)*, on July 30, 2017 and September 12, 2017, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office all emails, notes, meeting minutes, calendar and appointment books, and phone call logs, sent or received by former Secretary John Kelly during the time period January 21, 2017 to July 31, 2017. On September 29, 2021, the DHS Privacy Office released 457 pages to plaintiff.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-02553-TJK)*, plaintiff filed a FOIA request on September 11, 2020, seeking all communications from June 2, 2020, relating to decision to deploy federal agents to Portland, Oregon and Chicago, Illinois, as well as other cities/states. On September 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 94 pages of records.
- In the matter of *Clergy and Laity United for Economic Justice vs. DHS, et al 2:21-cv-01214-DDP-KS*, plaintiff filed a FOIA request on February 10, 2021, seeking records relating to parents and Flores class members who were in ICE custody on January 1, 2020, at various detention facilities or any time between January 1, 2020, and the date the FOIA request received. On September 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 10 excel spreadsheets.

### **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



**Freedom of Information Act (FOIA) Activity for the Week of  
September 30 – October 6, 2021  
DHS Privacy Office  
October 12, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On September 30, 2021, **Anna Selbrede**, a representative with **Citizens for Responsibility and Ethics in Washington** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office certain records related to the creation of the Center for Prevention Programs and Partnerships. (Case Number HQ 2021-HQFO-01574)
- On October 1, 2021, **Adam Janofsky**, a representative with *The Record* in McLean, Virginia, requested from the Cybersecurity and Infrastructure Security Agency (CISA) records that reference the word "BlackMatter" between the years 2016 and 2021. (Case Number CISA 2022-NPFO-00001)
- On October 1, 2021, **Andrew Tran**, a representative with the *Washington Post*, requested from the United States Coast Guard (USCG) any correspondence with individuals at certain cruise liens regarding the U.S. Center for Disease Control and Prevention's COVID-19 response center. (Case Number USCG 2022-CGFO-00016)
- On October 1, 2021, **Lauren Loricchio**, a representative with **Tax Analysts** in Falls Church, Virginia, requested from the Cybersecurity and Infrastructure Security Agency (CISA) emails containing the words "SolarWinds" between December 8, 2020, and March 1, 2021. (CISA) (Case Number CISA 2022-NPFO-00002)
- On October 1, 2021, **Aaron Schaffer**, a representative with the *Washington Post* in Washington, DC requested from the Cybersecurity and Infrastructure Security Agency (CISA) calendar records for Jen Easterly for September 2021. (Case Number CISA 2022-NPFO-00003)
- On October 2, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) Documentation for all CBP fines levied against the train companies Union Pacific, BNSF (or Burlington Northern Santa Fe), and Ferromex (or Ferrocarril Mexicano or FXE) from January 1, 2000, to the present. (Case Number CBP-2022-000447)
- On October 2, 2021, **Jason Leopold**, a representative with *BuzzFeed News* in Beverly Hills, California requested from U.S. Customs and Border Protection (CBP) records related to the use Wickr. (Case Number CBP-2022-000489)

- On October 3, 2021, **Heather Bone**, a representative with *MuckRock* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) monthly data on the number and weight of controlled substances seized monthly by drug type and port of entry from 1995 to the present. (Case Number CBP-2022-000544)
- On October 3, 2021, **Joseph Cox**, a representative with *MuckRock* in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records concerning the Publicly Available Information Group (PAIG) from January 1, 2018 to the present. (Case Number CBP-2022-000543)
- On October 4, 2021, **James Lockerby**, a representative of **Haitian Bridge Alliance (HBA), Institute for Justice & Democracy in Haiti (IJDH), and Global Justice Clinic at New York University School of Law (GJC)** in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office certain records related to the treatment of Haitian nationals and COVID-19. (Case Number HQ 2022-HQFO-00009)
- On October 4, 2021, **Ben Wermund**, a representative with *Houston Chronicle* in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) certain communication regarding Haitian nationals on the border new Del Rio. (Case Number CBP-2022-000683)
- On October 5, 2021, **Austin Evers**, representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) use of force incident reports involving U.S. Border Patrol officers responding to migrants in the Del Rio Sector from September 10, 2021, through September 25, 2021. (Case Number CBP-2022-001375)
- On October 5, 2021, **Austin Evers**, representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records regarding responding to migrants in the Del Rio Sector from September 10, 2021, through September 25, 2021, and records related to Border Patrol officers using whips, or horse reins as whips, on migrants in the Del Rio Sector from September 10, 2021, through September 25, 2021. (Case Number CBP-2022-001376)
- On October 5, 2021, **Dan Darnell**, a private individual in Rockville, Maryland, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to any grants awarded to Alef Bet Montessori School in Rockville, Maryland since 2017. (Case Number HQ 2022-HQFO-00031)
- On October 5, 2021, **Peter Wilgoren**, a representative with *Fox 11 News*, requested from the United States Coast Guard (USCG) audio of the calls regarding the Oil Spill off Huntington Beach, California. (Case Number USCG 2022-CGFO-00040)
- On October 5, 2021, **Sammi Davis**, a representative with *NBC News*, requested from the United States Coast Guard (USCG) audio files from a phone call from Colonial Compliance Systems, Inc on Friday October 1, 2021 reporting a possible oil spill off the coast of southern California to the National Response Center. (Case Number USCG 2022-CGFO-00041)

- On October 5, 2021, **Eric Geller**, a representative with *Politico* in Arlington, Virginia, requested from the Transportation Security Administration (TSA) emails from pipeline owners and operators that pertain to Security Directive Pipeline-2021-02. (Case Number TSA 2022-TSFO-00006)
- On October 6, 2021, **Jonathan Riches** a representative with the **Original Media Group** in Tarpon Springs, Florida, requested from the Transportation Security Administration (TSA) times, dates, locations Brian Laundrie traveled and was screened at the airport between July 1, 2021, to present. (Case Number TSA 2022-TSFO-00011)
- On October 6, 2021, **Jason Hopkins**, a representative with **Federation for American Immigration Reform** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communications from January 20, 2021 to September 30, 2021. involving the DHS Chief of Staff related to immigrant crossings at the southern border. (Case Number HQ 2022-HQFO-00028)

### Late requests

- On September 28, 2021, **Rick Jervis**, a representative with *USA TODAY* in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) All USE OF FORCE incident summaries from U.S. Border Patrol from January 2015 through August 2021, including narratives and resolutions/outcomes of incidents. (Case Number CBP-2021-110296)

### III. Freedom of Information Act Releases

- On September 30, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Bradley Moss**, a representative of **The James Madison Project** in Washington, DC, 76 pages of records pertaining to an administrative inquiry authorized by then-Acting Secretary of Homeland Security Chad Wolf focused on gathering information on the circumstances that contributed to the unauthorized release of certain Open Source Information Reports in July 2020. Portions of this release were withheld pursuant to FOIA Exemptions 3, 5, 6, and 7(E). (Case Number HQ 2021-HQFO-00855)
- On September 30, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Aura Bogado**, a representative with **The Center for Investigative Reporting** in Emeryville, California, 15 Excel spreadsheets of monthly Flores Agreement violation reports for the period February 2018 to the time when a search for this request is performed. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2019-ICFO-39027)
- On September 30, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Zack Kopplin**, a representative with the **Government Accountability Project** in New Orleans, Louisiana, 3,845 pages of records consisting of documents pertaining to all emails with the keywords “Kushner companies” from January 20, 2017, through August 7, 2017. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, and 6. (Case Number USCIS COW2017000938)
- On October 1, 2021, the Transportation Security Administration (TSA) released to **Tom Scheck**, a representative with *APM Reports* in St. Paul, Minnesota, a no records response in regard to his request for the following: (1) any memoranda of understanding (MOU),

user agreements, or contracts between Alclear, Verified Identity Pass and the subsidiaries of Alclear; (2) any documents such as applications, audits, and approvals/denials related to certifications DHS and its sub-agencies have granted CLEAR; and (3) any cooperative research and development agreements between CLEAR and the DHS and its sub-agencies. (Case Number TSA 2019-TSFO-00571)

- On October 1, 2021, U.S. Customs and Border Protection (CBP) released to **Yeganeh Torbati**, a representative with *ProPublica* in Washington, DC, 25 pages of documents pertaining to her request for all email correspondence containing the keywords “Haskell” or “Library” from May 1, 2018 through the present. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case number CBP-2019-014026)
- On October 4, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Kathryn S. Austin**, a representative with **International Refugee Assistance Project** in New York, New York, 390 pages of records consisting of immigration records including WRAPS records for [REDACTED] **(b)(6)**. Portions of the release were withheld pursuant to FOIA Exemptions 3, 5, 6, 7(C), and 7(E). (Case Number USCIS NRC2018032725)
- On October 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Adam Allen**, a representative with *MuckRock News* in Somerville, Massachusetts, 166 pages of records pertaining to LGBTQI subject matter experts for all 50 states and territories of the United States. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2021-ICFO-34153)
- On October 6, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Clara McMichael**, a freelance journalist in New York, New York, 91 pages of contractual documents with Wonderlic and its subsidiaries. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5 and 6. (Case Number USCIS CNT2021000040)
- On October, 6, 2021, the Cybersecurity & Infrastructure Security (CISA) released to **David Dobbins**, a representative from **Civivus Media LLC** in Augusta, Georgia, a three page memorandum relating to drone operations over Augusta National. Portions of this response were withheld pursuant to FOIA Exemptions, 6, 7(C), 7(E) and 7(F). (Case Number CISA 2021-NPFO-00148)
- On October 6, 2021, the Transportation Security Administration (TSA) released to **Joseph Cox**, a representative with *MuckRock News* in Somerville, Massachusetts, 341 pages pertaining to presentations about, related to, or concerning the Quiet Skies program, from January 1, 2016 to the present. Portions of the release were withheld pursuant to FOIA Exemptions 3, 5, and 6. (Case Number TSA 2018-TSFO-00387)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Open Society Justice Initiative et al. v. DHS et al. 20-cv-00706-RC (2021-HQLI-00028)* on August 13, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records concerning the implementation of denaturalization efforts in the United States. On September 30, 2021, the DHS Privacy Office released 3 pages to plaintiff.
- In the matter of *Muslim Advocates, et al. v. DHS, et al. 17-cv-02080-TSC*, on June 27, 2017, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to a request for documents, communications, and all other materials related to the implementation of the waiver of provisions of President Donald J. Trump march 6, 2017 EO 13,780. On September 30, 2021, the DHS Privacy Office released 322 pages to plaintiff.
- In the matter of *Leopold/Buzzfeed v. DHS 20-cv-2179 (2020-HQLI-000370)*, on June 1, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to emails, memos, letters, directives, involving agency decision-makers, defined as all GS-15 and Senior Executive Service employees, and political appointees, mentioning or referring to protests and George Floyd. On September 30, 2021, the DHS Privacy Office released 16 pages to plaintiff.
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security Case Number HQ 2020-HQLI-00004*, on July 2, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records relating or referring to 27 individuals who died while in custody of U.S. Immigration and Customs Enforcement (ICE). On September 30, 2021 the DHS Privacy Office released 31 pages to plaintiff.
- In the matter of *American Immigration Council v. DHS, 18-cv-01531 (2018-HQLI-00036)*, on April 3, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States - Mexico border. On September 30, 2021, the DHS Privacy Office released 539 pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL. 19-CV-00290 (2020-HQLI-00003)*, on May 24, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to social media surveillance, including the monitoring and retention of immigrants' and visa applicants' social media information for the purpose of conducting "extreme vetting." On September 30, 2021, the DHS Privacy Office released 342 pages to plaintiff.
- In the matter of *IRAP vs FBI 19-cv-06809 (2020-HQLI-00008)*, on February 25, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the surveillance and criminal investigation of refugees in the United States of America. On September 30, 2021, the DHS Privacy Office released 140 pages to plaintiff.
- In the matter of *Just Futures Law, et al. v. U.S. Department of Homeland Security, et al. Civil Action No. 21-0430 (TSC) Justice Action Center v. ICE et. al. (2:20-cv-06982)*, plaintiff filed a FOIA request on June 16, 2020, requesting records to shed light on how federal and local governments are using technologies and companies to expand data

surveillance during the COVID-19 pandemic, and to what extent governments and companies are collecting and sharing this data for possible uses beyond addressing the immediate health crisis. On September 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 318 pages of records.

- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al.*, (1:20-cv-01716-JEB), plaintiff filed a FOIA request on June 25, 2020, requesting any documents gathered in response to a request made to former Chief of Staff Thomas Blank on or around January 30, 2019, for 'any ICE Policy Memo's addressing enforcement, zero tolerance or family separation - from 2017 forward,' as reflected in ICE records previously released to American Oversight. On September 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 157 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al.*, (1:21-cv-10761-NMG), plaintiff filed a FOIA request on May 10, 2021, requesting certain communications related to an indictment alleging that officers assisted an individual in evading ICE officers. On September 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 17 pages of records.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. USICE, et. Al*, plaintiff filed a FOIA request on July 6, 2020, seeking various request pertaining to specific ICE documents related to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management ("ICM"). On September 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 501 pages of records.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al.*, (1:19-cv-01817-RCL), plaintiff filed a FOIA request on February 8, 2019, requesting all records, including medical, pertaining to Roxsana Hernandez and Mergensana Amar. On September 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 501 pages of records.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP)* (4:17-cv-00163-CKJ) plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On September 30, 2021, CBP issued its 502 pages of emails, meeting agendas and notes, briefings, and reports.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP)* (4:17-cv-05273-KAW) plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On September 30, 2021, CBP issued 1,239 pages of emails, meeting notes, and attachments.
- In the matter of *American Oversight v. U.S. Department of Commerce, U.S. Citizenship and Immigration Services (USCIS) et al.*, (1:19-cv-00912), plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for L Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and anyone who served as White House Liaison. On September 30, 2021, USCIS released to the plaintiff 1,494 pages of records.

- In the matter of *Cristian Aguasvivas v. ICE, No. 20-02822*, plaintiff filed a FOIA request on March 10, 2020, requesting any records of any and all exchanges or communications with any officials of any government concerning the potential removal of Cristian Aguasvivas from the United States or related records. On October 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 11 pages of records.
- In the matter of *Immigrant Defense Project v U.S. Immigration and Customs Enforcement (ICE) et al., (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to the creation, implementation, or oversight of Population Management, ATD and other supervision programs. On October 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 80 pages of records.
- In the matter of *Lindsay Nash v. ICE (1:21-cv-04288-JPC)*, plaintiff filed a FOIA request on December 26, 2019, seeking data regarding administrative arrest warrants and administrative subpoenas. On October 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1 Excel Spreadsheet.
- In the matter of *American Oversight v. U.S. Citizenship and Immigration Services, (1:19-cv-03421-CJN)*, plaintiff filed a FOIA request on July 29, 2019, calendars records for Kenneth T. Cuccinelli, email sent by acting users Director Kenneth T. Cuccinelli to any email address ending in .com, .net, .org, .edu, or .mail, and communications with or about Stephen Miller. On October 4, 2021, USCIS released to the plaintiff 272 pages of records.
- In the matter of *Albaladejo v. ICE et al., (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking records of ICE medical summaries for individuals transported between 2003 and present by ICE Air Operations. On October 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 883 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al., (1:19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On October 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,071 pages of records.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars or calendar entries for Kirstjen Nielsen, other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 6, 2021, the DHS Privacy Office released 99 pages to plaintiff.
- In the matter of the *Russell H. Cullen v U.S. Department of Homeland Security (DHS) et al., (20-cv-0113-TJK)*, plaintiff filed a FOIA request on January 13, 2020, requesting records pertaining to himself. On October 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 316 pages of records.

- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al.*, (1:18-cv-01531), plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On October 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 52 pages of records.
- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et al.* (2:21-cv-00066-JAW), plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining transfers of ICE detainees to or from ICE Detention Facilities in Maine. On October 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 127 pages of records.
- In the matter of *National Immigration Litigation Alliance, et al vs. U.S. Customs and Border Protection (CBP) (1:21-cv-11094-RS)* plaintiff filed a FOIA request on March 18, 2021, seeking records pertaining to policies, complaints, and/or guidance related to CBP's advisal to, treatment of, and the expulsion or removal of mothers with children under six months of age. On October 6, 2021, CBP issued 27 pages of complaints discovered using the search terms "pregnant" OR "infant" OR "newborn" OR "gave birth" OR "given birth."
- In the matter of *Catholic Legal Immigration Network, Inc. et al. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (8:20-cv- 02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to Temporary Protected Status from January 20, 2017, through August 12, 2019. On October 6, 2021, USCIS released to the plaintiff 379 pages of records and 21 pages of a supplemental release.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al.*, (1:20- cv-02348), plaintiff filed a FOIA request on April 18, 2020, seeking records pertaining to; Instruction Guidance, training materials given to asylum officers at the Arlington, Virginia, asylum office, from January 1, 2020, through the present. On October 6, 2021, USCIS released to the plaintiff of 822 pages of records.
- In the matter of *Clergy and Laity United for Economic Justice et al., v. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) (2:21-cv-01214)*, the plaintiff filed a FOIA request on August 4, 2020, seeking documents dated on or after January 1, 2019, involving in whole or in part instructions regarding the conduct of or decisions in credible fear of persecution or torture interviews and all training material shared with officers conducting credible fear interviews dated on or after January 1, 2019. On October 6, 2021, USCIS will release to the plaintiff 610 pages of records.



### **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

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**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

**Freedom of Information Act (FOIA) Activity for the Week of  
October 14 - 20, 2021  
DHS Privacy Office  
October 25, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On October 14, 2021, **David Uberti**, a representative with *Wall Street Journal* in New York, New York, requested from the Transportation Security Administration (TSA) the draft directive that would impose cybersecurity standards on certain rail operators, the draft security directive that would impose cybersecurity standards on certain airport and airline operators, and copies of written feedback from companies, industry groups and subject-matter experts during the comment periods on these two draft security directives. (Case Number TSA 2022-TSFO-00022)
- On October 14, 2021, **C. Craig Samtmann**, a representative with the **Immigration Reform Law Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records of revisions and cancellations to southwest border immigration policies and procedures influenced by Senior Counselor on Immigration Policy, United States Department of Justice, to the Trump administration immigration policies and procedures involving non-citizen border crossings from Mexico into the United States from January 20, 2021 to October 14, 2021, and records on immigration policies and procedures involving non-citizen crossings at the southwest border from Mexico into the United States by the Senior Counselor on Immigration Policy, United States Department of Justice, from January 1, 2014 to December 31, 2016. (Case number CBP-2022-004899)
- On October 15, 2021, **Dorian Curry**, a private individual, requested from the United States Coast Guard (USCG) information supporting USCG Basic First Aid and CPR training standards and qualified assessor approvals for Washington State Ferry (WSF) Division of the Washington State Department of Transportation. (Case Number USCG 2022-CGFO-00101)
- On October 15, 2021, **Alicia Robinson**, a representative with *The Orange County Register*, requested from the United States Coast Guard (USCG) digital copies and call recordings from the following 2021 reports: 1318437, 1318463, 1318543. (Case Number USCG 2022-CGFO-00102)
- On October 15, 2021, **David Bier**, a representative with the **CATO Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records from FY2012 to FY2022 pertaining to the Border Patrol use of tear gas, firearms, stun guns, batons, and any other uses of force. (Case number CBP-2022-005170)

- On October 15, 2021, **Megan Byrd**, a representative with *Patch.com* in Mason City, Iowa, requested from the Transportation Security Administration (TSA) the number of passengers stopped from carrying firearms on flights from January 1, 2021 to October 3, 2021. (Case Number TSA 2022-TSFO-00025)
- On October 15, 2021, **Abraham Payton**, a representative of the **Due Diligence Group, LLC** in Lakeview, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office Congressional Correspondence logs maintained for certain members of Congress. (Case Number HQ 2022-HQFO-00065)
- On October 15, 2021, **Nathan Worcester**, a representative of *Epoch Times* in Chicago, Illinois, records related to the detention or arrest of protesters at the Department of the Interior on October 14, 2021. (Case Number FPS 2022-FPFO-00009)
- On October 18, 2021, **Jose Olivares**, a representative of *The Intercept*, in Brooklyn, New York, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) reports of all hotline calls regarding the Stewart Detention Center in Lumpkin, Georgia, from March 2020 through the date that this request is processed. (Case Number 2022-IGFO-00017)
- On October 18, 2021, **Colin Grabow**, a representative with the **CATO Institute** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the Jones Act waiver application related to the transportation of Liquefied Natural Gas on non-coastwise qualified vessels from U.S. domestic sources to points in Puerto Rico for use in the generation of electric energy, and the DHS Secretary's response to the application. (Case Number HQ 2022-HQFO-00074)
- October 18, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) memorandums between CBP and Union Pacific regarding the sharing of intelligence of illegal activity in Texas and/or New Mexico for the dates of January 1, 2011 to present. (Case number CBP-2022-005781)
- On October 18, 2021, **Ian Taylor**, a representative with **Lewis, Kullman, Sterbow, & Abramson, LLC**, requested from the United States Coast Guard (USCG) records regarding the capsizing of L/B SEACOR POWER on April 13, 2021. (Case Number USCG 2022-CGFO-00110)
- On October 19, 2021, **Laura Wyness**, a private individual, requested from the United States Coast Guard (USCG) records related to the administrative investigation of the allegations made against the command at USCG Sector Miami on or about September 2021. (Case Number USCG 2022-CGFO-00135)
- On October 19, 2021, **Kristi Upton**, a representative with **ACME Research**, requested from the United States Coast Guard (USCG) capital and operating expenditures (contracts) for payments made by or on behalf of United States Coast Guard Academy during fiscal year 2021. (Case Number USCG 2022-CGFO-00138)
- On October 19, 2021, **Chelsea Seddon**, a representative with **Williams and Connolly LLP** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records related to a Turkish businessman accused of evading Iran sanctions. (Case Number HQ 2022-HQFO-00079)

- On October 19, 2021, **Aaron Schaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cybersecurity and Infrastructure Security Agency (CISA) the most recent CISA Communications Plan. (Case Number CISA 2022-NPFO-00012)
- On October 20, 2021, **Andre Free**, a private individual, requested from the Department of Homeland Security (DHS) Privacy Office records related to a meeting between DHS Secretary Mayorkas and Haitian Ambassador to the U.S. Bocchit Edmond that occurred on or around September 29, 2021. (Case Number HQ 2022-HQFO-00087)
- On October 20, 2021, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, requested from the Cybersecurity and Infrastructure Security Agency (CISA) certain communication with an eop.gov email address related to social unrest, and intelligence bulletins, open source intelligence and reports, threat assessments, damage assessments, situation reports, directives, mentioning or referring to nationwide protests and looting that took place between May 25 and June 1, 2020. (Case Number CISA 2022-NPFO-00013)
- On October 20, 2021, **DJ Summers**, a representative with *FOX31 Denver* in Denver, Colorado, requested from the Transportation Security Administration (TSA) the daily number of TSA agents working at Denver International airport, Hartsfield-Jackson Atlanta International airport, O'Hare International airport, Los Angeles International airport, Dallas/Fort Worth International airport, during certain dates in October. (Case Number TSA 2022-TSFO-00040)

**Late Requests:**

- On October 13, 2021, **Sarah Cahlan**, a representative with *The Washington Post*, requested from the United States Coast Guard (USCG) records concerning an oil spill from a pipeline owned by Amplify Energy on October 1-2, 2021, near South California (Case Number USCG 2022-CGFO-00100)

**III. Freedom of Information Act Releases**

- On October 14, 2022, U.S. Customs and Border Protection (CBP) released to **Greg Wallace**, a representative with *CNN* in Washington, DC, 168 pages of email communications with Office of Management and Budget (OMB) under the Obama Administration pertaining to the border wall on the U.S.-Mexico border. Portions of this release were withheld pursuant to FOIA exemptions 5, 6, 7(C), and 7(E). (Case number CBP-2017-046421)
- On October 14, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Patrick Francescon**, a representative with **Judicial Watch, Inc.** in Washington, DC. 1 Excel workbook related to disease and illness reporting among immigrants at the Southern border since December 2018. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2019-ICFO-40073)
- On October 15, 2021, U.S. Customs and Border Protection (CBP) released to **Andrew Calderon**, a representative with **The Marshall Project** in East Elmhurst, New York, a four-page letter regarding the number of rescue beacons, activations by Sector, and

activation times. This information was released in full. (Case number CBP-2021-057370)

- On October 18, 2021, U.S. Customs and Border Protection (CBP) released to **Lauren M. Scirocco**, a representative for **Sean Hannity's programs**, 236 pages of records consisting of email correspondence to/from Border Patrol Agent Brian Terry's government email account. Portions of this release are withheld pursuant to Freedom of Information Act Exemptions 6, 7(C) and 7(E) (Case number CBP-2016-034886).
- On October 18, 2021, U.S. Customs and Border Protection (CBP) released to **Melissa Del Bosque** a representative of **Type Media Center**, 107 pages consisting of disciplinary files related to former Border Patrol Agent Esteban Manzanares who is deceased. Portions of this release are withheld pursuant to Freedom of Information Act Exemptions 5, 6, 7(C) and 7(E). (Case number CBP-2019-004050).
- On October 18, 2021, the Federal Emergency Management Agency (FEMA) records released to **Luke Barratt**, a representative of **Source Material** in London, United Kingdom, 286 pages of documents related to interactions logged during the strategic engagement process which used the phrase "climate change." Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2020-FEFO-01048)
- On October 18, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Michael Forsythe**, a representative with **The New York Times** in New York, New York, 155 pages of records pertaining to McKinsey & Co.'s ongoing contract with the office of Enforcement and Removal Operations. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-46227)
- On October 18, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Melissa Hellman**, a representative with **Seattle Weekly** in Seattle, Washington, 1 Excel workbook related to complaints of substandard medical care at the Northwest Detention Center located at 1623 E J St. Tacoma, WA 98421. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C) and 7(E). (Case Number ICE 2018-ICFO-57554)
- On October 20, 2021, Federal Emergency Management Agency (FEMA) released to **Sarah Posner**, a representative of **Type Investigations** in Bethesda, Maryland, 121 pages pertaining to communications between staff members of the Center for Faith and Opportunity Initiatives and Todd Lamphere, Paula White (AKA Paula White-Cain), New Destiny Christian Center, and/or Paula White Ministries or Nichole Wood since January 2017. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number FEMA 2019-FEFO-00608)
- On October 20, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with **Docufreedom** in Overland Park, Kansas, 576 pages regarding the December 7, 2017 flight attempting to remove Somalis. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-21420)
- On October 21, 2021, the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) released to **Rachael Levy**, a representative with **The Wall Street Journal** in Washington, DC, 130 pages of records consisting documents using search terms domestic violent extremism, countering violent extremism, and

targeted violence and terrorism prevention. Portions of the release were withheld pursuant to FOIA Exemptions 6. (Case Number 2021-CRFO-00034)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *National Immigration Litigation Alliance, et al vs. U.S. Customs and Border Protection (CBP)* (1:21-cv-11094-RGS) plaintiff filed a FOIA request on March 18, 2021, seeking records pertaining to policies, complaints, and/or guidance related to CBP's advisal to, treatment of, and the expulsion or removal of mothers with children under six months of age. Plaintiff filed suit on July 1, 2021, claiming declaratory and injunctive relief. On October 14, 2021, CBP issued its third interim response consisting of a two-page memo titled "Pregnancy and Childbirth Guidance."
- In the matter of the *International Refugee Assistance Project, and Refugee and Immigrant Center for Education and Legal Services v. CBP et al* (20-cv-03202-GBD), the plaintiff submitted a complaint on April 23, 2020, seeking release of records regarding the intended beneficiaries of the United States government's Iraqi and Afghan Special Immigrant Visa (SIV) programs. On October 14, 2021, U.S. Customs and Border Protection (CBP) issued the eighth interim release, consisting of 101 pages of A-File records.
- In the matter of the *IDP v ICE (ICE) et al., (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses. On October 14, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 500 pages of records.
- In the matter of *Center for Immigration Studies vs ICE (1:21-cv-01761-APM)*, plaintiff filed a FOIA request on July 1, 2021, requesting records of certain ICE employees regarding the OPT Employment Compliance Unit, STEM OPT or CPT programs, as well as records pertaining to certain broadcast messages. On October 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 494 pages.
- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records related to ICE's use of Clearview AI technology and ICE use of facial recognition software. On October 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 430 pages of records.
- In the matter of *Project on Government Oversight, Inc. v. ICE, et al.; 1:21-cv-00250*, plaintiff filed a FOIA request on January 27, 2021, requesting records pertaining to

emails regarding a *Fox News* tour of ICE's Adelanto detention center in the summer of 2019, records from January 20, 2017 through the date processing begins, of communication between Dr. Stewart Smith, Assistant Director for ICE Health Service Corps, and Tae Johnson, ICE Assistant Director for Custody Management, Enforcement and Removal Operations, records from January 1, 2012, through the date processing begins, of ICE Health Service Corps ("IHSC") root cause analysis and/or corrective action plans ("CAPs") produced following detainee deaths in Immigration and Customs Enforcement custody, pursuant to IHSC recommendations. On October 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 333 pages of records.

- In the matter of *American Civil Liberties Union of Northern California v. ICE and DHS 21-cv-02632-DMR*, plaintiff filed a FOIA request on April 17, 2021, requesting the purchase order or contract entered into between ICE and Clearview AI under Contract Award ID 70CMSD20P00000130 (the "Contract"), along with any purchase records, purchase orders, invoices, sole source letters or justifications, budget request, and grant applications. On October 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 133 pages of records.
- In the matter of *Project South v. ICE; 1:21-cv-00960*, plaintiff filed a FOIA request on April 07, 2021, requesting records related to various records regarding detainers issued by ICE to any Alabama, Arkansas, Louisiana, Mississippi, and Tennessee state or local law enforcement entity on or after February 3, 2015 to present. On October 15, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 550 pages of records.
- In the matter of *Make the Road New York v. DHS 19-cv-04607 (2019-HQLI-00030)*, on May 6, 2019, plaintiff requested records related to current proposed changes and historical data on how 'public charge' assessments have been made and implemented in the past two decades. On October 15, 2021, the Department of Homeland Security (DHS) Privacy Office released 15 pages to plaintiff.
- In the matter of *American Oversight v. DHS 18-cv-00534 (2018-HQLI-00017)*, on November 2, 2017, plaintiff requested calendar entries for the following individuals from January 20, 2017, through present: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary's Conference Room, and the Deputy Secretary's Conference Room. On October 15, 2021, the Department of Homeland Security (DHS) Privacy Office released 20 pages to plaintiff.
- In the matter of *CREW v. DHS 19-cv-03544 (2020-HQLI-00010)* on August 18, 2017, plaintiff requested records related to activities and responsibilities of Katharine Gorka and records related to the 2017 review of the Countering Violent Extremism (CVE) program, ordered by then-DRS Secretary John Kelly in January. On October 15, 2021 the Department of Homeland Security (DHS) Privacy Office released 243 pages to plaintiff.

- In the matter of *Buzzfeed/Leopold Inc. v. DHS 18-cv-01957 (2018-HQFO-01033)*, on June 19, 2018, plaintiff requested emails dated January 1, 2018, through June 22, 2018, sent or received by Secretary of Homeland Security Kirstjen Nielsen related to immigration. On October 15, 2021, the Department of Homeland Security (DHS) Privacy Office released 23 to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 15, 2021, the Department of Homeland Security (DHS) Privacy Office released 39 pages to plaintiff.
- In the matter of *Muslim Advocates v. DHS 20-CV-01143 (2020-HQLI-00025)*, on February 25, 2020, plaintiff requested documents related to President Donald Trump's January 31, 2020, Proclamation 9983 on Improving Enhanced Vetting Capabilities and Processes for Detecting Attempted Entry and the worldwide review undertaken in 2019 prior to the enactment of Proclamation 9983. On 15 October, 2021 the Department of Homeland Security (DHS) Privacy Office issued a full denial of six pages to the plaintiff.
- In the matter of *Buzzfeed News v. U.S. Department of Homeland Security (DHS) (2018-HQLI-00033)*, plaintiff filed a FOIA request on June 27, 2018, seeking emails sent and received by USCIS ombudsman Julie Kirchner. On October 15, 2021 the Department of Homeland Security (DHS) Privacy Office released 293 pages to plaintiff.
- In the matter of *Brennan Center V. DHS ET AL. 20-cv-00427 (2020-HQLI-00014)*, on November 5, 2018, plaintiff records named and described in a Request for Records Disposition Authority submitted by U.S. Immigration and Customs Enforcement (ICE) to the National Archives and Records Administration (NARA) in January 2017. On October 18, 2021, the Department of Homeland Security (DHS) Privacy Office released 172 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 19, 2021, the Department of Homeland Security (DHS) Privacy Office released 30 pages to plaintiff.
- In the matter of *UCI Law School Immigrant Rights Clinic and Just Futures Law v. USICE, et. al*; plaintiff filed a FOIA request on July 6, 2020, seeking various request pertaining to specific ICE documents related to the purchase and use of Palantir Technologies, Inc. database systems FALCON and the Investigative Case Management ("ICM"). On October 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 392 pages of records.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed FOIA requests on August 6, 2018 seeking all contracts and associated attachments, memorandums of understanding, e-mail, and all other items associated with the submission; acceptance, and review of detainee health with Kenosha County, WI for health care provided to people held under



immigration laws. On October 19, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 521 pages of records.

- In the matter of *Lawyers Committee for Civil Rights v. DOJ, et al 1:18-cv-00167 (HQ 2018-HQLI-00014)*, on October 24, 2017, plaintiff requested communications since January 20, 2017 between any DHS personnel and certain individuals associated with the Presidential Commission on Election Integrity. On October 20, 2021, the Department of Homeland Security (DHS) Privacy Office released 40 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested calendar entries maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 20, 2021, the Department of Homeland Security (DHS) Privacy Office released 36 pages to 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

**Freedom of Information Act (FOIA) Activity for the Week of  
October 21 - 27, 2021  
DHS Privacy Office  
November 1, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On October 21, 2021, **Stephen Underhill**, a representative of **Marshall University** in Huntington, West Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records related to commercial films that the Department lent assistance to produce between 1997 to present (Case Number HQ 2022-HQFO-00089)
- On October 21, 2021, **Dan Schwartz**, a representative with *iHeartRadio* in Golden, Colorado, requested from U.S. Customs and Border Protection (CBP) all correspondence to and from several CBP email addresses in reference to the keywords “Union Pacific” from January 1, 2011 to October 22, 2021. (Case number CBP-2022-006745)
- On October 21, 2021, **Ann Brown**, a representative with the **Center for Biological Diversity** in Portland, Oregon, requested from U.S. Customs and Border Protection (CBP) records referencing hydrology and drainage at and/or near the United States-Mexico border about construction of the border wall, and associated roads and bridges adjacent to the wall, across washes, arroyos and drainages in the San Bernardino Valley. (Case number CBP-2022-007124)
- On October 22, 2021, **Nathalie Grogan**, a representative with the **Center for a New American Security** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) the race, ethnicity, and gender of all CBP personnel by GS level, SES, and appointee status from 2001 to the present. (Case number CBP-2022-007315)
- On October 22, 2021, **Victor Luis Rodriques-Velazquez**, a representative of *Centro de Periodismo Investigativo* in San Juan, Puerto Rico, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all available disaggregated data presented in the report “FEMA Must Take Additional Steps to Better Address Employee Allegations of Sexual Harassment and Sexual Misconduct.” (Case Number 2022-IGFO-00024)
- On October 22, 2021, **Katherine Pingeton**, a representative of the **University of Massachusetts at Amherst** in Amherst, Massachusetts, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) all records containing allegations of sexual and/or physical abuse of immigration detainees during the period of January 1, 2016 to October 22, 2021 and all records containing responses to such allegations. (Case Number 2022-IGFO-00027)

- On October 22, 2021, **Samira Elhosary**, a representative of the **Constitutional Law Center for Muslims in America** in Richardson, Texas, requested from the Department of Homeland Security (DHS) Privacy Office records related to an individual's security vetting and placement on the terrorist watchlist. (Case Number HQ 2022-HQFO-00093)
- On October 22, 2021, Nathalie Grogan, a representative of **Center for a New American Security** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office data related to diversity of Cybersecurity and Information Security Agency personnel. (Case Number HQ 2022-HQFO-00105)
- On October 25, 2021, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, requested from the Department of Homeland Security (DHS) Privacy Office certain records associated with civil unrest between May 25 and June 1, 2020. (Case Number HQ 2022-HQFO-00101)
- On October 25, 2021, **Jason Leopold**, a representative of *BuzzFeed News* in Beverly Hills, California, requested from the Department of Homeland Security (DHS) Privacy Office and Federal Protective Service (FPS) certain records associated with civil unrest between May 25 and June 1, 2020. (Case Number HQ 2022-HQFO-00101 and FPS 2022-FPFO-00014)
- On October 25, 2021, **Katherine Pingeton**, a representative of the **University of Massachusetts Amherst** in Amherst, Massachusetts, requested from the Department of Homeland Security (DHS) Privacy Office documents concerning efforts to assist law enforcement and non-profit advocacy groups in locating people alleged to have suffered sexual and/or physical abuse in immigration detention. (Case Number HQ 2022-HQFO-00120)
- On October 25, 2021, **Russel Petti**, an attorney with **Law Offices of Russell G. Petti** in La Canada, California, requested from the United States Coast Guard (USCG ) a copy of the original plans for the CONCEPTION (Official Number 638133) which were submitted to the U.S. Coast Guard for the Seaway Boat Company ("Seaway"). (Case Number USCG 2022-CGFO-00206)
- On October 25, 2021, **Tom Scheck**, a representative with *APM Reports* in St. Paul Minnesota, requested from Transportation Security Administration (TSA) anything within the Airport Security Programs (ASPs) and ASP Amendments after January 1, 2016 related to CLEAR or ALCLEAR, for the following airports; Minneapolis St. Paul (MSP) and Atlanta (ATL). (Case Number TSA 2022-TSFO-00049)
- On October 26, 2021, **Alec Giufurta**, a representative of *The Southampton Press* in Southampton, New York, requested from the Department of Homeland Security (DHS) Privacy Office communications dating from 2015 to present regarding the potential sale of properties owned by the United States Coast Guard in the Town of Southampton in Suffolk County, New York and in the Village of Westhampton Beach in Suffolk County, New York. (Case Number HQ 2022-HQFO-00121)
- On October 26, 2021, **Ted Goldberg**, a representative with *KQED* in San Francisco, California, requested from the United States Coast Guard (USCG) records of Coast Guard's investigation into a pipeline rupture and leak at Richmond's long wharf near the Chevron Refinery on February 9, 2021 (Case Number USCG 2022-CGFO-00185)

- On October 26, 2021, **Kristi Upton**, a representative with **ACME Research** in Riesel, Texas, requested from the United States Coast Guard (USCG) construction or renovation projects valued at \$2,000,000 or more at United States Coast Guard Academy (USCGA). (Case Number USCG 2022-CGFO-00193)
- On October 26, 2021, **Lauren Chase**, a representative with **The Orange County CoastKeeper** in Costa Mesa, California, requested from the United States Coast Guard (USCG) multiple sets of records regarding platforms Elly, Ellen, and Eureka and the San Pedro Bay Pipeline as well as corresponding pipelines and entities dating from September 1, 2016 to present. (Case Number USCG 2022-CGFO-00195)
- On October 26, 2021, **Tony Guild**, a private individual from San Raphael, California, requested from the United States Coast Guard (USCG) additional records regarding M/V CONCEPTION. (Case Number USCG 2022-CGFO-00196)
- On October 26, 2021, **Blake Ellis**, a representative with **CNN Investigations** in New York City, New York requested from the United States Coast Guard (USCG) a copy of the records previously released under FOIA 2020-CGFO-01886. (Case Number USCG 2022-CGFO-00202)
- On October 26, 2021, **Megan Huynh**, a representative with **Southern Environmental Law Center** in Atlanta, Georgia, requested from the United States Coast Guard (USCG) all records related to an incident occurring on September 8, 2019, when the Golden Ray, a cargo ship carrying over 4,000 cars, caught fire and capsized in St. Simon's Sound in Georgia. (Case Number USCG 2022-CGFO-00204)
- On October 27, 2021, **Sean Dunagan**, a representative of **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office calendar records and call logs for Secretary Mayorkas and political appointees. (Case Number HQ 20222022-HQFO-00125)

**Late Requests:**

- On October 20, 2021, **Shaina Luck**, a representative with **CBC News Nova Scotia** in Nova Scotia, Canada, requested from the Transportation Security Administration (TSA) the final report related to an audit conducted by the US Transportation Security Administration of pre-screening before check-in for US-bound flights of American Airlines and/or the Polish airline LOT, departing from Liszt Ferenc International Airport in Budapest, Hungary. (Case Number TSA 2022-TSFO-00046)
- On September 17, 2021, **Esmy Jimenez** with **The Seattle Times** in Seattle, Washington, requested from U.S. Immigration and Customs Enforcement (ICE) reports From January 1, 2020, to September 17, 2021, concerning the use of segregation at the Northwest ICE Processing Center based at 1623 E J St, Tacoma, WA 98421. (Case Number ICE 2021-ICFO-39642).

**III. Freedom of Information Act Releases**

- On October 14, 2022, On October 22, 2021, the Department of Homeland Security (DHS) Federal Protective Service (FPS) released to **Meg Kelly**, a representative for **The Washington Post** in Washington, DC, four pages consisting of emails records related to law enforcement activities in Portland in July 2020. Portions of this response were

withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number FPS 2022-PPFO-00011)

- On October 20, 2021, U.S. Customs and Border Protection (CBP) issued to **Lee Norberg**, an private individual in Myrtle Beach, South Carolina, a no records response in regard to his request for the costs, and status of supplies related to halting construction of the U.S. Mexico border wall. (Case number CBP- 2022-003048)
- On October 21, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Felipe De La Hoz**, a representative with **MuckRock News** in Somerville, Massachusetts, one excel spreadsheet of ICE Health Service Corps (IHSC) data for fiscal years 2017, 2018, 2019, and 2020, regarding pregnant detainees in custody. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2021-ICFO-04064)
- On October 25, 2021, U.S. Customs and Border Protection (CBP) issued to **Tom Shelby**, an individual in Coon Rapids, Minnesota, a full denial in regard to his request for the full legal names of CBP agents on horseback who were on-shift while attempting to detain Haitian migrants at the Texan border in Del Rio from September 17, 2021 to September 20, 2021, including any incident reports regarding the aforementioned operations in Del Rio. The records were withheld in full pursuant to FOIA exemption 7(A). (Case number CBP-2021-107639)
- On October 27, 2021, the Department of Homeland Security (DHS) Federal Protective Service (FPS) released to **Jason Leopold**, a representative for **BuzzFeed News** in Beverly Hills, California, 12 pages consisting of emails related to the nationwide protests and looting that took place between May 25 and June 1, 2020, that were sparked by the death while in police custody of George Floyd. Portions of this response were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number FPS 2022-PPFO-00014)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter *Open Society Justice Initiative, 20-cv-06359 (2021-FELI-00001 / 2021-HQLI-00001)*, on June 24, 2020, plaintiff requested records pertaining to the notice of SARS-CoV-2 and COVID-19, the Executive Branch's Efforts to Counter SARS-CoV-2 and COVID-19, and Executive Branch SARS-CoV-2 and COVID-19 Communications with Congress, State Governors, and the World Health Organization. On October 21, 2021, the Department of Homeland Security (DHS) Privacy Office released 318 pages to plaintiff.
- In In the matter of *National Press Club Journalism Institute and Kathy Kiely v U.S. Immigration and Customs Enforcement (ICE) et al. (1:18-cv-02932)*, plaintiff filed a

FOIA request on May 18, 2018, seeking records concerning the United States' treatment of Mexican journalist Emilio Gutierrez-Soto, his son, Oscar Emilio Gutierrez-Soto, and their attorney, Eduardo Beckett. On October 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 311 pages of records.

- In the matter of *CREW, et al. v. U.S. Immigration and Customs Enforcement (ICE)*, (1:20-cv-03120-CKK), plaintiff filed a FOIA request on September 21, 2020, seeking a multi-part records related to involuntary medical procedures at the Irwin County Detention Center (“ICDC”). On October 22, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 2 excels of records.
- In the matter of *American Oversight v. DHS 18-cv-00534 (2018-HQLI-00017)*, on November 2, 2017, plaintiff requested calendar entries for the following individuals from January 20, 2017, through present: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary’s Conference Room, and the Deputy Secretary’s Conference Room. On October 25, 2021, the Department of Homeland Security (DHS) Privacy Office released 26 pages to plaintiff.
- In the matter of *Lawyers Committee for Civil Rights v. DOJ, et al. 1:18-cv-00167 2018-HQLI-00014*), on October 24, 2017, plaintiff requested communications since January 20, 2017, between any DHS personnel and certain individuals associated with the Presidential Commission on Election Integrity. On October 25, 2021, the Department of Homeland Security (DHS) Privacy Office released 50 pages to plaintiff.
- In the matter of *Knight First Amendment Institute at Columbia University v Department of Homeland Security (DHS) et al.*, (1:17-cv-07572-ALC), plaintiff filed a FOIA request on August 7, 2017, requesting records about any new vetting policies, and about the government’s understanding of its authority to base immigration decisions on individuals’ speech, beliefs, or associations. On October 25, 2021, Immigrations and Customs Enforcement (ICE) released to the plaintiff 562 pages of records.
- In the matter of *CREW, et al. v. U.S. Immigration and Customs Enforcement (ICE)*, ((1:20-cv-02553-TJK), plaintiff filed a FOIA request on September 11, 2020, seeking all communications from June 2, 2020 relating to decision to deploy federal agents to Portland, OR and Chicago, IL. as well as other cities/states. On October 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 10 pages of records.
- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al.*, (3:17-cv-06029), plaintiff filed a FOIA request on June 22, 2017, requesting records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On October 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 715 pages of records.
- In the matter of *Immigrant Defense Project, et al. v. DHS, et, al.; 1:20-cv-10625*, plaintiff filed a FOIA request on December 16, 2020, requesting records pertaining to

Operation Palladium. On October 26, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 312 pages of records.

- In the matter of *BuzzFeed News v. DHS 21-cv-00545 (2021-HQLI-00017)*, on January 11, 2021, plaintiff requested documents mentioning or referring to the planning of protests in Washington, DC. On January 6, 2021, by supporters of President Donald Trump. On October 26, 2021 the Department of Homeland Security (DHS) Privacy Office released 187 pages to plaintiff.
- In the matter of *American Oversight v. DHS 18-cv-00534 (2018-HQLI-00017)*, on November 2, 2017, plaintiff requested calendar entries for the following individuals from January 20, 2017, through present: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary's Conference Room, and the Deputy Secretary's Conference Room. On October 25, 2021, the Department of Homeland Security (DHS) Privacy Office released 86 pages to plaintiff.
- In the matter of *Muslim Advocates, et al. v. DHS, et al. 17-cv-02080-TSC (2018-HQLI-00006)*, on June 27, 2017, plaintiff requested documents, communications, and all other materials related to the implementation of the waiver of provisions of President Donald J. Trump march 6, 2017 EO 13,780. On October 27, 2021, the Department of Homeland Security (DHS) Privacy Office released 32 pages to plaintiff.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:19-cv-01817-RCL)*, plaintiff filed a FOIA request on February 8, 2019, requesting all records, including medical, pertaining to Roxsana Hernandez and Mergensana Amar. On October 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 516 pages of records.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:20-cv-01716-JEB)*, plaintiff filed a FOIA request on June 25, 2020, requesting any documents gathered in response to a request made to former Chief of Staff Thomas Blank on or around January 30, 2019, for 'any ICE Policy Memo's addressing enforcement, zero tolerance or family separation - from 2017 forward,' as reflected in ICE records previously released to American Oversight. On October 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 154 pages of records.
- In the matter of *Jeremy Borden v U.S. Department of Homeland Security (DHS) et al., (:21-cv-0527-BAH)*, plaintiff filed a FOIA request on February 27, 2020, requesting records related to Eckart Frahm, a Yale antiquities expert who has assisted in an expert capacity with DHS antiquities investigations. On October 27, 2021, U.S. Immigration and Customs Enforcement (ICE) re-released to the plaintiff 154 pages of records.
- In the matter of *Center for Gender & Refugee Studies v U.S. Immigration and Customs Enforcement (ICE) et al., (4:21-cv-01065-DMR)*, plaintiff filed a FOIA request on February 12, 2021, requesting all records from U.S. Immigration and Customs Enforcement ("ICE") pertaining to guidance, instructions, training, and policies relating



to asylum and withholding of removal claims based in whole or in part on a “gender alone” Particular Social Group. On October 27, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 39 pages of records.

### **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

**Freedom of Information Act (FOIA) Activity for the Week of**  
**November 4 – November 10, 2021**  
**DHS Privacy Office**  
**November 15, 2021**  
**Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On November 8, 2021, **Stephen Underhill**, a representative of **Marshall University** in Huntington, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to film Patriots Day in 2016 starring Mark Wahlberg. (Case Number HQ 2022-HQFO-00181)
- On November 4, 2021, **Aaron Schaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cyber Security and Infrastructure Security Agency all procurement and planning documents related to Award ID #70RCSA21FR0000095. (Case Number CISA 2022-NPFO-00031)

**Late Requests:**

- On July 4,

**III. Freedom of Information Act Releases**

- On November 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Patrick Eddington**, a representative with **Cato Institute** in Annandale, Virginia five pages of email communications from January 1, 2020, pertaining to the questioning or detention of persons of Iranian/Persian or Lebanese heritage. Portions of this response were withheld pursuant to FOIA exemption 6 and 7(C). (Case Number HQ 2021-HQFO-00438)

**IV. Freedom of Information Act Appeals**

- NSTR

**V. Freedom of Information Act Appeals Releases**

- NSTR

**VI. Litigation**

- In the matter of *Open Society Justice Initiative et al. v. DHS et al. 20-cv-00706-RC (2021-HQLI-00028)*, on August 13, 2020, plaintiff requested records concerning the

implementation of denaturalization efforts in the United States. On November 4, 2021, the Department of Homeland Security (DHS) Privacy Office released 25 pages to plaintiff.

- In the matter of *Wahdan v. DHS 20-cv-03679 (2020-HQFO-00475/2021-HQLI-00014)*, on January 11, 2020, plaintiff requested records from January 1, 2018, to December 31, 2019, located in the requester's DHS security file. On November 5, 2021, the Department of Homeland Security (DHS) Privacy Office released 94 pages to plaintiff.
- In the matter of *C.R.E.W. et al. v. DHS et al. 20-cv-02553-TJK (2021-HQLI-00009)*, on July 23, 2020, plaintiff requested records relating to the deployment of federal law enforcement in response to protests for racial justice across the country, in addition to policies that governed federal authorities' treatment of these protesters. On November 8, 2021, the DHS Privacy Office released 81 pages to plaintiff.
- In the matter of *American Oversight v. DHS, et al. 18-cv-02842-CKK (2019-HQLI-00010)*, on December 18, 2018, plaintiff requested emails from Gene Hamilton and Cameron Quinn related to family separations. On November 9, 2021, the Department of Homeland Security (DHS) Privacy Office released 73 pages to plaintiff.
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### **Freedom of Information Act Exemptions**

**Exemption 1:** classified national defense and foreign relations information

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**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

**Freedom of Information Act (FOIA) Activity for the Week of  
October 7 - 13, 2021  
DHS Privacy Office  
October 18, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On October 7, 2021, **John Greenwald**, a representative with **The Black Vault** of Castaic, California, requested from U.S. Customs and Border Protection (CBP) records, video footage, photos and mission documents pertaining to the flight of an RC-26 plane on November 23, 2019. (Case Number CBP-2022-001985)
- On October 7, 2021, **Champe Barton**, a representative with *The Trace* of Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) the number of guns submitted by CBP to ATF's etrace system, as well as the number of guns recovered by CBP for the years 2010 to the present. (Case Number CBP-2022-002352)
- On October 8, 2021, **Sandra Mitchell**, a representative of **Alscott Inc** in Boise, Idaho, requested from U.S. Customs and Border Protection (CBP) letters sent by Portland Area Port Director Tyler Porter and/or Field Operations Director Richard F. DiNucci to Boise Airport Director Rebecca Hupp on the following dates: 1) February 4, 2021; 2) May 27, 2021; 3) July 2, 2021; and 4) September 1, 2021. (Case number CBP-2022-002882)
- On October 8, 2021, **Jared Kofsky**, an representative with *WCSC-TV Live 5 News*, in Charleston, South Carolina, requested from the United States Coast Guard (USCG) the document showing the leadership of and names/agencies of all individuals currently assigned or serving as liaisons to the SEAHAWK Charleston Interagency Operations Center (also known as the SEAHAWK Interagency Operations Center) in South Carolina. (Case Number USCG 2022-CGFO-00078)
- On October 8, 2021, **Joshua Tulkin**, a representative of **Sierra Club Maryland Chapter** in Silver Spring, Maryland, requested from the United States Coast Guard (USCG) comments submitted by the US Coast Guard in response to Maryland Department of Transportation (MDOT) release "Preferred Alternative," written between the dates of March 1, 2021 and July 23, 2021. (Case Number USCG 2022-CGFO-00079)
- On October 8, 2021, **Susan Donohue**, a representative with **Watson Law** in Peoria, Illinois, requested from the United States Coast Guard (USCG) audio recordings regarding the Administrative Hearing case on August 17, 2021 at the Anthony J Celebrezze Federal Building Tax Court 30th Floor Courtroom. (Case Number USCG 2022-CGFO-00083)
- On October 8, 2021, **Aaron Shaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cybersecurity and Infrastructure Security Agency

(CISA) the “after-action report” or “after-action review” on the SolarWinds cyber incident. (Case Number CISA 2022-NPFO-00006)

- On October 11, 2021, **H. Jake Rodriguez**, a representative with **Wilson, Elser, Moskowitz, Edelman & Dicker LLP** in New Orleans, Louisiana, requested from the United States Coast Guard (USCG), a copy of the investigation report and files pertaining to the vessel SEACOR POWER on April 13, 2021. (Case Number USCG 2022-CGFO-00077)
- On October 11, 2021, **Scott Stedman**, a representative with *Forensic News* in Fullerton, California, requested from the United States Coast Guard (USCG) records concerning BLACK SEA as identified in the provided Activity numbers. (Case Number USCG 2022-CGFO-00084)
- On October 11, 2021, **Kassandra Gonzalez**, a representative of the **Texas Civil Rights Project** in Alamo, Texas, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) records containing the investigative findings of the OIG into the death of Carlos Gregorio Hernandez Vasquez. (Case Number 2022-IGFO-00011)
- On October 11, 2021, **Adam Federman**, an independent journalist, in Cornwall, Vermont, requested from U.S. Customs and Border Protection (CBP) incursion reports made by CBP for use of wilderness areas in the Organ Pipe National Monument and the Cabeza Prieta Wildlife Refuge from January 1, 2010 to December 31, 2014. (Case Number CBP-2022-003027)
- On October 11, 2021, **Lee Norberg**, a private individual from Myrtle Beach, South Carolina, requested from U.S. Customs and Border Protection (CBP) records pertaining to the costs, and status of supplies related to halting construction of the U.S. Mexico border wall. (Case number CBP-2022-003048)
- On October 11, 2021, **Natalie Christmas**, a representative with the **Florida Attorney General’s Office** in Tallahassee, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to the impacts of DHS’s September 30, 2021 immigration enforcement guidance. (Case number CBP-2022-003180)
- On October 12, 2021, **Camila DeChalus**, a representative with *Business Insider* in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) data on vaccination rates of full time CBP employees. (Case number CBP-2022-003446)
- On October 12, 2021, **Benjamin Ashford**, a representative with the *Daily Mail* in Miami Beach, Florida, requested from U.S. Customs and Border Protection (CBP) reports or logs pertaining to the rates of suicide and/or mental illness in CBP employees from 2012 to the present. (Case number 2022-003488)
- On October 12, 2021, **Austin Evers**, a representative with **American Oversight** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) documents pertaining to the death in custody of Felipe Gomez Alonzo. (Case number 2022-003681).
- On October 12, 2021, **Camilo Andres Montoya-Galvez**, a representative with *CBS NEWS* in Washington, DC, requested from the Department of Homeland Security (DHS) Office of Inspector General (OIG) the report stemming from the "Investigation of Guatemalan Juvenile Who Died in U.S. Border Patrol Custody in Weslaco, TX," which

DHS OIG announced had concluded in September 2021. (Case Number 2022-IGFO-00010)

- On October 12, 2021, **Thacher Schmid**, an independent journalist, requested from the United States Coast Guard (USCG) an individual's personnel data record and DD214 discharge papers. (Case Number USCG 2022-CGFO-00085).
- On October 12, 2021, **Joseph Lally**, a representative with **Prince William Sound Regional Citizen's Advisory Council** in Anchorage, Alaska, requested from the United States Coast Guard (USCG) the investigation report and files pertaining to the allision that occurred between the Tug COURAGEOUS and the POLAR ENDEAVOUR on January 12, 2021 in Prince William Sound, Alaska. (Case Number USCG 2022-CGFO-00086)
- On October 12, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the U.S Immigration and Customs Enforcement (ICE) Health Service Corps "Event Review," "Root Cause Analysis," or "Action Plan," completed for certain individuals who died in custody. (Case Number HQ 2022-HQFO-00048)
- On October 12, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the "Detainee Death Review" reports completed by or for the U.S Immigration and Customs Enforcement (ICE) Office of Professional Responsibility for certain detainees who died in custody. (Case Number HQ 2022-HQFO-00049)
- On October 12, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the "Healthcare and Security Compliance Analysis" reports – or equivalent internal procedural analysis – completed by or for the U.S Immigration and Customs Enforcement (ICE) Office of Professional Responsibility for certain detainees who died in custody. (Case Number HQ 2022-HQFO-00051)
- On October 12, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office independent autopsies supplied to DHS or the U.S Immigration and Customs Enforcement (ICE) for certain detainees who died in custody. (Case Number HQ 2022-HQFO-00052)
- On October 12, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office the U.S Immigration and Customs Enforcement (ICE) Health Service Corps "Mortality Review" reports for certain detainees who died in custody. (Case Number HQ 2022-HQFO-00053)
- On October 13, 2021, **Jo Ellison**, a representative with **CBS 5News** in Springdale, Arkansas, requested from the Transportation Security Administration Security (TSA) a copy of an alleged incident report at Northwest Arkansas National Airport on October 6, 2021 concerning a man removed from the plane for refusing to wear a mask. (Case Number TSA 2022-TSFO-00021)



### Late requests

- On September 21, 2021, **Robert Mongeluzzi**, a representative with **Saltz, Mongeluzzi & Bendesky P.C** in Philadelphia, Pennsylvania, requested from the United States Coast Guard (USCG) all communications between the United States Coast Guard and any member of the Passenger Vehicle Association from May 1, 1999 to September 21, 2021. (Case Number USCG 2022-CGFO-00092)
- On September 23, 2021, **Lena Graber**, a representative with **Immigrant Legal Resource Center** in San Francisco, California, requested from U.S. Immigration and Customs Enforcement (ICE) records related to the process for ICE Field Office Directors or Special Agents in Charge to review and approve civil immigration enforcement actions against individuals outside of the interim enforcement and removal priorities. (Case Number ICE 2022-ICFO-00153)
- On September 27, **Paul Litzher**, a private individual requested from the Department of Homeland Security (DHS) Privacy Office emails sent or received by dhs-silicon-valley@hq.dhs.gov over the past 10 years. (Case Number HQ 2022-HQFO-00033)

### **III. Freedom of Information Act Releases**

- On October 7, 2021, (FEMA) FEMA released to **Ken Klippenstein**, a representative of **The Intercept** in Madison, Wisconsin one (1) excel spreadsheet consisting of descriptions of each Freedom of Information Act request received by the Agency between October 1, 2020 and January 23, 2021. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2021-FEFO-00249)
- On October 8, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Lomi Kriel**, a representative with **ProPublica** in Houston, Texas, 1 Excel workbook in response to her request for a log of cases of parents who have been deported from the U.S. while their children remained in the U.S., either in foster care, with relatives, or other situations. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2021-ICFO-36304)
- On October 8, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Delia Leal**, a representative with **Middlebury Institute for International Studies** in Monterey, California, 1 Excel workbook of statistical data on unaccompanied and separated from guardian/family minors who spent time at ICE managed detention centers, the types of crime the guardian/family was prosecuted for, and how the guardian/family member was detained (home invasion, traffic incident, collateral, violent crimes) and how ICE handles initial separation of children. Portions of the release were withheld pursuant to FOIA Exemptions 6, and 7(C). (Case Number ICE 2021-ICFO-33638)
- On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Carli Brosseau**, a representative with **The News & Observer** in Chapel Hill, North Carolina, 68 pages of inspection reports pertaining to the Alamance County (NC) Sheriff's Office since 2002. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-85714)
- On October 13, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Karina Brown**, a representative with **Courthouse News Service** in Portland, Oregon, 144 pages of records consisting of the Statement of Work for the Maxsent

contract with Federal Protective Service for Oregon, as modified on October 17, 2021. Portions of this response were withheld pursuant to FOIA exemption 7(E). (Case Number HQ 2020-HQFO-01639)

#### **IV. Freedom of Information Act Appeals**

- NSTR

#### **V. Freedom of Information Act Appeals Releases**

- NSTR

#### **VI. Litigation**

- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-10083)*, plaintiff filed a FOIA request on December 2, 2020, requesting agreements with vendors concerning government access to or receipt of data from commercial databases containing cell phone location information. On October 7, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 113 pages of records.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. DHS et al., (1:21-cv-10486-JGD)*, plaintiff filed a FOIA request on March 22, 2021, requesting records related to the implementation of the Nationwide Policy and National Qualified Representative Program (“NQRP”) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 111 pages of records.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records for the time period beginning January 1, 2016, of written notices to each ICE field office director of instances when a detainee has been held continuously in segregation, and all subsequent reviews conducted by the field office director. On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 11 excel spreadsheets.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al., (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 531 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On October 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 531 pages of records.

- In the matter of *Make the Road New York v. DHS 19-cv-04607 (2019-HQLI-00030)*, on May 6, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records related to current proposed changes and historical data on how 'public charge' assessments have been made and implemented in the past two decades. On October 8, 2021, the DHS Privacy Office released 217 pages to plaintiff.
- In the matter of *JOSHUA PHILLIPS V. DHS ET AL. 19-CV-01226-ABJ (2019-HQLI-00016)*, on February 25, 2019, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office records from June 28, 2018, to February 25, 2019, that mention or refer to Family Separation in the Summary, and/or any other reports that discuss family separation. On October 8, 2021, the DHS Privacy Office released 32 pages to plaintiff.
- In the matter of *American Oversight v. DHS 20-CV-02153 (2020-HQLI-00038)*, on June 11, 2020, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office certain records related to the nationwide protests or civil disturbances by the police killing of George Floyd. On October 08, 2021, the DHS Privacy Office released 120 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 12, 2021, the DHS Privacy Office released 12 pages to plaintiff.
- In the matter of *American Oversight v. DHS 19-cv-00912 (2019-HQLI-00013)*, on October 17, 2018, plaintiff requested from the Department of Homeland Security (DHS) Privacy Office calendars maintained on behalf of Kirstjen Nielsen and other senior-level DHS officials and anyone who has served as White House Liaison since January 20, 2017. On October 13, 2021, the Department of Homeland Security (DHS) released 58 pages to plaintiff.
- In the matter of *Project on Government Oversight, Inc. v. ICE, et, al.; 1:19-cv-03372*, plaintiff filed a FOIA request on November 7, 2019, requesting any communications between government officials and representatives of Amazon or AWS regarding facial recognition technology or Recognition. On October 13, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 416 pages of records.

### **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

**Freedom of Information Act (FOIA) Activity for the Week of  
October 28 – November 3, 2021  
DHS Privacy Office  
November 8, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On October 28, 2021, **Abraham Payton**, a representative of **Due Diligence Group** in Lakeview, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office Congressional Correspondence logs for the Senator Marco Rubio by from October 21, 2019, to October 21, 2021. (Case Number HQ 2022-HQFO-00127)
- On October 28, 2021, **Renee Dudley**, a representative of **ProPublica** in New York, New York, requested emails from January 1, 2018, to October 27, 2021, between employees and a certain individual at the domain @emissoft.com, and any emails between employees referring to that individual. (Case Number CISA 2022-NPFO-00018)
- On October 28, 2021, **Renee Dudley**, a representative of **ProPublica** in New York, New York, requested emails from January 1, 2018, to October 27, 2021, between employees and individuals at Emsisoft and any emails between employees referring to Emsisoft. (Case Number CISA 2022-NPFO-00019)
- On October 28, 2021, **Sidney De Leon**, a private individual in Dickson, Tennessee, requested from U.S. Customs and Border Protection (CBP) statistics related to the apprehension of undocumented individuals in the sectors of Del Rio, Texas and Yuma, Arizona from January 2015 to December 2020 while operating unmanned aircraft systems. (Case number CBP-2022-009251)
- On October 28, 2021, **Ethan Schwartz**, a private individual in Brooklyn, New York, requested from U.S. Customs and Border Protection (CBP) correspondence, office expenditures, travel records, scheduling-related documents, reimbursement requests, and public communications that mention the Chief of Staff from January 20, 2009 to September 1, 2011. (Case number CBP-2022-009308)
- On October 28, 2021, **Stephen Dinan**, a representative with **Washington Post** in Washington, DC, requested from the Office for Civil Rights Civil Liberties Katherine Culliton-Gonzalez's schedules from Jan. 20, 2021, to the present, emails from Katherine Culliton-Gonzalez's account that include a personal gmail account, and emails that mention the following groups: United We Dream, America's Voice, American Civil Liberties Union, National Immigration Law Center, CASA, Families Belong Together, Detention Watch Network, Community Change Action, or Immigration Hub. (Case Number 2022-CRFO-00016)

- On October 28, 2021, **Melanie Hicken**, a representative with *CNN Investigates* in New York City, New York, requested from the United States Coast Guard (USC) all exhibits referenced in Coast Guard Enforcement Activity Summary Report for Case # 4064202. (Case Number USCG 2022-CGFO-00274)
- On October 28, 2021, **Ed Palattella**, a representative with *Erie Times- News* in Erie, Pennsylvania, requested from the United States Coast Guard (USCG) records related to the Coast Guard fining or otherwise imposing sanctions in connection with a commercial fishing boat, the Doris-M, on Lake Erie in the area of Erie, Pennsylvania, between June 2017 and the present. (Case Number USCG 2022-CGFO-00262)
- On October 28, 2021, the Transportation Security Administration (TSA) released to **Mikayla Ortega**, a representative with *KMGH Denver 7 News* in Denver, Colorado, five video clips associated with the arrest of Lori Saine on Tuesday, December 5, 2017 at the Denver International Airport around 3:30 p.m. The video clips were released in full. (Case Number TSA 2018-TSFO-00098)
- On October 29, 2021, **Sara Gentzler**, a representative with *Omaha World-Herald* in Omaha, Nebraska, requested from the Office for Civil Rights Civil Liberties records that document reports of alleged violations of E-Verify program rules and/or discrimination by Pillen Holdings, LLC from the years 2017, 2018, 2019, 2020, and 2021. (Case Number 2022-CRFO-00017)
- On November 1, 2021, **Leva Jusionyte**, a representative with **Brown University**, in Providence, Rhode Island, requested from U.S. Customs and Border Protection (CBP) records of each search and rescue operation conducted by U.S. Border Patrol in fiscal year 2021 in Pima, Santa Cruz and Cochise counties in Arizona. (Case number CBP-2022-010227)
- On November 1, 2021, **Natasha Korecki**, a representative with *POLITICO*, in Arlington, Virginia, requested from U.S. Customs and Border Protection (CBP) emails received since June 1, 2021, by the Interim Chief Patrol Agent, Del Rio Sector Texas, and the Acting Deputy Chief Patrol Agent, Del Rio Sector Texas, from the following email domain address @bpunion.org. (Case number CBP-2022-010409)
- On November 1, 2021, **Matthew Schaffer**, a representative of *The Washington Post* in Washington, DC, requested calendar records for the CISA Director for October 2021. (Case Number CISA 2022-NPFO-00021)
- On November 1, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office correspondence with certain officials including keywords associated with efforts to delay the Presidential election results. (Case Number HQ 2022-HQFO-00147 and CISA 2022-NPFO-00024)
- On November 1, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office communication between certain DHS officials and Members of Congress associated with the Trump campaign. (Case Number HQ 2022-HQFO-00146)
- On November 1, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy

Office correspondence between DHS and White House officials including key words generally associated with conspiracy theories related to election fraud. (Case Number HQ 2022-HQFO-00148 and CISA 2022-NPFO-00025)

- On November 2, 2021, **Abraham Payton**, a representative of **Due Diligence Group** in Lakeview, Minnesota, requested from the Department of Homeland Security (DHS) Privacy Office Congressional Correspondence logs for the Senator Harold Johnson by from October 21, 2019, to October 21, 2021. (Case Number HQ 2022-HQFO-00151)
- On November 2, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office correspondence between certain officials and external entities and organizations associated with the Trump campaign. (Case Number HQ 2022-HQFO-00149 and CISA 2022-NPFO-00026)
- On November 2, 2021, **Austin Evers**, a representative of **American Oversight** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office documents provided to the Select Committee to Investigate the January 6th Attack on the United States Capitol and the Senate Judiciary Committee regarding the 2020 presidential election, claims of election fraud, or the January 6, 2021 insurrection attempt on the United States Capitol. (Case Number HQ 2022-HQFO-00150)
- On November 2, 2021, Emily Rose, a representative with the Columbia School of Journalism in New York, New York, requested from the Department of Homeland Security (DHS) Privacy Office correspondence from January 1, 2014, to November 1, 2014, with Elbit Systems/ Elbit Systems of America. (Case Number HQ 2022-HQFO-00154)

**Late Requests:**

- On July 4, 2021, **T. McElwee**, a representative of **MuckRock News** in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) records concerning deceased individual Donald Rumsfeld. (Case Number CBP-2021-080687)
- On July 6, 2021, **Jesse Lehrich**, a representative with **Accountable Tech** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) correspondence from January 20, 2017 to January 20, 2021, with any email address containing “@facebook.com,” and correspondence from the same time period mentioning Facebook from the Office of the Commissioner, Deputy Commissioners, Chiefs of Staff, Chief Counsel, and the Office of Public Affairs. (Case number CBP-2021-080882)
- On October 14, 2021, **Jesse Franzblau**, a representative with the **National Immigrant Justice Center** in Washington, DC, requested from U.S. Immigration and Customs Enforcement (ICE) records submitted in response to the solicitation for services for “Housing Officers for Migrants and Other Vulnerable Populations at the Migrant Operations Center (MOC) at Guantanamo Bay, Cuba,” published September 17, 2021, plus the most recent contract, including any modifications, task orders or addendums, with GEO Group Inc. to detain undocumented migrants in the Migrant Operations Center in Guantánamo Bay, Cuba. (Case Number ICE 2022-ICFO-01202)

- On October 25, 2021, **Rich Venezia**, a representative with **Rich Roots Genealogy** in Philadelphia, Pennsylvania, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the P File of Albert Einstein. (Case Number USCIS COW2021004499)
- On October 25, 2021, **Rich Venezia** a representative with **Rich Roots Genealogy** in Philadelphia, Pennsylvania, requested from U.S. Citizenship and Immigration Services (USCIS) the P File of Mary Anne Trump. (Case Number USCIS COW2021004500)

### III. Freedom of Information Act Releases

- On October 28, 2021, Federal Emergency Management Agency (FEMA) released to **Alex Kreidler**, a private individual, 212 pages consisting of email correspondence and previously released records pertaining to five previous FOIA requests related to FEMA's Logistics Supply Chain Management System (LSCMS). Portions of this release were withheld pursuant to FOIA Exemptions 5, 6, and 7(C). (Case Number 2020-FEFO-00497)
- On October 28, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Danielle Lang**, a representative with *Campaign Legal Center* in Washington, DC, 363 pages and 4 excel spreadsheets of records related to the Election Integrity Commission. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-16249)
- On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Carli Brosseau**, a representative with *The News & Observer* in Chapel Hill, North Carolina, 40 pages of audits performed since 2002 pertaining to the Alamance County (NC) Sheriff's Office. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, 6, 7(C), and 7(E). (Case Number ICE 2020- ICFO-85719)
- On November 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Victoria Macchi**, a representative with *Voice of America News* in Washington, DC, 216 pages of Detainee Death Reports/Reviews from 2018. Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-23680)
- On November 3, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Blake Nelson**, a representative with *The Missourian* in Columbia, Missouri, 293 pages of records regarding U.S. government outreach concerning Temporary Protected Status for Haitian and El Salvadoran communities. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number USCIS COW2018000230)
- On November 3, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Lea Goldman**, a representative with *Direct Travel* in Tenafly, New Jersey, 43 pages of records consisting of documents from the Alien File of the late Adolf Jeske. Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number USCIS COW2021003511)

### IV. Freedom of Information Act Appeals

- NSTR



## V. Freedom of Information Act Appeals Releases

- NSTR

## VI. Litigation

- In the matter of *ACLU v. DHS 20-cv-10083 (2020-HQFO-00599/2021-HQLI-00005)*, on February 10, 2020, plaintiff requested contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. October 28, 2021, the Department of Homeland Security (DHS) released 281 pages to plaintiff.
- In the matter of *Make the Road New York v. U.S. Citizenship and Immigration Services (USCIS), U.S. Citizenship and Immigration Services (USCIS) et al., (1:19-cv-04607)*, plaintiff filed a FOIA request on July 2, 2018, seeking records pertaining to all United States Citizenship and Immigration Services (USCIS) communications and analyses pertaining to the public charge regulation. On October 28, 2021, USCIS released to the plaintiff 12 pages of records.
- In the matter of *ACLU v. DHS 20-cv-03204 (Case No. 2021-CRLI-00004/ 2021-ICLI-00008)*, on May 22, 2020, plaintiff requested records pertaining to communications and documents related to COVID-19 in immigration-detention facilities. On October 29, 2021, the Department of Homeland Security (DHS) Privacy Office and the Office for Civil Rights and Civil Liberties released 71 pages to plaintiff.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On October 29, 2021, CBP issued its twenty-ninth interim release consisting of 1,200 pages of emails, meeting notes and attachments.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* plaintiff filed a FOIA request on March 15, 2017 seeking all records produced after the January 25, 2017 Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On October 29, 2021, CBP issued its forty-sixth interim release consisting of 506 pages of emails, meeting agendas and notes, briefings, and reports.
- In the matter of *American Oversight v. U.S. Department of Commerce, U.S. Citizenship and Immigration Services (USCIS) et al., (1:19-cv-00912)*, plaintiff filed a FOIA request on October 17, 2018, seeking records of calendar entries for L Francis Cissna, Kaitlin Vogt Stoddard, Robert Law, and anyone who served as White House Liaison. On October 29, 2021, USCIS released to the plaintiff 967 pages of records.
- In the matter of *Immigration Center for Women and Children; ASISTA Immigration Assistance, Inc. v. U.S. Citizenship and Immigration Services (USCIS); U.S. Department of Homeland Security (DHS), et al., (3:20-cv-03000)*, plaintiff filed a FOIA request on December 10, 2019, seeking records which relate to the discretionary

adjudication of Adjustment of Status for U Nonimmigrants under INA § 245(m). On October 29, 2021, USCIS released to the plaintiff 104 pages of records.

- In the matter of *ACLU 21-cv-2632 (2021-HQFO-00091)*, on October 19, 2020, plaintiff requested documents related to a certain purchase order or contract entered into between ICE and Clearview AI. On October 29, 2021 the Department of Homeland Security Privacy Office released 66 pages to plaintiff.
- In the matter of *Leopold/Buzzfeed v. DHS 17-cv-2175 (2017-HQFO-01371)*, on July 30, 2017 and September 12, 2017, plaintiff requested all emails, notes, meeting minutes, calendar and appointment books, and phone call logs, sent or received by former Secretary John Kelly from January 21, 2017 to July 31, 2017. On October 29, 2021, the Department of Homeland Security (DHS) released 314 pages to plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al. 20-cv-01367-RCL (2020-HQLI-00030)*, on March 20, 2020, plaintiff requested records pertaining to COVID-19. On October 29, 2021, the Department of Homeland Security (DHS) Privacy Office released 516 pages to plaintiff.
- In the matter of *Jason Leopold and Buzzfeed Inc. v. DHS, et. al. 19-cv-03028 (2020-HQLI-00004)*, on July 2, 2019, plaintiff requested records relating or referring to 27 deceased individuals who died while in U.S. Immigration and Customs Enforcement (ICE) custody. On October 29, 2021 the Department of Homeland Security (DHS) Privacy Office released eight pages to plaintiff.
- In the matter of *American Oversight v. DHS 18-cv-00534 (2018-HQLI-00017)*, on November 2, 2017, plaintiff requested calendar entries for the following individuals: a. Secretary Elaine C. Duke; b. Claire M. Grady, Deputy Secretary; c. Scott Krause, Executive Secretary; d. Chad Wolf, Chief of Staff; and e. Deputy Chief of Staff to the Chief of Staff, as well as any calendars maintained for the Secretary's Conference Room, and the Deputy Secretary's Conference Room. On October 29, 2021, the Department of Homeland Security (DHS) Privacy Office released seven pages to plaintiff.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al., (1:19-cv-12564)*, plaintiff filed a FOIA request on December 23, 2019, requesting records relating to profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 818 pages of records.
- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01531)*, plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 166 pages of records.
- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al., (1:20-cv-03204)*, plaintiff filed a FOIA request on March 20, 2020,

requesting records pertaining to all Mortality Reviews created by the Immigrant Health Service Corps (“IHSC”) regarding the death of Anthony Jones aka Henry Missick, all records relied upon to create the above mortality review, any communications or regarding this event between IHSC and Core Civic and between IHSC and any people employed at Adams County Detention Center (“ACDC”), any root cause analysis created by the IHSC for any Sentinel Event occurring at. On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 145 pages of records.

- In the matter of *Open Society Justice Initiative v. ICE Case 1:20-cv-00706-RC*, plaintiff filed FOIA requests on January 28, 2021 seeking records concerning the implementation of denaturalization efforts in the United States, including the impact on derivative children and spouses, the removal of denaturalized citizens and the identification, impact and consideration of those considered stateless. On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 503 pages of records.
- In the matter of *Contreras & Metelska v. ICE; 1:21-cv-01148*, plaintiff filed a FOIA request on May 4, 2021, requesting records associated with certain email addresses On October 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 420 pages of records.
- In the matter of *Partially Important Productions, LLC v. U.S. Citizenship and Immigration Services (USCIS), United States Citizenship and Immigration Services (USCIS) et al., (1:21-cv-02169)*, plaintiff filed a FOIA request on January 24, 2020, seeking any documents concerning settlement negotiations between the musician Lee Greenwood and USCIS over USCIS’s alleged copyright infringement of Greenwood’s song “God Bless the USA” and current Naturalization Ceremony Presentations. On November 1, 2021, USCIS released to the plaintiff 76 pages of records and two power points.
- In the matter of *ACLU V. DHS ET AL. 19-CV-00290 (2020-HQLI-00003)*, on May 24, 2018, plaintiff requested records pertaining to social media surveillance, including the monitoring and retention of immigrants’ and visa applicants’ social media information for the purpose of conducting “extreme vetting.” On November 1, 2021, the Department of Homeland Security (DHS) released 253 pages to plaintiff.
- In the matter of *American Immigration Council v. DHS 18-cv-01531 (2018-HQLI-00036)*, on April 3, 2018, plaintiff requested records related to the processing and treatment of noncitizen families who arrive at the border, particularly the United States - Mexico border. On November 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 533 pages to plaintiff.
- In the matter *International Refugee Assistance Project vs FBI 19-cv-06809 (2020-HQLI-00008)*, On February 25, 2019, plaintiff requested records pertaining to the surveillance and criminal investigation of refugees in the United States of America. On November 1, 2021, the Department of Homeland Security (DHS) Privacy Office released 138 pages to plaintiff.
- In the matter of *American Oversight v. Department of Homeland Security et al. 20-cv-01367-RCL (2020-HQLI-00030)*, on March 20, 2020, plaintiff requested records

pertaining to COVID-19. On November 2, 2021, the Department of Homeland Security (DHS) Privacy Office released 23 pages to plaintiff.

- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification and the release of the minor from the U.S. Department of Homeland Security (DHS) custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On November 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 750 pages of records.
- In the matter of *Immigrant Defense Project v U.S. Immigration and Customs Enforcement (ICE) et al., (1:20-cv-010660)*, plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to the creation, implementation, or oversight of Population Management, ATD and other supervision programs. On November 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 819 pages of records.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-10083)*, plaintiff filed a FOIA request on December 02, 2020 requesting all records, policies, communications, contracts, memoranda of understanding, letters of commitment, licenses, subscription agreements, and other agreements with vendors, including but not limited to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On November 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 316 pages of records.
- In the matter of *Albaladejo v. ICE et al., (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking all records of ICE medical summaries for individuals transported between 2003 and present by ICE Air Operations of ERO. On November 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1139 pages of records.
- In the matter of *Catholic Legal Immigration Network, Inc, et al. v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (8:20-cv- 02042)*, plaintiff filed a FOIA request on August 12, 2019, seeking records related to Temporary Protected Status from January 20, 2017, through August 12, 2019. On November 3, 2021, USCIS released to the plaintiff 336 pages of records and three Microsoft Excel sheets.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al., (1:20- cv-02348)*, plaintiff filed a FOIA request on April 18, 2020, seeking records pertaining to: Instruction Guidance, training materials given to asylum officers at the Arlington, Virginia, asylum office, from January 1, 2020, through the present. On November 3, 2021, USCIS released to the plaintiff of 948 pages of records.

### **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

**Freedom of Information Act (FOIA) Activity for the Week of  
November 4 – November 10, 2021  
DHS Privacy Office  
November 15, 2021  
Weekly FOIA Report**

- I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:
- NSTR
- II. Freedom of Information Act Requests**
- On November 4, 2021 **Aaron Schaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cyber Security and Infrastructure Security Agency all procurement and planning documents related to Award ID # 70RCSA21FR0000081 (Case Number: CISA 2022-NPFO-00030)
  - On November 4, 2021 **Aaron Schaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cyber Security and Infrastructure Security Agency all procurement and planning documents related to Award ID #70RCSA21C00000010 (Case Number: CISA 2022-NPFO-00029)
  - On November 4, 2021, **Aaron Schaffer**, a representative of the *Washington Post* in Washington, DC, requested from the Cyber Security and Infrastructure Security Agency all procurement and planning documents related to Award ID #70RCSA21FR0000095. (Case Number CISA 2022-NPFO-00031)
  - On November 4, 2021, **Roque Planas**, a representative with *HuffPost* in Austin, Texas, requested from the Transportation Security Administration (TSA) statistical information detailing total firearm confiscations at Austin Bergstrom International Airport for the years 2019, 2020, and 2021. (Case Number TSA 2022-TSFO-00077)
  - On November 5, 2021, **Caitlin H. Dickerson**, a representative with *The Atlantic* in New York, New York, requested from U.S. Customs and Border Protection (CBP) implementation guidance provided to Border Patrol agents and/or supervisors for the zero-tolerance policy (ZTP) that was implemented in May and June 2018. (Case number CBP-2022-012341)
  - On November 8, 2021, **Sean Dunagan**, a representative of **Judicial Watch**, in Washington, DC, requested from the Cyber Security and Infrastructure Security Agency the electronic calendar entry records for Cybersecurity and Infrastructure Protection Agency Director Jen Easterly from January 1, 2021 to July 20, 2021. (Case Number: CISA 2022-NPFO-00036)
  - On November 8, 2021, **Mark Walker**, a representative with *The New York Times* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) violations related to the Horse Patrol Program from 2003 to present. (Case number CBP-2022-012804)

- On November 8, 2021, **Camilo Montoya-Galvez**, a representative with *CBS News* in Washington, DC, requested from the Office for Civil Rights Civil Liberties recommendations sent to U.S. Customs and Border Protection (CBP) on August 13, 2021 regarding medical treatment and humanitarian protection for persons subject to expulsions under Title 42. (Case Number 2022-CRFO-00020)
- On November 8, 2021, **Stephen Underhill**, a representative of **Marshall University** in Huntington, Virginia, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to film Patriots Day in 2016 starring Mark Wahlberg. (Case Number HQ 2022-HQFO-00181)
- On November 9, 2021, **David Bier**, a representative of **Cato Institute** in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to each person who obtained legal permanent resident status in fiscal years 2005 to 2022. (Case Number HQ 2022-HQFO-00194)
- On November 9, 2021, **Alex Nowrasteh**, a representative with **Cato Institute** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) annual data on the arrests of individuals with criminal convictions or those wanted by law enforcement by CBP officers for the years 1989-2020. (Case number CBP-2022-013157)
- On November 9, 2021, **Jeremy Jong**, a representative with **Al Otro Lado** in Maywood, California, requested from U.S. Customs and Border Protection (CBP) correspondence and training material related to the processing of requests for humanitarian parole at US ports-of-entry from 2015 through the present. (Case number CBP-2022-013430)
- On November 9, 2021, **Martin R. Clark**, a representative with *Breitbart Texas News* in Eagle Pass, Texas, requested from U.S. Customs and Border Protection (CBP) email correspondence regarding the Haitian Migrant Crisis specifically between Del Rio Sector Acting Chief Patrol Agent Robert Garcia, Del Rio Sector Acting Deputy Chief Robert Danlee, Acting Deputy Chief Manuel Padilla, Chief U.S. Border Patrol Raul L. Ortiz, CBP Acting Commissioner Troy Miller and Acting Deputy CBP Commissioner Benjamin Huffman from September 1, 2021 through October 1, 2021. (Case number CBP-2022-013608)

**Late Requests:**

- On October 1, 2021, **Lauren Loricchio**, a representative from *Tax Analyst*, in Falls Church, Virginia, requested from the Cyber Security and Infrastructure Security Agency emails containing the words "SolarWinds" and "Orion" and "compromise" between the dates of December 8, 2020, and March 1, 2021. (Case Number: CISA 2022-NPFO-00002)
- On October 1, 2021, **Riley Morningstar** a representative with *The Seneca Journal* in Seneca, South Carolina, requested from U.S. Immigration and Customs Enforcement (ICE) documents pertaining to any deportation orders/documents against (b)(6) (b)(6) (Case Number ICE 2022-ICFO-01616)
- On October 26, 2021, **T. McElwee**, a representative with *MuckRock News* in Somerville, Massachusetts requested from U.S. Customs and Border Protection (CBP)

travel records concerning deceased individual Evgeny Freidman. (Case Number CBP-2022-008136)

- On November 3, 2021, **Taylor Scott** a representative with *MuckRock News* in Somerville, Massachusetts, requested from U.S. Immigration and Customs Enforcement (ICE) documents regarding the last 200 pages of emails sent to, from, or copied to [hsiintelanalysisdivisionillicittradeunit@ice.dhs.gov](mailto:hsiintelanalysisdivisionillicittradeunit@ice.dhs.gov) (HSI Intel Analysis Division Illicit Trade Unit). (Case Number ICE 2022-ICFO-01614)

### III. Freedom of Information Act Releases

- On November 4, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Rebecca Charen**, a representative with the **Democratic Senatorial Campaign Committee**, in Washington, DC, 760 pages of records consisting of correspondence from 2011 through the present, with Congressman Louis “Lou” Barletta, (R-PA). Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, and 6. (Case Number COW2017001322)
- On November 4, 2021, the Federal Emergency Management Agency (FEMA) released to **Bracey Harris**, a representative of *NBC* in New York, New York, two spreadsheets with the funded and unfunded grant application information submitted by Louisiana, Alabama, Georgia and Tennessee for the FY2020 Building Resilient Infrastructure and Communities and Flood Mitigation Assistance grants. The spreadsheets were released in full. (Case Number 2021-FEFO-00728)
- On November 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Angelika Albaladejo**, a representative with **The Marshall Project** in Westminster, Colorado, 1470 pages in response to her request for various records pertaining to alien detainees with mental health conditions. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number ICE 2020-ICFO-39651)
- On November 8, 2021, the Federal Emergency Management Agency (FEMA) released to **David J. McSwaine**, a representative with *ProPublica*, 630 pages of emails by, between and among FEMA officials and AirBoss of America Corporation or its subsidiary, Immediate Response Technologies LLC. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2020-FECS-00078)
- November 8, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Patrick Eddington**, a representative with **Cato Institute** in Annandale, Virginia, five pages of email communications from January 1, 2020, pertaining to the questioning or detention of persons of Iranian/Persian or Lebanese heritage. Portions of this response were withheld pursuant to FOIA exemption 6 and 7(C). (Case Number HQ 2021-HQFO-00438)
- On November 12, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Ashley Casey**, a representative with *Invest In the USA*, in Washington, DC, 1,941 pages of records from March 11, 2020, pertaining to copies of all form I-924. Portions of the release are withheld pursuant to FOIA Exemptions 4, and 6. (Case Number USCIS COW2020000406)



#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Open Society Justice Initiative et al. v. DHS et al. 20-cv-00706-RC (2021-HQLI-00028)*, on August 13, 2020, plaintiff requested records concerning the implementation of denaturalization efforts in the United States. On November 4, 2021, the Department of Homeland Security (DHS) Privacy Office released 25 pages to plaintiff.
- In the matter of *Wahdan v. DHS 20-cv-03679 (2020-HQFO-00475/2021-HQLI-00014)*, on January 11, 2020, plaintiff requested records from January 1, 2018, to December 31, 2019, located in the requester's DHS security file. On November 5, 2021, the Department of Homeland Security (DHS) Privacy Office released 94 pages to plaintiff.
- In the matter of *C.R.E.W. et al. v. DHS et al. 20-cv-02553-TJK (2021-HQLI-00009)*, on July 23, 2020, plaintiff requested records relating to the deployment of federal law enforcement in response to protests for racial justice across the country, in addition to policies that governed federal authorities' treatment of these protesters. On November 8, 2021, the DHS Privacy Office released 81 pages to plaintiff.
- In the matter of *American Oversight v. DHS, et al. 18-cv-02842-CKK (2019-HQLI-00010)*, on December 18, 2018, plaintiff requested emails from Gene Hamilton and Cameron Quinn related to family separations. On November 9, 2021, the Department of Homeland Security (DHS) Privacy Office released 73 pages to plaintiff.
- In the matter of *ACLU v. DHS, No. 21-2627 (D.D.C. filed Oct. 7, 2021)*. This FOIA litigation was filed against to DHS, DHS OIG, and ICE seeking ten categories of records pertaining to four individuals who passed away in ICE custody.
- In the matter of *Louise Trauma Center v. Chad E. Wolf, Acting Secretary, DHS, and United States Department of Homeland Security (DHS), et al., (1:20- cv-02348)*, plaintiff filed a FOIA request on September 25, 2019, seeking records "concerning the special training for Iraqi and Syria cases given to Asylum Officers. Dates from January 1, 2018 through the date you begin to process this request.". On November 4, 2021, USCIS released to the plaintiff of 84 pages of records.
- In the matter of *Tahirih Justice Center v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS) et al.,(1:21-cv-04440)*, plaintiff filed a FOIA request on April 5, 2021, seeking records pertaining to; "last-in-first-out" (LIFO) system under which USCIS give priority to the most recently filed affirmative asylum applications when scheduling interviews. On Tuesday November 9, 2021, USCIS released to the plaintiff 414 documents.
- In the matter of *Stevens v. ICE (20-cv-2725)*, plaintiff filed FOIA requests on August 6, 2018 seeking records pertaining to detainee health with Kenosha County, WI for health

care provided to people held under immigration laws. On November 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 517 pages of records.

- In the matter of *Immigrant Legal Advocacy Project, University of Maine v. ICE et al. (2:21-cv-00066-JAW)*, plaintiff filed a FOIA request on March 3, 2021, requesting records pertaining to any records regarding ICE detainees. On November 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 8 pages of records.
- In the matter of *Albaladejo v. ICE et al., (1:19-cv-03806-RC)*, plaintiff filed a FOIA request on December 26, 2019, seeking all records of ICE medical summaries for individuals transported between 2003 and present by ICE Air Operations of ERO. On November 5, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1139 pages of records.
- In the matter of *Al Otro Lado v. U.S. Immigrations and Customs Enforcement, et al. 21-cv-03462*, plaintiff filed a FOIA request on September 20, 2021, seeking records pertaining to documents that describe ICE's policies and procedures. On November 4, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 166 pages of records.
- In the matter of *Buzzfeed INC. v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01501-KBJ)*, plaintiff filed a FOIA request on September 15, 2017, requesting records for the period beginning January 1, 2016, all written notices to each ICE field office director. On November 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 9 excel spreadsheets.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al., (1:19-cv-03028-DLF)*, plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On November 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 722 pages of records.
- In the matter of *Hannah Ruppelye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-00280-DLC)*, plaintiff filed FOIA requests on August 3, 2018 and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On November 9, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 722 pages of records.
- In the matter of the *IDP v ICE (ICE) et al., (1:19-cv-02520)*, plaintiff filed a FOIA request on December 20, 2017, requesting records pertaining to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents. On November 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 501 pages of records.
- In the matter of *Harvard Immigration and Refugee Clinical Program v. DHS et al., (1:21-cv-10486-JGD)*, plaintiff filed a FOIA request on March 22, 2021, requesting records pertaining to the implementation of the Nationwide Policy and National Qualified Representative Program ("NQRP") by the U.S. Department of Homeland Security ("DHS"), the U.S. Immigration and Customs Enforcement ("ICE"), and the U.S.

Customs and Border Protection (“CBP”) to provide enhanced procedural protections to certain unrepresented and detained individuals in removal proceedings with serious mental disorders or conditions that may render them incompetent to represent themselves in immigration proceedings. On November 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 457 pages of records.

- In the matter of *Electronic Privacy Information Center v. ICE; (1:20-cv-03071-TNM)*, plaintiff filed a FOIA request on October 26, 2020, seeking records pertaining to ICE's use of Clearview AI technology and ICE use of facial recognition software. On November 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 254 pages of records.
- In the matter of *Project on Government Oversight, Inc. v. ICE, et, al.; 1:19-cv-03372*, plaintiff filed a FOIA request on November 07, 2019, requesting any communications between government officials and representatives of Amazon or AWS pertaining to facial recognition technology or Recognition. On November 10, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 65 pages of records.

### **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

**Freedom of Information Act (FOIA) Activity for the Week of  
December 2– December 8, 2021  
DHS Privacy Office  
December 13, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On December 2, 2021, **Cody Elliott**, a representative with **Kaplan Marino**, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records between CBP and any Chinese and Swedish government agents or agencies from January 2011, pertaining to the investigation, extradition, and prosecution of Jianjun Qiao. (Case number CBP-OIT-2022-020172)
- On December 2, 2021, **Maeve McGoran**, a private individual, requested from the United States Coast Guard (USCG) reports created between July 2018 and May 2019 pertaining to allegations of sexual harassment and assault on the Maersk Memphis by a crewmember. (Case Number USCG 2022-CGFO-00448)
- On December 3, 2021, **Dana Khabbaz**, a representative, with **Electronic Privacy Information Center**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records related to Babel Street. (Case number CBP-2022-020605)
- On December 3, 2021, **Tracey McManus**, a representative with the *Tampa Bay Times* in Tampa Bay, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) data pertaining to all I-129 receipt files with R-1 visa status from April 1, 2017, through the present, involving the "Church of Scientology." (Case Number USCIS COW-2021-005047)
- On December 6, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between USCIS Director Ur M. Jaddou, Tracy Renaud, USCIS Chief of Staff Felicia Escobar Carrillo, Senator Josh Hawley or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case Number USCIS COW-2021-005050)
- On December 6, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between the former USCIS Director L. Francis Cissna, former USCIS Acting Director Ken Cuccinelli, Mark Koumans, former USCIS Acting Director Joseph Edlow, and Senator Josh Hawley (R-MO) or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case Number USCIS COW-2021-005051)

- On December 6, 2021, **Scott MacFarlane**, a representative with *WRC TV* in Washington, DC, requested from the Transportation Security Administration (TSA) copies of the administrator's daily brief from January 2, 2021, through the present. (Case Number TSA 2022-TSFO-00155)
- On December 6, 2021, **Camilo A Montoya-Galvez**, a representative with *CBS News*, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to unaccompanied children and single minors who encountered and processed for expulsion under Title 42, at the southwest border by U.S. Border Patrol in the fiscal year 2021. (Case number CBP-2022-020878)
- On December 6, 2021, **Nick Bauer**, a representative with the **Democratic National Committee**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) communications with Senator Josh Hawley, or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case number CBP-OIT-2022-021089)
- On December 6, 2021, **Kif Leswing**, a representative with *CNBC* in Oakland, California requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the U.S. Department of Homeland Security Cooperative Research and Development Agreement No. 18-TSA-001 from January 1, 2019, through the present. (Case number HQ 2022-HQFO-00278)
- On December 7, 2021, **Anastasia Lennon**, a representative with *New Bradford Light* in New Bradford, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to a vessel allision that occurred in the Port of New Bedford in May 2020 against a hurricane barrier. (Case Number USCG 2022-CGFO-00461)
- On December 7, 2021, **David McCraw**, a representative with *The New York Times* in New York, New York requested from the Department of Homeland Security (DHS) Privacy Office all records pertaining to (b)(6). (Case number HQ 2022-HQFO-00279)
- On December 7, 2021, **Mary Pat Dwyer**, a representative with **Brennan Center for Justice at NYU School of Law** in Washington, DC requested from the Department of Homeland Security (DHS) Privacy Office all records and documents pertaining to the social monitoring and use of Voyager Labs, Logically, Inc., or ShadowDragon products or services. (Case number HQ 2022-HQFO-00284)
- On December 7, 2021, **Aaron Schaffer**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office calendar records for Jen Easterly from November 2021 through the present. (Case number CISA 2022-NPFO-00044)

### Late Requests:

- On November 30, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between sixteen USCIS officials and Senator Mike Lee (R-UT) or any staff member in Senator Lee's office from January 3, 2015, through the present. (Case Number USCIS COW-2021-004959)
- On November 30, 2021, **Adriana Lafaille**, a representative with the **American Civil Liberties Union of Massachusetts (ACLU)** in Boston, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the adjudication of Form I-212 applications from July 2016, through the present. (Case number USCIS COW-2021-004961)
- On November 30, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between seven USCIS officials and Senator Tom Cotton (R-AR) or any staff member in Senator Cotton's office from January 3, 2015, through the present. (Case Number USCIS COW-2021-004972)
- On December 1, 2021, **Mr. Michael J. Dorfman**, a representative with **NBC7 San Diego**, in San Diego, California, requested from U.S. Customs and Border Protection (CBP) a list of individuals who crossed from the United States to Mexico, or Mexico to the United States, at the San Ysidro and Otay Mesa crossing sites from January 1, 2019, through the present. (Case number CBP-2022-019694).

### III. Freedom of Information Act Releases

- On December 2, 2021, U.S. Customs and Border Protection (CBP) released to **Carrie O'Connor**, a representative with the **Texas Civil Rights Project** in Alamo, Texas, eight pages consisting of the apprehension record of Carlos Gregorio Hernandez Vasquez and records from the Office of Professional Responsibility (OPR) pertaining to the apprehension and death of Carlos Gregorio Hernandez Vasquez, and records regarding the treatment of ill youth in CBP custody. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2020-041539)
- On December 3, 2021, U.S. Customs and Border Protection (CBP) released to **Mark Heller**, a representative with **Advocates for Basic Legal Equality**, in Toledo, Ohio, 588 pages of records pertaining to Sandusky Bay Station's practices and procedures relating to apprehension, arrest, and/or seizure, detention, and/or custody, racial profiling, and collaborations with state and local law enforcement. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-041934).
- On December 3, 2021, the Transportation Security Administration (TSA) released to **Jack Gillum**, a representative with **ProPublica** in Washington, DC, 5 pages pertaining to emails to and from Administrator David Pekoske, Acting Deputy Administrator Patricia Cogswell, Chief of Staff Ha Nguyen McNeill and Assistant Administrator for Legislative

Affairs Clint Fisher. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number TSA 2019-TSFO-00567)

- On December 3, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *MuckRock News* in Somerville, Massachusetts, 15 pages in response to his request for all documents pertaining to a memorandum by Tracy Short dated August 15, 2017, titled " For All OPLA Attorneys," a document titled "Promoting Excellence in OPLA's Advocacy Before the Board of Immigration Appeals" by Gwendolyn Keyes Fleming, and a document titled "Email Message from Riah Ramlogan, OPLA Supplemental Guidance on the Proper Handling of National Security and Human Rights Violator Cases (May 28, 2015)." Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-22016)
- On December 3, 2021, Federal Emergency Management Agency (FEMA) released to **Lisa Song**, a representative with *ProPublica* in New York, New York, 141 pages of emails by Peter T. Gaynor, FEMA Administrator, and Captain W. Russell Webster, FEMA Region 1 Regional Administrator, pertaining to the government's distribution of Remdesivir to hospitals for the treatment of COVID-19. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2020-FECS-00143)
- On December 3, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Angelika Albaladejo**, a representative with **The Marshall Project** in Los Angeles, California, 114 pages of records pertaining to ICE Air and Ground Operations (IAGO) current state assessments. Portions of the release will be withheld pursuant to FOIA Exemptions 5 and 7(E). (Case Number ICE 2019-ICFO-53159)
- On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Aura Bogado**, a representative with *The Center for Investigative Reporting* in Emeryville, California, 109 pages of records pertaining to the Department of Homeland Security Office (DHS) and Office of Inspector General (OIG) investigation into the Santa Ana City Jail. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (ICE Case Number ICE 2020-ICFO-03731)
- On December 6, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Matthew Taylor**, a private individual in Somerville, Massachusetts, Julie Kirchner's schedule, calendars, and appointment listings from May 2, 2017, through November 30, 2019. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number HQ 2021-HQFO-00171)
- On December 08, 2021, the United States Coast Guard (USCG) released to **Tony Guild**, a representative with **Maritime Technical Services LLC**, 71 pages of records pertaining to the investigative report M/V CONCEPTION. (Case Number USCG 2022-CGFO-00196).
- On December 8, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jeffrey Light**, a representative with **Property of the People** in Washington, DC, 129 pages of records pertaining to records mentioning or referring to Kushner Companies from January 1, 2016, through the present. Portions of the release were withheld pursuant to FOIA Exemption 5. (Case Number USCIS COW-2018-000205)



- On December 8, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Joel Marrero**, a representative with the **Mexican American Legal Defense and Educational Fund (MALDEF)** in Los Angeles, California, 477 pages of documents pertaining to a certain employee's emails containing the word "transgender" from November 1, 2014, through May 18, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-36234)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *Laila L. Hlass, The Door - A Center of Alternatives v. U.S. Citizenship and Immigration Services (USCIS) et al., (1:21-cv-02200)*, the plaintiff filed a FOIA request on April 21, 2021, seeking data on Special Immigrant Juvenile Status (SIJS) and Form I-360 applications from fiscal years 2010 through 2021. On December 2, 2021, USCIS released to the plaintiff two Excel spreadsheets.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:19-cv-01817-RCL)*, the plaintiff filed a FOIA request on February 8, 2019, requesting all records, including medical, pertaining to Roxana Hernandez and Mergensana Amar. On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 508 pages of records.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-03120-CKK)*, the plaintiff filed a FOIA request on September 21, 2020, seeking multi-part records related to involuntary medical procedures at the Irwin County Detention Center (ICDC). On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 3 excel spreadsheets of records.
- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01531)*, the plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 160 pages of records.
- In the matter of *Black Alliance for Just Immigration; American Immigration Council; American Civil Liberties Union of San Diego & Imperial Counties and American Civil Liberties Union of Texas v CBP (20-cv-05198-CBA-RLM)*, the plaintiff filed a FOIA request on July 27, 2020, pertaining to CBP's surveillance of, and deployment of CBP personnel to protests in various U.S. cities following the death of George Floyd on May 25, 2020. On December 3, 2021, CBP released 304 pages of records, one audio file totaling sixteen minutes and thirty-three seconds, and one video totaling eleven seconds to the plaintiff.

- In the matter of *American Oversight vs Department of Homeland Security 20-cv-01596 (Case Number (2020-HQLI-00029))* On April 23, 2020, the plaintiff requested records relating to the agencies' response to the coronavirus pandemic regarding the procurement and distribution of needed equipment and supplies. On December 3, 2021, the Department of Homeland Security (DHS) Privacy Office released 44 pages to the plaintiff
- In the matter of *Jeremy Borden v U.S. Department of Homeland Security (DHS) et al., (:21-cv-0527-BAH)*, the plaintiff filed a FOIA request on February 27, 2020, requesting records related to all reports retained by the department authored or involving Eckart Frahm, a Yale antiquities expert who has assisted in an expert capacity with DHS antiquities investigations. On December 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 152 pages of records.
- In the matter of *Citizens for Responsibility and Ethics in Washington v DOJ and DHS (20-cv-02553-TJK)*, the plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of CBP's personnel to protests in various U.S. cities, as a result of the death of George Floyd, from June 2, 2020, through the present. On December 6, 2021, CBP released 326 pages of records, one audio file totaling sixteen minutes and thirty-three seconds, and one video totaling eleven seconds to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc., et al., v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (8:20-cv- 02042)*, the plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On December 6, 2021, USCIS released 236 pages of records and 15 Microsoft Excel sheets to the plaintiff.
- In the matter of *Center for Gender & Refugee Studies v U.S. Immigration and Customs Enforcement (ICE) et al., (4:21-cv-01065-DMR)*, the plaintiff filed a FOIA request on February 12, 2021, requesting all records from U.S. Immigration and Customs Enforcement (ICE) pertaining to guidance, instructions, training, and policies relating to asylum and withholding of removal claims based in whole or in part on a "gender alone" Particular Social Group. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 358 pages of records.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al., (1:20-cv-10083)*, the plaintiff filed a FOIA request on December 02, 2020, requesting all records and documents pertaining to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 80 pages of records.
- In the matter of *Documented v. ICE 21-cv-000167-ABJ*, the plaintiff filed a FOIA request on January 19, 2021, requesting all outbound transmissions that contain criminal notices sent to Honduras in FY 2018. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1 excel spreadsheet of records.
- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL) v. DHS et al. (1:19-cv-3438-CJN)*, the plaintiff filed a FOIA request on May 31, 2019, seeking all documents pertaining to the screening, inspection, or processing of

unaccompanied non-citizen children on the Southern border from May 2018 through the present. On December 7, 2021, CBP released 105 pages of records to the plaintiff.

- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al, (1:19-cv-03028-DLF)*, the plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On December 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 499 pages of records.
- In the matter of *Hannah Rappleye and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al, (1:20-cv-00280-DLC)*, the plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On December 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 499 pages of records.

### **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



- On November 30, 2021, **Scott Lilley**, requested from the United States Coast Guard (USCG), all documents pertaining to Discharge Review Board case number 2018-043, discharge review board dates from March 31, 2020, to August 30, 2021 (Case Number USCG 2022-CGFO-00420)

**Late Requests:**

- On November 24, 2021, **Austin R Evers**, a representative with the **American Oversight** in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) the Covid-19 vaccination data, to date, amongst personnel. (Case number CBP- 2022-018028)
- On November 24, 2021, **Austin R Evers**, a representative with the **American Oversight** in Washington, District of Columbia, requested from U.S. Customs and Border Protection (CBP) all muster documents and memoranda produced and distributed to the field offices from January 20, 2021, to the present. (Case number CBP- 2022-018123)
- On November 24, 2021, **Dave Hendricks**, a representative with **MuckRock**, in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) all records from the Office of Professional Responsibility investigation of a Supervisory U.S. Border Patrol Agent regarding a possible violation of civil rights on or about May 6, 2018, in La Joya, Texas. (Case number CBP- 2022-018360)
- On November 24, 2021, **Kevin Wilson**, a representative with **MuckRock**, in Somerville, Massachusetts, requested from U.S. Customs and Border Protection (CBP) all documents under which Delta Airlines utilizes CBP databases to validate airline passenger identities with biometrics. (Case number CBP-2022-018362)

**III. Freedom of Information Act Releases**

- On November 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Lillian Reed**, a representative with **The Baltimore Sun** in Baltimore, Maryland, 7 excel spreadsheets in response to her request for copies of FOIA Logs for January 1, 2018, through August 20, 2019. Portions of the spreadsheets were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number 2019-ICFO-60364)
- On November 30, 2021, U.S. Customs and Border Protection (CBP) issued to **Daniel Van Shooten**, a representative with **Project On Government Oversight** in Washington, DC, a no records response in regard to his request for all communications concerning the legislation that was ultimately enacted as the Secure Fence Act of 2006 (Pub. L. 109--367) from January 3, 2005, through October 31, 2006. (Case number CBP-2017-044546)
- On November 30, 2021, U.S. Customs and Border Protection (CBP) released to **Austin Evers**, a representative of **American Oversight**, in Washington, DC, six pages of email communications pertaining to setting up a briefing meeting regarding the border wall between CBP and staffers of Congressman Steve King in June 2017. Portions of the records were withheld pursuant to FOIA exemptions 6 and 7(C). (Case number CBP-2019-024422)

- On November 30, 2021, U.S. Customs and Border Protection (CBP) released to **Kenneth Madsen**, a representative at **The Ohio State University**, in Newark, Ohio, the 154-page Environmental Stewardship Plan (ESP) for Construction, Operation, and Maintenance of Tactical Infrastructure, Segments DV-2, DV-3B, and DV-4C, U.S. Border Patrol Tucson Sector, Ajo and Casa Grande Stations, Arizona. Portions of this release were withheld pursuant to FOIA exemption 3. (Case number CBP-2021-007894)
- On November 30, 2021, U.S. Customs and Border Protection (CBP) released to **Kenneth Madsen**, a representative at **The Ohio State University**, in Newark, Ohio, the 221-page Final Environmental Assessment (EA) for the Installation of Permanent Lighting and a Border Infrastructure System, Office of Border Patrol (OBP), Yuma Sector, Arizona (December 2004). Portions of this release were withheld pursuant to FOIA exemption 3. (Case number CBP-2021-008271)
- On November 30, 2021, U.S. Customs and Border Protection (CBP), issued to **Zaron Burnett**, a private individual in Los Angeles, California, a no records response in regard to his request for a flight manifest for Flight BRS046 (tail number FAB2582) that arrived on November 13, 2021 at the Long Island MacArthur Airport. (Case number CBP-2022-018498)
- On December 1, 2021, U.S. Customs and Border Protection (CBP) released to **Kenneth Madsen**, a representative at **The Ohio State University**, in Newark, Ohio, the 62-page Final Environmental Assessment (EA) for the Installation of Permanent Vehicle Barriers on the Tohono O’Odham Nation, Office of Border Patrol, Tucson Sector, Arizona (December 2006). Portions of this release were withheld pursuant to FOIA exemptions 3, and 7(E). (Case number CBP-2021-007892)
- On December 1, 2021, U.S. Customs and Border Protection (CBP) released to **Kenneth Madsen**, a representative at **The Ohio State University**, in Newark, Ohio, 362 pages of two Environmental Stewardship Plans for the construction of tactical infrastructure in the San Diego and El Centro Border Patrol Sectors. Portions of this release were withheld pursuant to FOIA exemption 3. (Case number CBP-2021-007895)
- On December 1, 2021, U.S. Customs and Border Protection (CBP) released to **Kenneth Madsen**, a representative at **The Ohio State University**, in Newark, Ohio, the 279-page Final Supplemental Environmental Assessment (EA) for the Installation of Permanent Security Lighting and a Border Infrastructure System, Office of Border Patrol, Yuma Sector, Arizona (March 2007). This record was released in full. (Case number CBP-2021-008272)
- On December 1, 2021, U.S. Customs and Border Protection (CBP) released to **Kaylee Greenlee**, a representative with **The Daily Caller News Foundation**, in Washington, DC, six pages of email communications pertaining to the selection of the press pool for a March 30, 2021, tour of CBP’s Temporary Processing Facility in Donna, Texas. Portions of these records were withheld pursuant to FOIA exemptions 6, and 7(C). (Case number CBP-2021-055229)

#### IV. Freedom of Information Act Appeals

- NSTR

#### V. Freedom of Information Act Appeals Releases

- NSTR

#### VI. Litigation

- In the matter of *American Immigration Council, v U.S. Department of Homeland Security, et al. (1:18-cv-01390-RDM)* plaintiff filed a FOIA request on December 23, 2016, seeking records pertaining to CBP communications, and policy and procedures for processing asylum seekers and those who claim credible fear, metering/queue management, contracts and agreements with private security and the government of Mexico. On November 12, 2021, CBP released its seventeenth interim release consisting of 175 pages of emails and reports.
- In the matter of *Southern Poverty Law Center and Al Otro Lado v DHS and CBP (19-cv-03438-CJN)*, the plaintiff filed a complaint on November 15, 2019, seeking the release of records related to CBP's restriction of unaccompanied noncitizen children's entry and subsequent screening and processing at or near ports of entry or in between ports of entry at the U.S.-Mexico border from May 2018 through the date of search. On November 18, 2021, U.S. Customs and Border Protection (CBP) issued the fourteenth interim release, consisting of 35 pages of records to the plaintiff. In the matter of *Skylight Engagement, Inc and American Immigration Council, v United States Department of Homeland Security and the United States Customs and Border Protection (1:21-cv-0922-NGG-CLP)* plaintiff filed a FOIA request on October 14, 2020, seeking records pertaining to Border Patrol encounters with No Mas Muertes between June 13 and June 15, 2017, July 30 and July 31, 2020, and October 3 and October 5, 2020. On November 24, 2021, CBP released its second interim release consisting of 100 pages of emails and reports.
- In the matter of *Immigrant Legal Resource Center v U.S. Department of Homeland Security (DHS) et al., (3:17-cv-06029)*, the plaintiff filed a FOIA request on June 22, 2017, requested records pertaining to the involvement of city and county law enforcement in the detention and deportation of immigrants and other ICE enforcement activities. On November 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 370 pages of records.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-02553-TJK)*, the plaintiff filed a FOIA request on September 11, 2020, seeking all communications from June 2, 2020, relating to the decision to deploy federal agents to Portland, OR and Chicago, IL. as well as other cities/states. On November 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 58 pages of records.



- In the matter of *American Civil Liberties Union v. U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-03204), the plaintiff filed a FOIA request on March 20, 2020, requesting records pertaining to all Mortality Reviews created by the Immigrant Health Service Corps (“IHSC”) regarding the death of Anthony Jones aka Henry Missick. On November 29, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 161 pages of records.
- In the matter of *Knight First Amendment Institute at Columbia University v Department of Homeland Security (DHS) et al.*, (1:17-cv-07572-ALC), plaintiff filed a FOIA request on August 7, 2017, requesting records about any new vetting policies, and about the government’s understanding of its authority to base immigration decisions on individuals’ speech, beliefs, or associations. On November 29, 2021, Immigrations and Customs Enforcement (ICE) released to the plaintiff 357 pages of records.
- In the matter of *ACLU v. DHS 20-cv-10083 (2020-HQFO-00599/2021-HQLI-00005)*, on February 10, 2020, plaintiff requested records pertaining to Venntel Inc. government access to commercial databases containing cell phone location information. On November 29, 2021, the Department of Homeland Security (DHS) Privacy Office 253 pages to plaintiff.
- In the matter of *BuzzFeed News 21-cv-00545 (2021-HQLI-00017)* (Original Case No. 2021-HQFO- 00408), on January 11, 2021, plaintiff requested documents pertaining to the planning of protests in Washington, DC on January 6, 2021, by supporters of President Donald Trump. On November 29, 2021, the Department of Homeland Security (DHS) Privacy Office released 75 pages to plaintiff.
- In the matter of *Jason Leopold and BuzzFeed Inc. v. DHS, et. Al. 19-cv-03028 (2020-HQLI-00004)*, on July 2, 2019, plaintiff requested records pertaining to 27 individuals who died while in ICE custody. On November 30, 2021, the Department of Homeland Security (DHS) Privacy Office released five pages to plaintiff.
- In the matter of *ACLU V. DHS ET AL. 19-CV-00290 (2020-HQLI-00003)*, on May 24, 2018, plaintiff requested records related to social media surveillance, including the monitoring and retention of immigrants’ and visa applicants’ social media information for the purpose of conducting “extreme vetting.” On November 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 382 pages to plaintiff.
- In the matter of *AMERICAN IMMIGRATION COUNCIL 18-cv-01531 (2018-HQLI-00036)*, on April 3, 2018, plaintiff requested of records and data pertaining to the separation of adult family members from minor children, including complaints referencing family separation received by the agencies of adult family members who were referred for criminal prosecution. On November 30, 2021, the Department of Homeland Security (DHS) Privacy Office released 506 pages to plaintiff.
- In the matter of *Orrick, Herrington & Sutcliffe LLP v. CBP, No. 20-1583*, the plaintiff filed a FOIA request on August 16, 2019, requesting records regarding all efforts toward family reunification and the release of the minor from the U.S.

Department of Homeland Security (“DHS”) custody and/or facilities, as required by Paragraph 18 of the *Flores* Settlement. On November 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 702 pages of records.

- In the matter of *American Immigration Council, et.al v. USCIS, et. al; 20-cv-03266-DMR*, plaintiff filed a FOIA request on December 21, 2019, requesting documents relating to Instructions, directives, or guidance to U.S. Department of Homeland Security (DHS) employees on Migrant Protection Protocols (MPP) for the period of December 2019 to the present. On November 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 179 pages of records.
- In the matter of *Contreras & Metelska v. ICE; 1:21-cv-01148*, the plaintiff filed a FOIA request on May 4, 2021, requesting records that include, among others, the email addresses of six current and former attorneys employed by Contreras & Metelska, PA. On November 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 385 pages of records.
- In the matter of *American Civil Liberties Union of Massachusetts v Department of Homeland Security (DHS) et al., (1:19-cv-12564)*, the plaintiff filed a FOIA request on December 23, 2019, requesting records relating to the profiling of certain individuals as alleged gang members and the collaboration of Massachusetts state and local law enforcement with DHS in performing such profiling. On November 30, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 968 pages of records.
- In the matter of *Sierra Club v. DHS and U.S. Customs and Border Protection (CBP) (4:17-cv-05273-KAW)* plaintiff filed a FOIA request on November 19, 2016, seeking records pertaining to the scope of work that Logistics Management Institute (LMI) performed for CBP regarding border fencing and related tactical infrastructure. On November 30, 2021, CBP released its thirtieth interim release consisting of 1,204 pages of emails, meeting notes, and attachments.
- In the matter of the *Center for Biological Diversity v. U.S. Customs and Border Protection (CBP) (4:17-cv-00163-CKJ)* plaintiff filed a FOIA request on March 15, 2017, seeking all records produced after the January 25, 2017, Executive Order: Border Security and Immigration Enforcement Improvements concerning the construction of a physical wall on the southern border of the United States. On November 30, 2021, CBP issued its forty-seventh interim release consisting of 509 pages of emails, meeting agendas and notes, briefings, and reports.
- In the matter of *Los Angeles Times Communications LLC v. Department of Homeland Security (DHS) et al., (2:20-cv-10911-SVW)*, the plaintiff filed a FOIA request on June 29, 2020, requesting all ICE OPR (Office of Professional Responsibility) Investigation Closing Reports related to sexual assault, sexual abuse, or harassment allegations at dedicated ERO (Enforcement and Removal Operations) facilities. On December 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1,713 pages of records.

- In the matter of *Immigrant Defense Project v U.S. Immigration and Customs Enforcement (ICE) et al., (1:20-cv-010660)*, the plaintiff filed a FOIA request on December 19, 2019, requesting records pertaining to the creation, implementation, or oversight of Population Management, ATD, and other supervision programs. On December 1, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 317 pages of records.

### **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

**Freedom of Information Act (FOIA) Activity for the Week of  
December 2– December 8, 2021  
DHS Privacy Office  
December 13, 2021  
Weekly FOIA Report**

**I. Efficiency and Transparency** – Steps taken to increase transparency and make forms and processes used by the general public more user-friendly, particularly web-based and FOIA-related items:

- NSTR

**II. Freedom of Information Act Requests**

- On December 2, 2021, **Cody Elliott**, a representative with **Kaplan Marino**, in Los Angeles, California, requested from U.S. Customs and Border Protection (CBP) records between CBP and any Chinese and Swedish government agents or agencies from January 2011, pertaining to the investigation, extradition, and prosecution of Jianjun Qiao. (Case number CBP-OIT-2022-020172)
- On December 2, 2021, **Maeve McGoran**, a private individual, requested from the United States Coast Guard (USCG) reports created between July 2018 and May 2019 pertaining to allegations of sexual harassment and assault on the Maersk Memphis by a crewmember. (Case Number USCG 2022-CGFO-00448)
- On December 3, 2021, **Dana Khabbaz**, a representative, with **Electronic Privacy Information Center**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records related to Babel Street. (Case number CBP-2022-020605)
- On December 3, 2021, **Tracey McManus**, a representative with the *Tampa Bay Times* in Tampa Bay, Florida, requested from U.S. Citizenship and Immigration Services (USCIS) data pertaining to all I-129 receipt files with R-1 visa status from April 1, 2017, through the present, involving the "Church of Scientology." (Case Number USCIS COW-2021-005047)
- On December 6, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between USCIS Director Ur M. Jaddou, Tracy Renaud, USCIS Chief of Staff Felicia Escobar Carrillo, Senator Josh Hawley or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case Number USCIS COW-2021-005050)
- On December 6, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between the former USCIS Director L. Francis Cissna, former USCIS Acting Director Ken Cuccinelli, Mark Koumans, former USCIS Acting Director Joseph Edlow, and Senator Josh Hawley (R-MO) or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case Number USCIS COW-2021-005051)

- On December 6, 2021, **Scott MacFarlane**, a representative with *WRC TV* in Washington, DC, requested from the Transportation Security Administration (TSA) copies of the administrator's daily brief from January 2, 2021, through the present. (Case Number TSA 2022-TSFO-00155)
- On December 6, 2021, **Camilo A Montoya-Galvez**, a representative with *CBS News*, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to unaccompanied children and single minors who encountered and processed for expulsion under Title 42, at the southwest border by U.S. Border Patrol in the fiscal year 2021. (Case number CBP-2022-020878)
- On December 6, 2021, **Nick Bauer**, a representative with the **Democratic National Committee**, in Washington, DC, requested from U.S. Customs and Border Protection (CBP) communications with Senator Josh Hawley, or any member of Senator Hawley's staff from January 3, 2019, through the present. (Case number CBP-OIT-2022-021089)
- On December 6, 2021, **Kif Leswing**, a representative with *CNBC* in Oakland, California requested from the Department of Homeland Security (DHS) Privacy Office records pertaining to the U.S. Department of Homeland Security Cooperative Research and Development Agreement No. 18-TSA-001 from January 1, 2019, through the present. (Case number HQ 2022-HQFO-00278)
- On December 7, 2021, **Anastasia Lennon**, a representative with *New Bradford Light* in New Bradford, Massachusetts, requested from the United States Coast Guard (USCG) records pertaining to a vessel allision that occurred in the Port of New Bedford in May 2020 against a hurricane barrier. (Case Number USCG 2022-CGFO-00461)
- On December 7, 2021, **David McCraw**, a representative with *The New York Times* in New York, New York requested from the Department of Homeland Security (DHS) Privacy Office all records pertaining to (b)(6) (Case number HQ 2022-HQFO-00279)
- On December 7, 2021, **Mary Pat Dwyer**, a representative with **Brennan Center for Justice at NYU School of Law** in Washington, DC requested from the Department of Homeland Security (DHS) Privacy Office all records and documents pertaining to the social monitoring and use of Voyager Labs, Logically, Inc., or ShadowDragon products or services. (Case number HQ 2022-HQFO-00284)
- On December 7, 2021, **Aaron Schaffer**, a representative with *The Washington Post* in Washington, DC, requested from the Department of Homeland Security (DHS) Privacy Office calendar records for Jen Easterly from November 2021 through the present. (Case number CISA 2022-NPFO-00044)

**Late Requests:**

- On November 30, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between sixteen USCIS officials and Senator Mike Lee (R-UT) or any staff member in Senator Lee's office from January 3, 2015, through the present. (Case Number USCIS COW-2021-004959)
- On November 30, 2021, **Adriana Lafaille**, a representative with the **American Civil Liberties Union of Massachusetts (ACLU)** in Boston, Massachusetts, requested from U.S. Citizenship and Immigration Services (USCIS) records pertaining to the adjudication of Form I-212 applications from July 2016, through the present. (Case number USCIS COW-2021-004961)
- On November 30, 2021, **Nick Bauer**, a representative with **The Democratic National Committee** in Washington, DC, requested from U.S. Citizenship and Immigration Services (USCIS) all records between seven USCIS officials and Senator Tom Cotton (R-AR) or any staff member in Senator Cotton's office from January 3, 2015, through the present. (Case Number USCIS COW-2021-004972)
- On December 1, 2021, **Mr. Michael J. Dorfman**, a representative with **NBC7 San Diego**, in San Diego, California, requested from U.S. Customs and Border Protection (CBP) a list of individuals who crossed from the United States to Mexico, or Mexico to the United States, at the San Ysidro and Otay Mesa crossing sites from January 1, 2019, through the present. (Case number CBP-2022-019694).

### III. Freedom of Information Act Releases

- On December 2, 2021, U.S. Customs and Border Protection (CBP) released to **Carrie O'Connor**, a representative with the **Texas Civil Rights Project** in Alamo, Texas, eight pages consisting of the apprehension record of Carlos Gregorio Hernandez Vasquez and records from the Office of Professional Responsibility (OPR) pertaining to the apprehension and death of Carlos Gregorio Hernandez Vasquez, and records regarding the treatment of ill youth in CBP custody. Portions of this release were withheld pursuant to FOIA exemptions 2, 6, 7(C), and 7(E). (Case number CBP-2020-041539)
- On December 3, 2021, U.S. Customs and Border Protection (CBP) released to **Mark Heller**, a representative with **Advocates for Basic Legal Equality**, in Toledo, Ohio, 588 pages of records pertaining to Sandusky Bay Station's practices and procedures relating to apprehension, arrest, and/or seizure, detention, and/or custody, racial profiling, and collaborations with state and local law enforcement. Portions of this release have been withheld pursuant to FOIA exemptions 6, 7(C), and 7(E). (Case number CBP-2021-041934).
- On December 3, 2021, the Transportation Security Administration (TSA) released to **Jack Gillum**, a representative with **ProPublica** in Washington, DC, 5 pages pertaining to emails to and from Administrator David Pekoske, Acting Deputy Administrator Patricia Cogswell, Chief of Staff Ha Nguyen McNeill and Assistant Administrator for Legislative Affairs Clint Fisher. Portions of the release were withheld pursuant to FOIA Exemptions 5, and 6. (Case Number TSA 2019-TSFO-00567)

- On December 3, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Matthew Hoppock**, a representative with *MuckRock News* in Somerville, Massachusetts, 15 pages in response to his request for all documents pertaining to a memorandum by Tracy Short dated August 15, 2017, titled "For All OPLA Attorneys," a document titled "Promoting Excellence in OPLA's Advocacy Before the Board of Immigration Appeals" by Gwendolyn Keyes Fleming, and a document titled "Email Message from Riah Ramlogan, OPLA Supplemental Guidance on the Proper Handling of National Security and Human Rights Violator Cases (May 28, 2015)." Portions of the release will be withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2019-ICFO-22016)
- On December 3, 2021, Federal Emergency Management Agency (FEMA) released to **Lisa Song**, a representative with *ProPublica* in New York, New York, 141 pages of emails by Peter T. Gaynor, FEMA Administrator, and Captain W. Russell Webster, FEMA Region 1 Regional Administrator, pertaining to the government's distribution of Remdesivir to hospitals for the treatment of COVID-19. Portions of this release were withheld pursuant to FOIA Exemption 6. (Case Number 2020-FECS-00143)
- On December 3, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Angelika Albaladejo**, a representative with **The Marshall Project** in Los Angeles, California, 114 pages of records pertaining to ICE Air and Ground Operations (IAGO) current state assessments. Portions of the release will be withheld pursuant to FOIA Exemptions 5 and 7(E). (Case Number ICE 2019-ICFO-53159)
- On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to **Aura Bogado**, a representative with *The Center for Investigative Reporting* in Emeryville, California, 109 pages of records pertaining to the Department of Homeland Security Office (DHS) and Office of Inspector General (OIG) investigation into the Santa Ana City Jail. Portions of the release will be withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (ICE Case Number ICE 2020-ICFO-03731)
- On December 6, 2021, the Department of Homeland Security (DHS) Privacy Office released to **Matthew Taylor**, a private individual in Somerville, Massachusetts, Julie Kirchner's schedule, calendars, and appointment listings from May 2, 2017, through November 30, 2019. Portions of this release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number HQ 2021-HQFO-00171)
- On December 08, 2021, the United States Coast Guard (USCG) released to **Tony Guild**, a representative with **Maritime Technical Services LLC**, 71 pages of records pertaining to the investigative report M/V CONCEPTION. (Case Number USCG 2022-CGFO-00196).
- On December 8, 2021, U.S. Citizenship and Immigration Services (USCIS) released to **Jeffrey Light**, a representative with **Property of the People** in Washington, DC, 129 pages of records pertaining to records mentioning or referring to Kushner Companies from January 1, 2016, through the present. Portions of the release were withheld pursuant to FOIA Exemption 5. (Case Number USCIS COW-2018-000205)
- On December 8, 2021, U.S. Immigration Customs Enforcement (ICE) released to **Joel Marrero**, a representative with the **Mexican American Legal Defense and Educational**



**Fund (MALDEF)** in Los Angeles, California, 477 pages of documents pertaining to a certain employee's emails containing the word "transgender" from November 1, 2014, through May 18, 2018. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2018-ICFO-36234)

#### **IV. Freedom of Information Act Appeals**

- NSTR

#### **V. Freedom of Information Act Appeals Releases**

- NSTR

#### **VI. Litigation**

- In the matter of *Laila L. Hlass, The Door - A Center of Alternatives v. U.S. Citizenship and Immigration Services (USCIS) et al., (1:21-cv-02200)*, the plaintiff filed a FOIA request on April 21, 2021, seeking data on Special Immigrant Juvenile Status (SIJS) and Form I-360 applications from fiscal years 2010 through 2021. On December 2, 2021, USCIS released to the plaintiff two Excel spreadsheets.
- In the matter of *American Oversight v Immigration and U.S. Immigration Customs Enforcement (ICE) et al., (1:19-cv-01817-RCL)*, the plaintiff filed a FOIA request on February 8, 2019, requesting all records, including medical, pertaining to Roxana Hernandez and Mergensana Amar. On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 508 pages of records.
- In the matter of *Crew, et al. v. U.S. Immigration and Customs Enforcement (ICE), (1:20-cv-03120-CKK)*, the plaintiff filed a FOIA request on September 21, 2020, seeking multi-part records related to involuntary medical procedures at the Irwin County Detention Center (ICDC). On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 3 excel spreadsheets of records.
- In the matter of *American Immigration Council v U.S. Immigration and Customs Enforcement (ICE) et al., (1:18-cv-01531)*, the plaintiff filed a FOIA request on April 3, 2018, requesting records related to the processing and treatment of noncitizen families who arrive at the border, particularly the U.S.-Mexico border. On December 2, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 160 pages of records.
- In the matter of *Black Alliance for Just Immigration; American Immigration Council; American Civil Liberties Union of San Diego & Imperial Counties and American Civil Liberties Union of Texas v CBP (20-cv-05198-CBA-RLM)*, the plaintiff filed a FOIA request on July 27, 2020, pertaining to CBP's surveillance of, and deployment of CBP personnel to protests in various U.S. cities following the death of George Floyd on May 25, 2020. On December 3, 2021, CBP released 304 pages of records, one audio file totaling sixteen minutes and thirty-three seconds, and one video totaling eleven seconds to the plaintiff.
- In the matter of *American Oversight vs Department of Homeland Security 20-cv-01596 (Case Number (2020-HQLI-00029)* On April 23, 2020, the plaintiff requested

records relating to the agencies' response to the coronavirus pandemic regarding the procurement and distribution of needed equipment and supplies. On December 3, 2021, the Department of Homeland Security (DHS) Privacy Office released 44 pages to the plaintiff

- In the matter of *Jeremy Borden v U.S. Department of Homeland Security (DHS) et al.*, (:21-cv-0527-BAH), the plaintiff filed a FOIA request on February 27, 2020, requesting records related to all reports retained by the department authored or involving Eckart Frahm, a Yale antiquities expert who has assisted in an expert capacity with DHS antiquities investigations. On December 3, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 152 pages of records.
- In the matter of *Citizens for Responsibility and Ethics in Washington v DOJ and DHS (20-cv-02553-TJK)*, the plaintiff filed a FOIA request on July 23, 2020, seeking records pertaining to the deployment of CBP's personnel to protests in various U.S. cities, as a result of the death of George Floyd, from June 2, 2020, through the present. On December 6, 2021, CBP released 326 pages of records, one audio file totaling sixteen minutes and thirty-three seconds, and one video totaling eleven seconds to the plaintiff.
- In the matter of *Catholic Legal Immigration Network, Inc., et al., v. U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS), and U.S. Department of State (DOS) (8:20-cv- 02042)*, the plaintiff filed a FOIA request on August 12, 2019, seeking records pertaining to Temporary Protected Status from January 20, 2017, through August 12, 2019. On December 6, 2021, USCIS released 236 pages of records and 15 Microsoft Excel sheets to the plaintiff.
- In the matter of *Center for Gender & Refugee Studies v U.S. Immigration and Customs Enforcement (ICE) et al.*, (4:21-cv-01065-DMR), the plaintiff filed a FOIA request on February 12, 2021, requesting all records from U.S. Immigration and Customs Enforcement (ICE) pertaining to guidance, instructions, training, and policies relating to asylum and withholding of removal claims based in whole or in part on a "gender alone" Particular Social Group. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 358 pages of records.
- In the matter of the *American Civil Liberties Union v U.S. Department of Homeland Security (DHS) et al.*, (1:20-cv-10083), the plaintiff filed a FOIA request on December 02, 2020, requesting all records and documents pertaining to Venntel Inc., concerning government access to or receipt of data from commercial databases containing cell phone location information. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 80 pages of records.
- In the matter of *Documented v. ICE 21-cv-000167-ABJ*, the plaintiff filed a FOIA request on January 19, 2021, requesting all outbound transmissions that contain criminal notices sent to Honduras in FY 2018. On December 6, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 1 excel spreadsheet of records.

- In the matter of the *Southern Poverty Law Center (SPLC) and Al Otro Lado (AOL)* v. DHS et al. (1:19-cv-3438-CJN), the plaintiff filed a FOIA request on May 31, 2019, seeking all documents pertaining to the screening, inspection, or processing of unaccompanied non-citizen children on the Southern border from May 2018 through the present. On December 7, 2021, CBP released 105 pages of records to the plaintiff.
- In the matter of *Jason Leopold & BuzzFeed v U.S. Department of Homeland Security (DHS) et al, (1:19-cv-03028-DLF)*, the plaintiff filed a FOIA request on July 2, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On December 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 499 pages of records.
- In the matter of *Hannah Rapple and NBC Universal Media v U.S. Department of Homeland Security (DHS) et al, (1:20-cv-00280-DLC)*, the plaintiff filed FOIA requests on August 3, 2018, and June 6, 2019, seeking all records pertaining to multiple individuals who died while in ICE custody. On December 8, 2021, U.S. Immigration and Customs Enforcement (ICE) released to the plaintiff 499 pages of records.

### **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