

**FOIA Activity for the Week of January 30 – February 5, 2014**  
**Privacy Office**  
**February 10, 2014**  
**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 January 30, 2014, the Federal Law Enforcement Training Centers (FLETC) posted to the FLETC FOIA Library the Fiscal Year 2013 FOIA Log (seven pages).
- On January 31, 2014, the Federal Law Enforcement Training Centers (FLETC) posted to the FLETC FOIA website a Privacy Act Release form (one page).
- On February 4, 2014, the Department of Homeland Security (DHS), Office of Inspector General (OIG) posted to the DHS-OIG FOIA website additional instructions and documentation needed to file a FOIA request (one page).
- On February 5, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS FOIA Library the Privacy Office November 2013 FOIA Log (10 pages).
- On February 5, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS FOIA Library the Privacy Office December 2013 FOIA Log (12 pages).
- On February 5, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS FOIA Library the DHS Congressional Correspondence Logs for March 2013, November 2013, and December 2013 (42 pages).

**II. FOIA Requests**

- On January 30, 2014, **Cristina Costantini**, a reporter with *Fusion* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data pertaining to the number of detainees held in ICE facilities in the last decade. (Case Number ICE 2014FOIA08793.)
- On January 30, 2014, **Alicia Caldwell**, a reporter with the *Associated Press* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) records pertaining to the crash of a drone on January 27, 2014. (Case Number CBP-2014-011389.)
- On January 30, 2014, **Paul Birmingham**, an investigative producer with *KVOA-TV* in Tucson, Arizona, requested from U.S. Customs and Border Protection (CBP) records pertaining to U.S. Border Patrol agents who were placed on leave or otherwise faced action due to being intoxicated while on duty from January 1, 2013, through January 1, 2014. (Case Number CBP-2014-011652.)
- On January 31, 2014, **Neal Carlton**, a federal liaison with the **Texas Department of Agriculture** in Austin, Texas, requested from U.S. Customs and Border Protection (CBP) the following records for fiscal years 2009 through the present: (1) performance reports for CBP activity along the Mexico-United States border; (2) reports on Border Patrol agents and equipment inter-sector adaptability in response to changing flows of illegal entries; (3) reports identifying the number of

Border Patrol agents conducting patrol activities along the Texas-Mexico border; (4) CBP personnel statistics by job type; and (5) reports on effectiveness of surveillance and patrol activities along the Texas-Mexico border. (Case Number CBP-2014-011812.)

- On February 3, 2014, **Rich Lord**, a staff writer with the *Pittsburgh Post-Gazette* in Pittsburgh, Pennsylvania, requested from the United States Secret Service (USSS) the following records from fiscal years 2010 through 2014: (1) records pertaining to funds allocated for distribution to confidential human sources, confidential informants, cooperating witnesses, or other non-employees who may receive payment for evidence, payment for information, or payment for services used in criminal investigations (Case Number USSS 20140310); (2) records pertaining to accounting and reconciliation procedures governing payments to the aforementioned groups (Case Number USSS 20140311); and (3) records pertaining to payments made in any reward for enforcement cooperation program, whistleblower reward program, reward for information program, or similar program in which non-employees are paid a fraction, percentage or flat amount for monies obtained through an enforcement action. (Case Number USSS 20140312.)
- On February 3, 2014, **Rory Campbell**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence to DHS from or on behalf of State Representative Amy Stephens (R-CO) from January 1, 2006, through January 15, 2014. (Case Number 2014-HQFO-00309.)
- On February 3, 2014, **Katie Drapcho**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to FOIA requests sent to DHS regarding Senator Mark Warner (D-VA) or Governor Mark Warner (D-VA) from January 1, 2013, through the present. (Case Number 2014-HQFO-00310.)
- On February 3, 2014, **Donna Bryson**, a reporter with the *Associated Press*, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to the software known as Case Investigative Life Cycle; and (2) records pertaining to the following companies and their principals: (a) Leading Team Inc., (b) IRP Solutions Corporation; (c) DKH, LLC; (d) David A. Banks; (e) Demetrius K. Harper; (f) Gary L. Walker; (g) Clinton A. Stewart; (h) David A. Zirpolo; and (i) Kendrick Barnes. (Case Number 2014-HQFO-00312.)
- On February 3, 2014, **Jim McElhatton**, a reporter with *The Washington Times* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to the application of DHS Chief of Staff Christian Marrone. (Case Number 2014-HQFO-00313.)
- On February 3, 2014, **David Perera**, an editor with *FierceHomeland Security* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to BioWatch Generation 3 analysis of alternatives. (Case Number 2014-HQFO-00314.)

- On February 5, 2014, **Saad Kamal**, an analyst with **Washington Analysis, LLC** in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to calendar appointments and/or e-mails containing the word “Rapiscan” addressed to or involving Michael Russell, Deputy Associate General Counsel, from November 1, 2013, through February 3, 2014. (Case Number 2014-HQFO-00316.)
- On February 5, 2014, **Thomas Lake**, a reporter with *Sports Illustrated* in Decatur, Georgia, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the Homeland Security Investigations (HSI) investigation of Concrete Management Corp., in Colorado, a company that was charged in 2013 with a misdemeanor for a pattern of using illegal workers. (Case Number ICE 2014FOIA09168.)

### Late requests

- On January 3, 2014, **Benjamin Crair**, a reporter with *The New Republic* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the importation of sloths by the Dallas World Aquarium, Daryl Richardson, and Luis Sigler, from January 1, 1992, through January 1, 2014. (Case Number CBP-2014-007924.)
- On January 5, 2014, **Benjamin Crair**, a reporter with *The New Republic* in New York, New York, requested from U.S. Customs and Border Protection (CBP) records pertaining to the importation into the United States of live animal specimens from Panama that reference (b)(6) from January 1, 1992, through January 1, 2014. (Case Number CBP-2014-007955.)
- On January 20, 2014, **Scott MacFarlane**, an investigative reporter with *NBC 4* in Washington, DC, requested from U.S. Customs and Border Protection (CBP) a copy of a master list of all items seized/confiscated by CBP staff at Ronald Reagan Washington National Airport and Dulles International Airport in 2013. (Case Number CBP-2014-010049.)
- On January 23, 2014, **Keith Herbert**, a writer with *Newsday* in Melville, New York, requested from the Federal Emergency Management Agency (FEMA) records pertaining to Public Assistance grants following Hurricane Sandy for the following states: (1) New York; (2) New Jersey; (3) Massachusetts; (4) Connecticut; and (5) Rhode Island. (Case Number FEMA 2014-FEFO-00360.)
- On January 24, 2014, **Joel Millman**, a reporter with *The Wall Street Journal* in Portland, Oregon, requested from the United States Citizenship and Immigration Services (USCIS) records pertaining to Petitions for Alien Relatives (Form I-130) for fiscal years 2003 through 2014. (Case Number USCIS COW2014000075.)
- On January 24, 2014, **Sally Kestin**, a reporter with the *Sun Sentinel* in Fort Lauderdale, Florida, requested from U.S. Customs and Border Protection (CBP) records pertaining to investigations or seizures of the shipment of medical supplies, prescription drugs, or pharmaceuticals from the United States to Cuba since 2000. (Case Number CBP-2014-010591.)
- On January 27, 2014, **Al Shaw**, a journalist with *ProPublica* in New York, New York, requested from the Federal Emergency Management Agency (FEMA) records pertaining to the current version of the Midterm Levee Inventory (MLI)

database, as detailed in the November 30, 2012 FEMA report, “Midterm Levee Inventory Project Summary Report: Standard Operations Task Order 4.” (Case Number FEMA 2014-FEFO-00365.)

- On January 29, 2014, **Todd Feathers**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) records pertaining to the Periodic Review Board, which is charged with assessing the detainees at Guantanamo Bay, from January 1, 2011, through January 29, 2014. (Case Number 2014-HQFO-00306.)

### III. FOIA Releases

- On February 3, 2014, the Department of Homeland Security (DHS) issued to, **Kate Bailey**, FOIA Program Manager with **Judicial Watch** in Washington, DC, a full denial in response to her request seeking records pertaining to the approval of Gulf Coast Funds Management to participate in the foreign visa program. These records were withheld pursuant to FOIA Exemption 5. (Case Number 2014-HQFO-00237.)
- On February 4, 2014, the Department of Homeland Security (DHS) released to **Michael Ravnitzky**, an individual in Silver Spring, Maryland, 78 pages of records consisting of letters of correspondence from DHS to the following members of Congress: (1) Representative Michael McCaul (R-TX); (2) Representative Candice Miller (R-MI); (3) Peter King (R-NY); (4) Patrick Meehan (R-PA); (5) Susan Brooks (R-IN); (6) Jeffrey Duncan (R-SC); and (7) Richard Hudson (R-NC). Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number 2013-HQFO-00590.)
- On February 4, 2014, the Department of Homeland Security (DHS) released to **Audrey Singer**, a senior fellow with the **Brookings Institution** in Washington, DC, one Excel spreadsheet containing statistical data pertaining to Deferred Action for Childhood Arrivals (DACA). Portions of the release were withheld pursuant to FOIA Exemption 6. (Case Number 2013-HQFO-00982.)
- On February 4, 2014, the Department of Homeland Security (DHS) released to **Jason Smathers**, a representative with **MuckRock News** in Boston, Massachusetts, 340 pages of records pertaining to the Faithful Readiness Emergency Conference held in January 2011 and other meetings related to local faith-based organizations. These records were released in full. (Case Number 2014-HQFO-00271.)
- On February 5, 2014, the United States Coast Guard (USCG) released to **Lucy Kinder**, an individual, 214 pages of records consisting of photographs, e-mails, and letters pertaining to By and Large of Google concerning the following barges: (1) BAL0010; (2) BAL0011; (3) BAL0001; and (4) BAL0100. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, 6, and 7(C). (Case Number USCG 2014-0241.)

### IV. FOIA Appeals

- On January 31, 2014, **Jeremy Schwartz**, a reporter with the *Austin American-Statesman* in Austin, Texas, appealed U.S. Customs and Border Protection’s (CBP) lack of response to his request seeking a copy of all I-213 forms, Record of

Deportable/Inadmissible Alien, associated with apprehensions made by Border Patrol agents with the San Antonio station in fiscal year 2013. (Case Number CBP-AP-2014- 011618.)

- On January 31, 2014, **Jeremy Schwartz**, a reporter with the *Austin American-Statesman* in Austin, Texas, appealed U.S. Customs and Border Protection's (CBP) lack of response to his request seeking the location of each apprehension, by date, since 2005 by Border Patrol agents at the following stations: (1) Abilene Station; (2) Amarillo Sub-Station; (3) Dallas Station; (4) Fort Stockton Station; (5) Lubbock Station; (6) Midland Station; (7) Pecos Station; (8) San Angelo Station; and (9) San Antonio Station. (Case Number CBP-AP-2014-011623.)
- On January 31, 2014, **Jeremy Schwartz**, a reporter with the *Austin American-Statesman* in Austin, Texas, appealed U.S. Customs and Border Protection's (CBP) lack of response to his request seeking Border Patrol agent staffing numbers, by year from 2005 through 2013, for the following stations: (1) Abilene Station; (2) Amarillo Sub-Station; (3) Dallas Station; (4) Fort Stockton Station; (5) Lubbock Station; (6) Midland Station; (7) Pecos Station; (8) San Angelo Station; and (9) San Antonio Station. (Case Number CBP-AP-2014-011624.)

## V. FOIA Appeals Releases

- NSTR

## VI. Litigation

- In the matter of *National Immigrant Justice Center v. DHS* (N.D. Ill. 12-cv-04825), plaintiff filed a FOIA request on November 8, 2011, seeking records relating to all instances where prosecutorial discretion had been considered, exercised, and/or requested from January 1, 2010, through the date of the request. Plaintiff filed suit on June 18, 2012, claiming constructive denial. On January 30, 2014, U.S. Immigration and Customs Enforcement (ICE) released its tenth interim response, consisting of 337 pages of e-mails and one Excel spreadsheet from the ICE Office of the Principal Legal Advisor.
- In the matter of *Georgia Latino Alliance for Human Rights (GLAHR) v. DHS* (N.D. Ga. 12-cv-03702), plaintiffs filed a FOIA request on April 17, 2012, seeking a copy of every single I-213 and I-247 detainer form issued in the State of Georgia, along with a copy of all communications between U.S. Immigration and Customs Enforcement (ICE) and state and local law enforcement officials in Georgia. Plaintiffs filed suit on October 24, 2012, after ICE denied their appeal of the search fees assessed and the denial of their request for expedited processing. On February 3, 2014, ICE released 50 pages of records consisting of Form I-213 narratives.

## FOIA 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

**FOIA Activity for the Week of February 6 - 12, 2014**  
**Privacy Office**  
**February 18, 2014**  
**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. FOIA Requests**

- On February 6, 2014, **Tami Abdollah**, a reporter with the *Associated Press* in Los Angeles, California, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to the “Department of Homeland Security Communications Interoperability Plan” from December 2013; and (2) records provided to the DHS Office of Inspector General (OIG) in response to its audit entitled “DHS’ Oversight of Interoperable Communications (OIG 13-06).” (Case Number 2014-HQFO-00322.)
- On February 6, 2014, **Daniel Gonzalez**, a reporter with *The Arizona Republic* in Phoenix, Arizona, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the disposition of approximately 303 immigration detainees released by ICE in February 2013 from facilities in Arizona because of budget constraints ahead of sequestration mandated by the Budget Control Act of 2011 and the American Taxpayer Relief Act of 2012. (Case Number ICE 2014FOIA09280.)
- On February 6, 2014, **Cristina Costantini**, a reporter with *Fusion* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) records pertaining to the arrest or detention of nursing mothers. (Case Number ICE 2014FOIA09284.)
- On February 6, 2014, and February 10, 2014, **Michael Evans**, a researcher with **The National Security Archive** in Washington, DC, requested from U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) records pertaining to the collection, storage, return, and disposition of the personal possessions of individuals detained at CBP and ICE facilities. (Case Numbers CBP-2014-012621 and ICE 2014FOIA09736.)
- On February 6, 2014, **Mike Clary**, a reporter with the *Sun-Sentinel* in Fort Lauderdale, Florida, requested from the United States Coast Guard (USCG) a copy of the USCG report pertaining to the death aboard the vessel FINE TUNA on January 25, 2013. (Case Number USCG 2014-0951.)
- On February 7, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) a copy of the final evaluations and outcome reports from the following pilots of the National Operations Center (NOC) Media Monitoring Initiative: (1) Haiti Social Media Disaster Monitoring Initiative; (2) 2010 Winter Olympics Social Media Event Monitoring Initiative; and (3) BP Oil Spill Response Social Media Event Monitoring Initiative. (Case Number 2014-HQFO-00336.)

- On February 10, 2014, **Matthew Schaub** a representative with the **Democratic Congressional Campaign Committee (DCCC)** in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence pertaining to Congressman Mike Coffman (R-CO) or his office. (Case Number 2014-HQFO-00331.)
- On February 10, 2014, **Luke Rosiak**, a journalist with the *Washington Examiner* in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence from DHS to any of the following members of Congress from January 1, 2011, through the present: (1) Representative Michael McCaul (R-TX); (2) Representative Candice Miller (R-MI); (3) Peter King (R-NY); (4) Patrick Meehan (R-PA); (5) Susan Brooks (R-IN); (6) Jeffrey Duncan (R-SC); and (7) Richard Hudson (R-NC). (Case Number 2014-HQFO-00332.)
- On February 10, 2014, **Joseph Trevithick**, an independent researcher in Alexandria, Virginia, requested from U.S. Customs and Border Protection (CBP) a copy of an annual history noting significant activities for CBP's Office of Air and Marine for 2013. (Case Number CBP-2014-013021.)
- On February 10, 2014, **Selam Gebrekidan**, a journalist with *Reuters News* in New York, New York, requested from U.S. Customs and Border Protection (CBP) a copy of filings submitted by companies asking for CBP to reconsider the definition of crude oil and lease condensate for export purposes and/or to reclassify the commodity for January 1, 2004, through the present. (Case Number CBP-2014-013053.)
- On February 10, 2014, **Cristina Costantini**, a reporter with *Fusion* in Brooklyn, New York, requested from U.S. Immigration and Customs Enforcement (ICE) statistical data on the number of pregnant women detained by ICE. (Case Number ICE 2014FOIA09537.)
- On February 10, 2014, **Andrew Becker**, a reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, requested from the Department of Homeland Security (DHS), Office of Inspector General (OIG) a copy of the full report of investigation for case numbers 10-CBP-LAR-00742 and 11-CBP-DRT-00016. (Case Number OIG 2014-063.)
- On February 10, 2014, **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, requested from the United States Coast Guard (USCG) records passed to the Federal Bureau of Investigation (FBI) Crimes on the High Seas Task Force, and any correspondence concerning the same for PA99002547 and associated Marine Information for Safety and Law Enforcement (MISLE) Activity numbers 230478 and 738764. (Case Number USCG 2014-0978.)
- On February 10, 2014, **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, requested from the United States Coast Guard (USCG) the following records: (1) a copy of the investigating officer's narrative report associated with PA98000137 and Marine Information for Safety and Law Enforcement (MISLE) Activity number 211984; and (2) a copy of the Letter of Concern issued by the Western Alaska Officer in Charge, Marine Inspection (OCMI) on January 15, 1998, as a result of this investigation. (Case Number USCG 2014-0979.)

- On February 11, 2014, **Marcus Green**, a reporter with *WDRB News* in Louisville, Kentucky, requested from the United States Coast Guard (USCG) records pertaining to all actions taken by the USCG in response to the National Transportation Safety Board (NTSB) recommendations M-13-07 and M-13-08. (Case Number USCG 2014-0988.)
- On February 11, 2014, **Adam Federman**, a freelance journalist in Bristol, Vermont, requested from the Department of Homeland Security (DHS) records pertaining to an April 4, 2012 Strategy Meeting in Oklahoma City, Oklahoma with TransCanada Corporation and the Federal Bureau of Investigation (FBI). (Case Number 2014-HQFO-00341.)

### Late requests

- On January 30, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) a copy of the ground orders to Unmanned Aircraft System (UAS) units following the crash landing of a Predator drone near San Diego on January 27, 2014. (Case Number CBP-2014-013298.)
- On January 30, 2014, **Shawn Musgrave**, a representative with **MuckRock News** in Boston, Massachusetts, requested from U.S. Customs and Border Protection (CBP) a copy of the incident report, after action report, or summary memorandum pertaining to the Predator B crash on January 27, 2014. (Case Number CBP-2014-013300.)
- On February 4, 2014, **Katie Drapcho**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, requested from the Department of Homeland Security (DHS) records of correspondence to DHS from or on behalf of Edward Gillespie from January 1, 1985, through January 15, 2014. (Case Number 2014-HQFO-00324.)
- On February 4, 2014, **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, requested from the United States Coast Guard (USCG) records pertaining to the Marine Information for Safety and Law Enforcement (MISLE) Activity numbers 743922 (Case Number USCG 2014-0932) and 1477954. (Case Number USCG 2014-0933.)
- On February 4, 2014, **Matt Jenkins**, an editor with the *High Country News* in El Paso, Texas, requested from the United States Coast Guard (USCG) records pertaining to FOIA Case Numbers USCG 2009-1444, 2009-1724, and 2009-1795. (Case Number USCG 2014-0942.)
- On February 4, 2014, **Bo Petersen**, a reporter with *The Post and Courier* in Charleston, South Carolina, requested from the United States Coast Guard (USCG) a copy of reports pertaining to the last known coordinates or reports of debris involving the loss of the LADY EVA shrimp boat under tow in the Charleston shipping channel. (Case Number USCG 2014-0962.)

### **III. FOIA Releases**

- On February 6, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jason Leopold**, a reporter with **Truthout** in Beverly Hills, California, six pages of records consisting of a letter from a member of the public regarding the

Long Island ICE Tea Party and ICE's response to that letter. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA14051.)

- On February 6, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Sirine Shebaya**, a representative with the **America Civil Liberties Union (ACLU) of Maryland** in Baltimore, Maryland, one Excel spreadsheet containing data pertaining to each detainer, Form I-247, issued by ICE to another law enforcement agency in the State of Maryland, from January 1, 2010, through the present. These records were in full. (Case Number ICE 2013FOIA18591.)
- On February 7, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Robert Deasy**, a director with the **American Immigration Lawyers Association (AILA)** in Washington, DC, one page of records consisting of statistical data pertaining to L-1B petitions for the California Service Center and Vermont Service Center for fiscal years 2012 through 2013. These records were released in full. (Case Number USCIS COW2013000886.)
- On February 7, 2014, the Department of Homeland Security (DHS) released to **Jesse Franzblau**, a representative with **The National Security Archive** in Washington, DC, 24 pages of records consisting of talking points, a biography, and other records pertaining to the letter of intent signed between former Secretary Janet Napolitano and Mexico's former Secretary of Interior Gomez-Mont in February 2010, regarding better coordination on a number of mutual aviation security initiatives. Portions of the release were withheld pursuant to FOIA Exemption 5. (Case Number 2014-HQFO-00162.)
- On February 10, 2014, the Department of Homeland Security (DHS) issued to **Rory Campbell**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, a no records determination in response to his request seeking records of correspondence to DHS from or on behalf of State Representative Amy Stephens (R-CO) from January 1, 2006, through January 15, 2014. (Case Number 2014-HQFO-00309.)
- On February 10, 2014, the Department of Homeland Security (DHS) issued to **Katie Drapcho**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, a no records determination in response to her request seeking records of correspondence to DHS from or on behalf of Edward Gillespie from January 1, 1985, through January 15, 2014. (Case Number 2014-HQFO-00324.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Mark Hansel**, a reporter with **The Kentucky Enquirer** in Fort Mitchell, Kentucky, one Excel spreadsheet containing six data fields pertaining to individuals released from the Boone County Immigration Detention Facility in February 2013. These records were released in full. (Case Number ICE 2013FOIA14764.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 37 data fields of anonymous case-by-case information on each ICE removal (including returns) in November 2012. Portions of the release were

withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA5516.)

- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 98 data fields of anonymous person by person information on all ICE detainers issued in February 2013. These records were released in full. (Case Number ICE 2013FOIA14907.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director of the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous alien by alien, detention facility by detention facility, data for all individuals who were detained, released, or were in ICE custody in August 2013. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA32981.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous case-by-case information on each ICE removal (including returns) in April 2013. These records were released in full. (Case Number ICE 2013FOIA19391.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 98 data fields of anonymous person by person information on all ICE detainers issued in September 2013. These records were released in full. (Case Number ICE 2014FOIA663.)
- On February 10, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous case-by-case information on each ICE removal (including returns) in February 2013. These records were released in full. (Case Number ICE 2013FOIA14905.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous alien by alien, detention facility by detention facility, data for all individuals who were detained, released, or were in ICE custody in March 2013. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA16997.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous alien by alien, detention facility by detention facility, data for all individuals who were detained, released, or were in

ICE custody in July 2013. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA30284.)

- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous alien by alien, detention facility by detention facility, data for all individuals who were detained, released, or were in ICE custody in November 2012. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA22314.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Grace Meng**, a researcher with **Human Rights Watch** in New York, New York, one Excel spreadsheet containing seven data fields pertaining to non-citizens removed on criminal grounds from October 1, 2006, through September 30, 2012. These records were released in full. (Case Number ICE 2013FOIA23398.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Maria Zamudio**, a reporter with *The Chicago Reporter* in Chicago, Illinois, one Excel spreadsheet containing five data points pertaining to convicted criminal aliens released but not deported from 2008 through the present under the 2001 Supreme Court ruling in *Zadvydas v. Davis*. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2014FOIA2458.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Jacqueline Stevens**, a professor with **Northwestern University** in Evanston, Illinois, 10 pages of records pertaining to the ICE facility on Commonwealth Business Drive in Tallahassee, Florida. Portions of the release were withheld pursuant to FOIA Exemptions 4, 6, and 7(C). (Case Number ICE 2013FOIA17412.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Amy Isackson**, a reporter with *National Public Radio (NPR)* in Cardiff, California, one Excel workbook containing data pertaining to the number of people repatriated through each Southwest border port of entry from fiscal year 2003 through the present. These records were released in full. (Case Number ICE 2013FOIA18570.)
- On February 11, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Kate Bailey**, FOIA Program Manager with **Judicial Watch** in Washington, DC, one page of records containing the number of Alien Transfer Exit Program (ATEP) removals from January 1, 2011, through June 1, 2013. These records were released in full. (Case Number ICE 2013FOIA18600.)
- On February 11, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Robert Deasy**, a director with the **American Immigration Lawyers Association (AILA)** in Washington, DC, 117 pages of records consisting of e-mails and other records pertaining to the June 3, 2013 memorandum from the Fraud Detection and National Security (FDNS) Directorate on Revised H-1B Anti-Fraud Operational Guidance. Portions of the

release were withheld pursuant to FOIA Exemptions 3, 5, and 6. (Case Number USCIS COW2013000896.)

- On February 11, 2014, the United States Coast Guard (USCG) released to **Russell Clemons**, an individual in Pensacola, Florida, seven pages of records consisting of Shoreline Cleanup and Assessment Technique (SCAT) reports, maps, and photographs pertaining to the use of Corexit or any other pollutants related to the Deepwater Horizon incident on April 20, 2010 adjacent to Perdido Key, Florida. These records were released in full. (Case Number USCG 2013-1742.)
- On February 11, 2014, the Department of Homeland Security (DHS) released to **Eric Lipton**, a reporter with *The New York Times* in Washington, DC, 56 pages of records consisting of e-mails that mention: (1) Eric Lipton; (2) *The New York Times*; or (3) the *Times*. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number 2013-HQFO-00712.)
- On February 12, 2014, the Department of Homeland Security (DHS) released to **Scott MacFarlane**, an investigative reporter with *NBC 4* in Washington, DC, 128 pages of records consisting of e-mails sent or received by e-mail addresses used by the DHS acting Secretary and Chief of Staff from 11:59 pm on October 16, 2013, through 11:59 am on October 17, 2013. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number 2014-HQFO-00036.)
- On February 12, 2014, U.S. Customs and Border Protection (CBP) issued to **Michael Wooten**, a reporter with *WGRZ-TV* in Buffalo, New York, a full denial in response to his request seeking a copy of a video of an outbound inspection at the Peace Bridge in Buffalo on December 14, 2013. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-012141.)
- On February 12, 2014, U.S. Customs and Border Protection (CBP) issued to **Shawn Musgrave**, a representative with *MuckRock News* in Boston, Massachusetts, a full denial in response to his request seeking a copy of the incident report, after action report, or executive summary memorandum pertaining to the Predator B crash on January 27, 2014. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-013300.)

#### IV. FOIA Appeals

- NSTR

#### V. FOIA Appeals Releases

- On February 10, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a staff reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, 59 pages of records containing a photograph, summary of criminal conviction, and background investigation records pertaining to (b)(6). Portions of the release were withheld pursuant to FOIA Exemptions 6, 7(C), and 7(E). (Case Number CBP-AP-2014-006028.)
- On February 11, 2014, U.S. Customs and Border Protection (CBP) released to **Andrew Becker**, a staff reporter with the *Center for Investigative Reporting (CIR)* in Emeryville, California, two pages of records consisting of a

memorandum from CBP's Acting Commissioner to former Secretary Janet Napolitano regarding proposed revocation of rulings concerning the admissibility of knives with spring-assisted opening mechanisms. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number CBP-AP-2014-006030.)

## **VI. Litigation**

- In the matter of *National Immigrant Justice Center v. DHS* (N.D. Ill. 12-cv-05358), plaintiff filed a FOIA request on April 27, 2011, seeking a copy of all Intergovernmental Service Agreements (IGSAs) between U.S. Immigration and Customs Enforcement (ICE) and any state, municipal, or county entity regarding the housing of immigrant detainees. Plaintiff filed suit on July 9, 2012, claiming constructive denial. On February 7, 2014, ICE released its first supplemental release of 185 pages of IGSA records for the Adelanto detention facility.
- In the matter of *Georgia Latino Alliance for Human Rights (GLAHR) v. DHS* (N.D. Ga. 12-cv-03702), plaintiffs filed a FOIA request on April 17, 2012, seeking a copy of every single I-213 and I-247 detainer form issued in the State of Georgia, along with a copy of all communications between U.S. Immigration and Customs Enforcement (ICE) and state and local law enforcement officials in Georgia. Plaintiffs filed suit on October 24, 2012, after ICE denied their appeal of the search fees assessed and the denial of their request for expedited processing. On February 12, 2014, ICE released 368 pages of records from the ICE Atlanta Field Office.
- In the matter of *American Immigration Council, et al. v. Department of Homeland Security* (D. Conn. 12-cv-355), plaintiffs filed a FOIA request on November 29, 2011, seeking records pertaining to the U.S. Immigration and Customs Enforcement (ICE) Criminal Alien Program (CAP) and its predecessors. Plaintiffs filed suit on March 8, 2012, claiming constructive denial, improper denial of fee waiver request, and improper denial of media requester status. On February 12, 2014, ICE released 312 pages of records and six Excel spreadsheets from CAP personnel in the ICE Atlanta Field Office.

## FOIA 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

**FOIA Activity for the Week of February 13 - 19, 2014**  
**Privacy Office**  
**February 24, 2014**  
**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 18, 2014, the Department of Homeland Security (DHS) Privacy Office posted to the DHS FOIA Library the 2013 Freedom of Information Act (FOIA) Report to the Attorney General (35 pages).

**II. FOIA Requests**

- On February 14, 2014, **Anna Boiko-Weyrauch**, a reporter with *National Public Radio (NPR) News* in Washington, DC, requested from the United States Coast Guard (USCG) a copy of the audio of recorded calls pertaining to Incident Report number 1073825. (Case Number USCG 2014-1019.)
- On February 14, 2014, **William Marshall**, a representative with **Judicial Watch** in Washington, DC, requested from the Department of Homeland Security (DHS) the following records: (1) records pertaining to the February 7, 2014 solicitation by DHS for the purchase of 141,160 rounds of Hornady .308 Winchester 168gr A-MAX TAP Ammunition; and (2) the number of DHS personnel qualified to use the ammunition. (Case Number 2014-HQFO-00349.)
- On February 18, 2014, **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, requested from the Department of Homeland Security (DHS) records pertaining to film treatments and proposals for entertainment productions requesting support, including use of DHS facilities, expert consultation, or staff appearance as extras, from January 1, 2003, through the present. (Case Number 2014-HQFO-00354.)
- On February 18, 2014, **Sarah Mehta**, a researcher with the **American Civil Liberties Union (ACLU)** in New York, New York, and **Trina Realmuto**, a representative with the **National Immigration Project of the National Lawyers Guild (NIPNLG)** in Boston, Massachusetts, requested from the Department of Homeland Security (DHS) various records pertaining to removal orders and reinstatement orders from January 1, 2008, through December 31, 2013. (Case Number 2014-HQFO-00355.)

**Late requests**

- On February 7, 2014, **Scott MacFarlane**, a reporter with *NBC 4* in Washington, DC, requested from the Department of Homeland Security (DHS) a copy of evaluations and reports from Social Media Monitoring Initiatives from February 1, 2013, through February 7, 2014. (Case Number 2014-HQFO-00345.)

**III. FOIA Releases**

- On February 12, 2014, U.S. Customs and Border Protection (CBP) issued to **Shawn Musgrave**, a representative with **MuckRock News** in Boston,

Massachusetts, a full denial in response to his request seeking a copy of the ground orders to Unmanned Aircraft System (UAS) units following the crash landing of a Predator drone near San Diego on January 27, 2014. These records were withheld pursuant to FOIA Exemption 7(A). (Case Number CBP-2014-013298.)

- On February 13, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Susan Long**, Co-director with the **Transactional Records Access Clearinghouse (TRAC)** in Syracuse, New York, one Excel spreadsheet containing 46 data fields of anonymous alien by alien, detention facility by detention facility, data for all individuals who were detained, released, or were in ICE custody in February 2013. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA14789.)
- On February 13, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Thomas Jones**, a blogger with the **339 Group LLC** in Edgewater, Maryland, 20 pages of records consisting of correspondence between ICE and Senator Mitch McConnell (R-KY) in his Senate office or his leadership offices. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2013FOIA33591.)
- On February 13, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **William Selway**, a reporter with **Bloomberg News** in Washington, DC, nine pages of records consisting of e-mails regarding how the agency set bail for those detained in the T. Don Hutto Detention Center in Texas from June 1, 2013, through October 22, 2013. Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, 7(C), and 7(E). (Case Number ICE 2014FOIA1359.)
- On February 13, 2014, U.S. Immigration and Customs Enforcement (ICE) released to **Cristina Costantini**, a reporter with **Fusion** in New York, New York, one page of records containing a list of pregnant women detained in the ICE El Paso Processing Center in 2013 broken down by month, including women who miscarried while in detention and specific length of stay. Portions of the release were withheld pursuant to FOIA Exemptions 6 and 7(C). (Case Number ICE 2014FOIA5959.)
- On February 18, 2014, the Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD) released to **Kim Zetter**, a reporter with **Wired** in San Francisco, California, 935 pages of records consisting of e-mails pertaining to the Stuxnet worm. Portions of the release were withheld pursuant to FOIA Exemptions 4, 5, 6, 7(E), and 7(F). (Case Number NPPD 12F018.)
- On February 18, 2014, the United States Citizenship and Immigration Services (USCIS) released to **Jessica Schieder**, a fiscal policy associate with the **Center for Effective Government** in Washington, DC, 85 pages of records consisting of e-mails and other records pertaining to: (1) the impact of sequestration for fiscal year 2013; (2) anticipated impact of sequestration and/or other deeper potential cuts for fiscal year 2014; and (3) fiscal year 2013 operating plans that detail sequestration's impact and subsequent use of reprogramming authority to mitigate impact. Portions of the release were withheld pursuant to FOIA Exemptions 5 and 6. (Case Number USCIS COW2013000735.)

- On February 18, 2014, the Department of Homeland Security (DHS) issued to **Cameron Sullivan**, a representative with the **Democratic Senatorial Campaign Committee (DSCC)** in Washington, DC, a no records determination in response to his request seeking records of correspondence between DHS and State Representative Jason Conger (R-OR) from January 2011, through the present. (Case Number 2014-HQFO-00100.)
- On February 18, 2014, the Department of Homeland Security (DHS) released to **Matthew Schaub**, a representative with the **Democratic Congressional Campaign Committee (DCCC)** in Washington, DC, 13 pages of records consisting of a log of correspondence for Congressman Mike Coffman (R-CO). Portions of the release were withheld pursuant to FOIA Exemptions 5, 6, and 7(E). (Case Number 2014-HQFO-00331.)

#### **IV. FOIA Appeals**

- NSTR

#### **V. FOIA Appeals Releases**

- NSTR

#### **VI. Litigation**

- NSTR

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

**Exemption 9:** geological information on wells